

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 93

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Dayan Hochman-Vigil

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING THE TAXATION AND REVENUE DEPARTMENT TO ESTABLISH A DESIGN ELEMENT THAT DENOTES A PERMANENT SIGNIFICANT MOBILITY LIMITATION AND TO ISSUE THAT DESIGN ELEMENT ON ANOTHER SPECIAL REGISTRATION PLATE IF REQUESTED BY A PERSON WITH A PERMANENT SIGNIFICANT MOBILITY LIMITATION WHO IS QUALIFIED FOR THE OTHER REGISTRATION PLATE.

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 registration plates for use on motor vehicles and motorcycles owned or leased by a person with a significant mobility

underscoring material = new
~~[bracketed material] = delete~~

1 limitation who requests a distinctive registration plate and
2 who proves satisfactorily to the division that the person is a
3 person with a significant mobility limitation.

4 B. The division shall issue a distinctive parking
5 placard to an organization that owns or leases a motor vehicle
6 that primarily transports persons with significant mobility
7 limitations and that requests a distinctive parking placard.
8 The organization, if qualified, may obtain a distinctive
9 parking placard for each vehicle used to transport persons with
10 significant mobility limitations.

11 C. No fee in addition to the regular registration
12 fee, if any, applicable to the motor vehicle or motorcycle
13 shall be collected for issuance of distinctive registration
14 plates or parking placards pursuant to this section.

15 D. No person shall falsely claim to have a
16 significant mobility limitation so as to be eligible to be
17 issued a distinctive registration plate or a parking placard
18 pursuant to this section when the person does not in fact have
19 a significant mobility limitation. Upon notice and opportunity
20 to be heard, the division may revoke and demand return of any
21 placard when:

22 (1) it was issued in error or with false
23 information;

24 (2) the person receiving the placard is no
25 longer eligible;

.221332.1

underscoring material = new
~~[bracketed material]~~ = delete

1 (3) the placard is being used by ineligible
2 persons; or

3 (4) the organization to which the parking
4 placard was issued no longer exists.

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

23 F. To obtain a distinctive parking placard pursuant
24 to this section, an organization shall submit to the division:

25 (1) on a form approved by the division, a

.221332.1

1 signed statement by an authorized officer of the organization
2 affirming that the vehicle will be primarily used to transport
3 persons with significant mobility limitations and that the
4 registered vehicle is owned or leased by the organization; and

5 (2) at least one contract that places the
6 organization under obligation to provide transportation
7 services to persons with significant mobility limitations.

8 G. A parking placard issued pursuant to this
9 section shall expire four years from the date it was issued.

10 H. The division shall issue two-sided hanger-style
11 parking placards with the following characteristics:

12 (1) a picture of the international symbol of
13 access;

14 (2) a hologram to make duplication difficult;

15 (3) an imprinted expiration date; and

16 (4) for a placard issued to:

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

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

23 I. The division shall consult with the governor's
24 commission on disability for continued issuance and format of
25 the placard.

.221332.1

underscoring material = new
~~[bracketed material]~~ = delete

1 J. The division shall establish a design element
2 that denotes permanent significant mobility limitation and
3 shall issue that design element on another special registration
4 plate if requested by a person who has a permanent significant
5 mobility limitation and who qualifies for the other requested
6 special registration plate; provided that all fees and
7 qualifications required to obtain the other requested special
8 registration plate are satisfied by the requester.

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

13 ~~[K.]~~ L. Upon written application to the division
14 accompanied by a medical statement from a licensed physician or
15 a physician assistant, advanced practice registered nurse or
16 certified nurse-midwife working within that person's scope of
17 practice attesting to a temporary significant mobility
18 limitation, a person may be issued a temporary placard for no
19 more than one year. The licensed physician or the physician
20 assistant, advanced practice registered nurse or certified
21 nurse-midwife working within that person's scope of practice
22 shall provide the division all information and records
23 necessary to issue a temporary placard.

24 ~~[L.]~~ M. Registration plates or parking placards
25 issued to a person with a significant mobility limitation by

underscored material = new
[bracketed material] = delete

1 another state or foreign jurisdiction shall be honored until
2 the motor vehicle or motorcycle is registered or the parking
3 placard holder establishes residency in this state.

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

6 (1) cannot walk one hundred feet without
7 stopping to rest;

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

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

16 (4) uses portable oxygen;

17 (5) has a severe cardiac condition; or

18 (6) is so severely limited in the ability to
19 walk due to an arthritic, neurologic or orthopedic condition
20 that the person cannot ascend or descend more than ten stair
21 steps."

22 SECTION 2. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is January 1, 2023.