1	HOUSE BILL 691								
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999								
3	I NTRODUCED BY								
4	Raymond Sanchez								
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10	AN ACT								
11	RELATING TO MOTOR VEHICLES; PROVIDING FOR CONFIDENTIALITY OF								
12	MOTOR VEHICLE-RELATED RECORDS.								
13									
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:								
15	Section 1. Section 66-2-7.1 NMSA 1978 (being Laws 1995,								
16	Chapter 135, Section 4, as amended) is amended to read:								
17	"66-2-7.1. MOTOR VEHICLE-RELATED RECORDS								
18	CONFIDENTIAL								
19	A. It is unlawful for any department employee or								
20	contractor or for any former department employee or contractor								
21	to disclose to any person other than another employee of the								
22	department any personal information about an individual								
23	obtained by the department in connection with a driver's								
24	license or permit, the titling or registration of a vehicle or								
25	an identification card issued by the department pursuant to								
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the Motor Vehicle Code except:

2 (1) to the individual or the individual's
3 authorized representative;

4 (2) for use by any governmental agency,
5 including any court, in carrying out its functions or by any
6 private person acting on behalf of the government;

(3) for use in connection with matters of motor vehicle and driver safety or theft; motor vehicle emissions; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; motor vehicle production alterations, recalls or advisories; and removal of non-owner records from original owner records of motor vehicle manufacturers:

(4) for use in research activities and for use in producing statistical reports, so long as the personal information is not published, redisclosed or used to contact individuals;

(5) for use by any insurer or insurance support organization or by a self-insured entity or its agents, employees or contractors in connection with claims investigation activities, antifraud activities, rating or underwriting;

(6) for providing notice to owners of towedor impounded vehicles;

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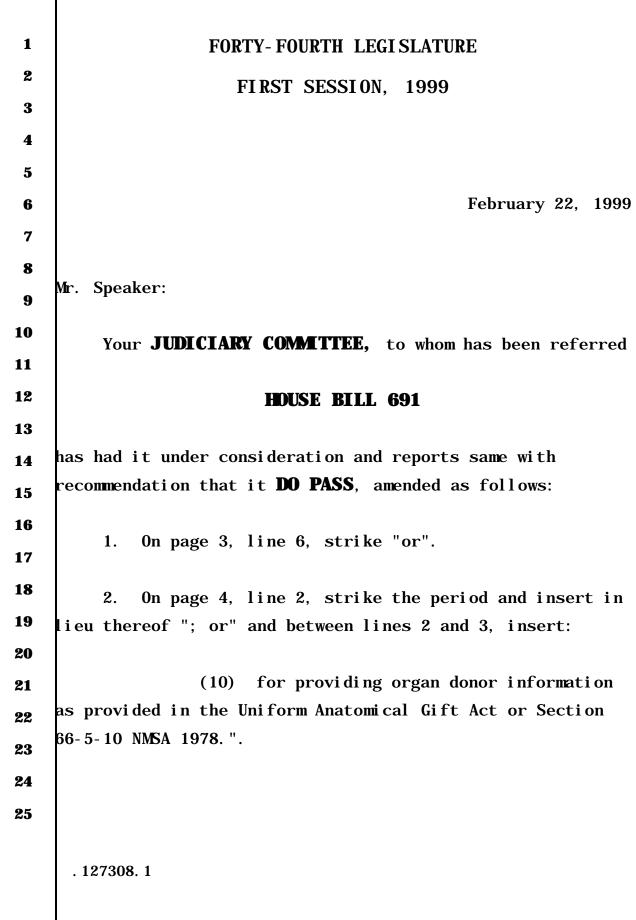
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1	(7) for use by an employer or its agent or							
2	insurer in obtaining or verifying information relating to a							
3	holder of a commercial driver's license;							
4	(8) for use by any requester if the requester							
5	demonstrates that it has obtained the written consent of the							
6	individual to whom the information pertains; <u>or</u>							
7	(9) [for any use in response to requests for							
8	individual motor vehicle records if the department has							
9	provided in a clear and conspicuous manner on forms for							
10	issuance or renewal of operator's permits, titles,							
11	registrations or identification cards notice that personal							
12	information collected by the department may be disclosed to							
13	any person and the department has provided in a clear and							
14	conspicuous manner on such forms an opportunity to prohibit							
15	such di sclosures; or							
16	(10) for use by an insured state-chartered							
17	or federally chartered credit union; an insured state or							
18	national bank; an insured state or federal savings and loan							
19	association; or <u>an</u> insured savings bank, but only:							
20	(a) to verify the accuracy of personal							
21	information submitted by an individual to the credit union,							
22	bank, savings and loan association or savings bank; and							
23	(b) if the information as submitted is							
24	not correct or is no longer correct, to obtain the correct							
25	information, but only for the purpose of preventing fraud by,							
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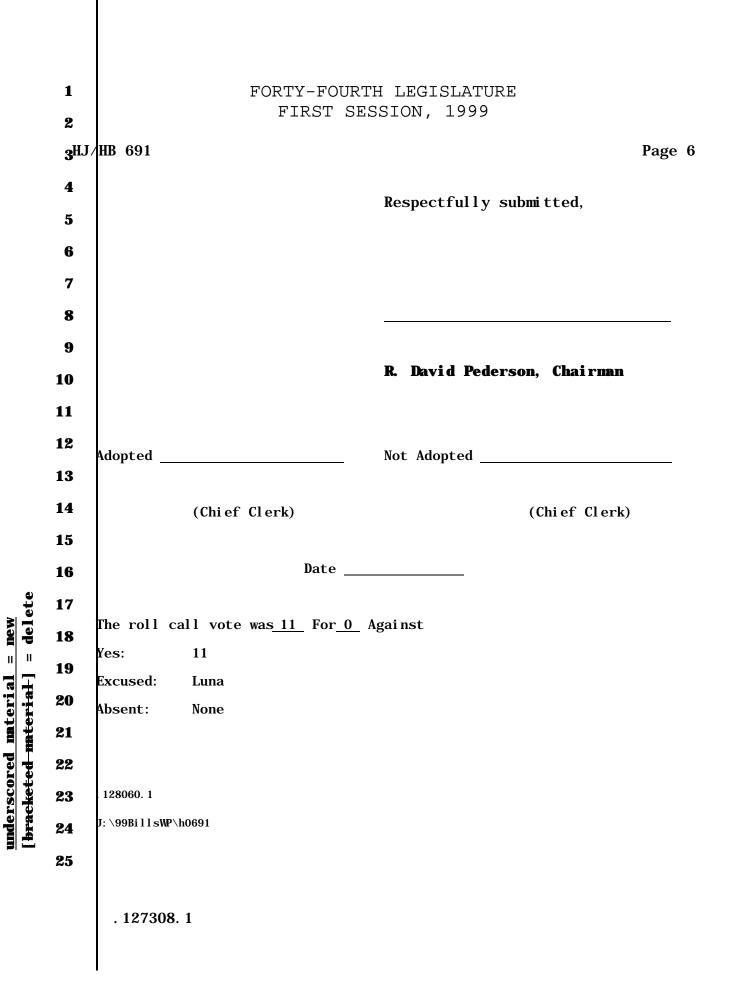
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		1	pursuing legal remedies against or recovering on a debt or
		2	security interest from the individual.
		3	B. Any person who violates the provisions of this
		4	section is guilty of a misdemeanor and upon conviction shall
		5	be punished in accordance with the provisions of Section
		6	31-19-1 NMSA 1978."
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	4	FORTY- FOURTH LEGISLATURE					
	5	FIRST SESSION, 1999					
	6						
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	8	March 6, 1999					
	9	Mr. President:					
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	11	Your CORPORATIONS & TRANSPORTATION COMMITTEE, to					
	12	whom has been referred					
	13						
	14	HOUSE BILL 691, as anended					
	15	has had it under consideration and reports same with					
e	16	recommendation that it DO PASS .					
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9 1 1	18	Respectfully submitted,					
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		Yes:	6			8			
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	14	Excused:	Aragon,	Kysar,	Rawson,	Robi nson			
	15	Absent:	None						
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