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SENATE BILL 543

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO MOTOR VEHICLES; CHANGING THE APPLICATION FOR
LICENSE REQUIREMENTS; AMENDING A SECTION OF THE MOTOR VEHICLE
CODE.

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

Section 1. Section 66-5-9 NMSA 1978 (being Laws 1978,
Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE OR
INSTRUCTION PERMIT. - -

A. Every application for an instruction permit or
for a driver's license shall be made upon a form furnished by
the department. Every application shall be accompanied by the
proper fee. For permits or driver's licenses other than those
issued pursuant to the New Mexico Commercial Driver's License
Act, submission of a complete application with payment of the

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1 fee entitles the applicant to not more than three attempts to
2 pass the examination within a period of six months from the
3 date of application.

4 B. Every application shall contain the full name,
5 social security number, date of birth, sex and New Mexico
6 residence address of the applicant and briefly describe the
7 applicant and indicate whether the applicant has previously
8 been licensed as a driver and, if so, when and by what state
9 or country and whether any such license has ever been
10 suspended or revoked or whether an application has ever been
11 refused and, if so, the date of and reason for the suspension,
12 revocation or refusal.

13 C. Every applicant shall indicate whether he has
14 been convicted of driving while under the influence of
15 intoxicating liquor or drugs in this state or in any other
16 jurisdiction. Failure to disclose any such conviction
17 prevents the issuance of a driver's license, temporary license
18 or instruction permit for a period of one year if the failure
19 to disclose is discovered by the department prior to issuance.
20 If the nondisclosure is discovered by the department
21 subsequent to issuance, the department shall revoke the
22 driver's license, temporary license or instruction permit for
23 a period of one year. Intentional and willful failure to
24 disclose, as required in this subsection, is a misdemeanor.

25 D. Every applicant less than eighteen years of age

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1 who is making an application to be granted his first New
2 Mexico driver's license shall submit evidence that he has
3 successfully completed a driver education course that included
4 a DWI prevention and education program approved by the bureau
5 or offered by a public school. The bureau may accept
6 verification of driver education course completion from
7 another state if the driver education course substantially
8 meets the requirements of the bureau for a course offered in
9 New Mexico.

10 E. Every applicant eighteen years of age and over
11 but less than forty-five years of age who is making an
12 application to be granted his first New Mexico driver's
13 license ~~[shall]~~ is not required to submit evidence with his
14 application that he has successfully completed a
15 bureau-approved DWI prevention and education program if he has
16 no record of moving motor vehicle violations in the five years
17 preceding his application for a license.

18 F. Every applicant forty-five years of age and
19 over, who has not been previously licensed in other
20 jurisdictions for a cumulative total of more than ten years or
21 who has been convicted of driving under the influence of
22 intoxicating liquor or drugs, and who is making an application
23 to be granted his first New Mexico driver's license, shall
24 submit evidence with his application that he has successfully
25 completed a bureau-approved DWI prevention and education

1 program

2 G. Whenever application is received from a person
3 previously licensed in another jurisdiction, the department
4 may request a copy of the driver's record from the other
5 jurisdiction. When received, the driver's record may become a
6 part of the driver's record in this state with the same effect
7 as though entered on the driver's record in this state in the
8 original instance.

9 H. Whenever the department receives a request for
10 a driver's record from another licensing jurisdiction, the
11 record shall be forwarded without charge.

12 I. This section does not apply to driver's
13 licenses issued pursuant to the New Mexico Commercial Driver's
14 License Act. "

1 FORTY-FOURTH LEGISLATURE

SB 543/a

2 FIRST SESSION, 1999

3
4 February 23, 1999

5
6 Mr. President:

7
8 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
9
10 whom has been referred

11
12 SENATE BILL 543

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

16
17 1. On page 3, line 13, remove the brackets and line
18 through "shall" and strike "is not required to".

19
20 2. On page 3, line 15, strike "if" and insert in lieu
21 thereof ", unless".,

22
23 and thence referred to the JUDICIARY COMMITTEE.
24

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FORTY- FOURTH LEGI SLATURE
FIRST SESSI ON, 1999

Page 6

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Respectfully submit ted,

Roman M. Maes, Chai rman

Adopted _____ Not

Adopted _____

(Chi ef Clerk)

(Chi ef Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Aragon, Kysar, McKi bben, Robi nson

Absent: None

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FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

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Page 7

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