

SENATE FLOOR SUBSTITUTE FOR
SENATE BILL 299

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

AN ACT

RELATING TO SPECIAL REGISTRATION PLATES; REQUIRING THE TAXATION
AND REVENUE DEPARTMENT TO ESTABLISH A DESIGN ELEMENT THAT
DENOTES SIGNIFICANT MOBILITY LIMITATION AND TO ISSUE THAT
DESIGN ELEMENT ON ANOTHER SPECIAL REGISTRATION PLATE IF
REQUESTED BY A PERSON WHO QUALIFIES; CREATING A STANDARDIZED
REGISTRATION PLATE FOR WORTHY PUBLIC PURPOSES; PROVIDING FOR
SPECIALIZED REGISTRATION DECALS FOR SUPPORTERS OF WORTHY PUBLIC
PURPOSES; MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH
SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARDS.--

A. The division shall issue distinctive

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1 registration plates for use on motor vehicles and motorcycles
2 owned or leased by a person with a significant mobility
3 limitation who requests a distinctive registration plate and
4 who proves satisfactorily to the division that the person is a
5 person with a significant mobility limitation.

6 B. The division shall establish a design element
7 that denotes significant mobility limitation and shall issue
8 that design element on another special registration plate in
9 lieu of issuing a special registration plate pursuant to
10 Subsection A of this section if requested by a person who
11 qualifies for a significant mobility limitation and the other
12 requested special registration plate; provided that:

13 (1) all fees and qualifications required to
14 obtain the other requested special registration plate are
15 satisfied by the requester; and

16 (2) the special registration plate selected by
17 the requester has been determined by the division to be able to
18 accommodate an additional design element.

19 ~~[B.]~~ C. The division shall issue a distinctive
20 parking placard to an organization that owns or leases a motor
21 vehicle that primarily transports persons with significant
22 mobility limitations and that requests a distinctive parking
23 placard. The organization, if qualified, may obtain a
24 distinctive parking placard for each vehicle used to transport
25 persons with significant mobility limitations.

1 ~~[G.]~~ D. No fee in addition to the regular
2 registration fee, if any, applicable to the motor vehicle or
3 motorcycle shall be collected for issuance of distinctive
4 registration plates or parking placards pursuant to this
5 section.

6 ~~[D.]~~ E. No person shall falsely claim to have a
7 significant mobility limitation so as to be eligible to be
8 issued a distinctive registration plate or a parking placard
9 pursuant to this section when the person does not in fact have
10 a significant mobility limitation. Upon notice and opportunity
11 to be heard, the division may revoke and demand return of any
12 placard when:

- 13 (1) it was issued in error or with false
14 information;
15 (2) the person receiving the placard is no
16 longer eligible;
17 (3) the placard is being used by ineligible
18 persons; or
19 (4) the organization to which the parking
20 placard was issued no longer exists.

21 ~~[E.]~~ F. Upon written application to the division
22 accompanied by a medical statement by a licensed physician or a
23 physician assistant, advanced practice registered nurse or
24 certified nurse-midwife working within that person's scope of
25 practice attesting to the permanent significant mobility

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1 limitation, a resident of the state who has a significant
2 mobility limitation, as provided in this section, may apply for
3 and be issued no more than two parking placards for display
4 upon a motor vehicle registered to the person or motor vehicle
5 owned by another person who is transporting the person with a
6 significant mobility limitation. The licensed physician or the
7 physician assistant, advanced practice registered nurse or
8 certified nurse-midwife working within that person's scope of
9 practice shall provide the division all information and records
10 necessary to issue a permanent parking placard. Once approved
11 for use of a permanent parking placard, a person with a
12 significant mobility limitation shall not be required to
13 furnish further medical information.

14 [~~F.~~] G. To obtain a distinctive parking placard
15 pursuant to this section, an organization shall submit to the
16 division:

17 (1) on a form approved by the division, a
18 signed statement by an authorized officer of the organization
19 affirming that the vehicle will be primarily used to transport
20 persons with significant mobility limitations and that the
21 registered vehicle is owned or leased by the organization; and

22 (2) at least one contract that places the
23 organization under obligation to provide transportation
24 services to persons with significant mobility limitations.

25 [~~G.~~] H. A parking placard issued pursuant to this

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1 section shall expire four years from the date it was issued.

2 ~~[H.]~~ I. The division shall issue two-sided
3 hanger-style parking placards with the following
4 characteristics:

5 (1) a picture of the international symbol of
6 access;

7 (2) a hologram to make duplication difficult;

8 (3) an imprinted expiration date; and

9 (4) for a placard issued to:

10 (a) a person with a significant mobility
11 limitation, a full-face photograph of the holder on the inside
12 of the placard covered by a flap; or

13 (b) an organization, the number of the
14 registration plate issued to the vehicle that is registered or
15 leased to the organization on which the placard will be used.

16 ~~[I.]~~ J. The division shall consult with the
17 governor's commission on disability for continued issuance and
18 format of the placard.

19 ~~[J.]~~ K. The division may issue an identification
20 card containing a full-face photograph of the holder of the
21 registration plate or parking placard and the number of the
22 registration plate or parking placard issued to that person.

23 ~~[K.]~~ L. Upon written application to the division
24 accompanied by a medical statement from a licensed physician or
25 a physician assistant, advanced practice registered nurse or

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1 certified nurse-midwife working within that person's scope of
2 practice attesting to a temporary significant mobility
3 limitation, a person may be issued a temporary placard for no
4 more than one year. The licensed physician or the physician
5 assistant, advanced practice registered nurse or certified
6 nurse-midwife working within that person's scope of practice
7 shall provide the division all information and records
8 necessary to issue a temporary placard.

9 [L.] M. Registration plates or parking placards
10 issued to a person with a significant mobility limitation by
11 another state or foreign jurisdiction shall be honored until
12 the motor vehicle or motorcycle is registered or the parking
13 placard holder establishes residency in this state.

14 [M.] N. A "person with a significant mobility
15 limitation" means a person who:

16 (1) cannot walk one hundred feet without
17 stopping to rest;

18 (2) cannot walk without the use of a brace,
19 cane or crutch or without assistance from another person, a
20 prosthetic device, a wheelchair or other assistive device;

21 (3) is restricted by lung disease to such an
22 extent that the person's forced respiratory volume, when
23 exhaling for one second, when measured by spirometry, is less
24 than one liter or the arterial oxygen tension is less than
25 sixty millimeters on room air at rest;

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- 1 (4) uses portable oxygen;
- 2 (5) has a severe cardiac condition; or
- 3 (6) is so severely limited in the ability to
- 4 walk due to an arthritic, neurologic or orthopedic condition
- 5 that the person cannot ascend or descend more than ten stair
- 6 steps."

7 SECTION 2. A new section of the Motor Vehicle Code is

8 enacted to read:

9 "[NEW MATERIAL] STANDARDIZED REGISTRATION PLATES FOR

10 WORTHY PUBLIC PURPOSES--SPECIAL REGISTRATION DECALS.--

11 A. For a fee of ten dollars (\$10.00), which shall

12 be in addition to the regular motor vehicle registration fee,

13 the department shall issue standardized registration plates

14 with space for a special registration decal as may be

15 authorized by statute for worthy public purposes. The fee

16 collected for each registration plate shall be retained by the

17 department and is appropriated to the department for the

18 manufacture and issuance of the registration plate. No two

19 owners shall be issued identically lettered or numbered

20 registration plates.

21 B. The authorizing statute for a special

22 registration decal shall provide for the collection of fees

23 that, at a minimum, shall cover the costs to the division of

24 development, manufacture and issuance of the decal.

25 C. Worthy public purpose registration plates, on

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1 the standardized areas, shall:

2 (1) display the colors of the state flag, with
3 red lettering on a yellow background;

4 (2) display the phrases "New Mexico USA" and
5 "Land of Enchantment";

6 (3) provide a space for applying a special
7 registration decal, centered at the left edge of the plate
8 between the attachment holes, beginning one-fourth inch in from
9 the edge of the plate and having the following dimensions:

10 (a) four and one-eighth inches in
11 height; and

12 (b) three and one-eighth inches in
13 width; and

14 (4) provide a vehicle registration number, to
15 be assigned by the division, that consists of five alphanumeric
16 characters displayed to the right of the special decal area.

17 D. Special registration decals, except for the
18 standard dimensions specified in Paragraph (3) of Subsection C
19 of this section, shall be left to the design discretion of the
20 division, in consultation with the worthy public purpose
21 interest group that requests the special registration decal.

22 E. Special registration decals, when authorized by
23 statute for a particular worthy public purpose interest group,
24 shall meet the requirements specified in this subsection prior
25 to issuance by the division. The worthy public purpose

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1 interest group, no later than the effective date of the
2 authorizing statute, shall:

3 (1) provide evidence acceptable to the
4 division that it will generate a minimum number of prepaid
5 applications as determined by the division for the special
6 registration decal;

7 (2) provide a prepayment to the division in an
8 amount sufficient to cover the initial order for the special
9 registration decal;

10 (3) provide a sample of the requested artwork
11 design in a format specified by the manufacturer for the
12 specialized registration decal; and

13 (4) in cases where the authorizing statute
14 includes revenue sharing with distribution directed to a
15 particular group or fund, show that the recipient is a
16 governmental entity or a fund authorized for the use of a
17 governmental entity.

18 F. The division may promulgate rules for
19 implementation of the provisions of this section."

20 SECTION 3. A new section of the Motor Vehicle Code is
21 enacted to read:

22 "[NEW MATERIAL] SPECIAL REGISTRATION DECALS--ONE-TIME
23 FEE.--The department shall issue special registration decals
24 for use on standardized registration plates pursuant to Section
25 2 of this 2021 act for statutorily authorized purposes and

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1 fees, which fees shall be in addition to the regular motor
2 vehicle registration fees; provided that the fees established
3 in this section shall be waived for each registration period in
4 which a validating sticker is issued under the provisions of
5 Section 66-3-17 NMSA 1978 in lieu of the issuance of a
6 registration plate with a special registration decal."

7 SECTION 4. A new section of the Motor Vehicle Code is
8 enacted to read:

9 "[NEW MATERIAL] SPECIAL REGISTRATION DECALS--RECURRING
10 FEES.--A special registration decal may be authorized by
11 statute for use on the standardized registration plate pursuant
12 to Section 2 of this 2021 act with an annual renewal
13 requirement. The department shall issue special registration
14 decals for statutorily authorized purposes and fees pursuant to
15 this section, which fees shall be in addition to the regular
16 motor vehicle registration fees. The owner shall apply and pay
17 the specified fee each year to retain the special registration
18 decal."

19 SECTION 5. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is July 1, 2021.