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SENATE BILL 568

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

INTRODUCED BY

Manny M Aragon

AN ACT

RELATING TO INSURANCE; PROVIDING FOR DRIVERS INSURANCE  
POLICIES TO BE ISSUED PURSUANT TO THE NEW MEXICO INSURANCE  
CODE; PROVIDING THAT DRIVERS INSURANCE WILL SATISFY  
REQUIREMENTS OF FINANCIAL RESPONSIBILITY PURSUANT TO THE MOTOR  
VEHICLE CODE; PROVIDING FOR THE TAXATION AND REVENUE  
DEPARTMENT TO CONTRACT WITH INSURANCE CARRIERS TO ISSUE  
MINIMUM LIABILITY POLICIES TO BE SOLD BY THE DEPARTMENT.

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

Section 1. Section 59A-7-7 NMSA 1978 (being Laws 1984,  
Chapter 127, Section 113) is amended to read:

"59A-7-7. "VEHICLE" INSURANCE DEFINED. --

A. "Vehicle" insurance is insurance covering:

[A.] (1) physical damage. Insurance against  
loss of or damage to any land vehicle or aircraft or any draft

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1 or riding animal resulting from or incident to ownership,  
2 maintenance or use of any such vehicle, aircraft or animal;  
3 ~~[B-]~~ (2) public liability and property  
4 damage. Insurance against any hazard or cause, and against  
5 any loss, liability or expense resulting from or incident to  
6 ownership, maintenance or use of any such vehicle, aircraft or  
7 animal;

8 ~~[C-]~~ (3) cargo. Insurance against loss of or  
9 damage to property contained in a vehicle or being loaded or  
10 unloaded therein or therefrom or incident to the ownership,  
11 maintenance or use of any such vehicle, aircraft or animal;  
12 and

13 ~~[D-]~~ (4) medical payments. Insurance for  
14 payment on behalf of the injured party or for reimbursement of  
15 the insured for payment, irrespective of legal liability of  
16 the insured, of medical, hospital, surgical and disability  
17 benefits, to persons injured and funeral and death benefits to  
18 dependents, beneficiaries or personal representatives of  
19 persons killed as the result of an accident, resulting from or  
20 incident to ownership, maintenance or use of any such vehicle,  
21 aircraft or animal. Such coverage shall not be deemed to be  
22 "health" insurance for purposes of the Insurance Code.

23 B. Except as provided in Section 59A-32-23 NMSA  
24 1978, as used in the Insurance Code, "vehicle insurance"  
25 includes drivers insurance. "

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1           Section 2. A new Section 59A-7-7.1 NMSA 1978 is enacted  
2 to read:

3           "59A-7-7.1. [NEW MATERIAL] DRIVERS INSURANCE DEFINED. --  
4 "Drivers insurance" means insurance covering liability of the  
5 insured for bodily injury, wrongful death or property damage  
6 caused by the operation or maintenance of a motor vehicle by  
7 the insured. "

8           Section 3. A new Section 59A-32-23 NMSA 1978 is enacted  
9 to read:

10          "59A-32-23. [NEW MATERIAL] DRIVERS INSURANCE POLICIES  
11 REQUIRED. --An insurer that offers private passenger motor  
12 vehicle insurance to New Mexico residents shall also offer  
13 policies of drivers insurance for sale in New Mexico pursuant  
14 to the provisions of the Insurance Code. "

15          Section 4. Section 66-1-4.4 NMSA 1978 (being Laws 1990,  
16 Chapter 120, Section 5, as amended) is amended to read:

17          "66-1-4.4. DEFINITIONS. --As used in the Motor Vehicle  
18 Code:

19               A. "day" means calendar day, unless otherwise  
20 provided in the Motor Vehicle Code;

21               B. "dealer", except as herein specifically  
22 excluded, means any person who sells or solicits or advertises  
23 the sale of new or used motor vehicles, manufactured homes or  
24 trailers subject to registration in this state; "dealer" does  
25 not include:

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1 (1) receivers, trustees, administrators,  
2 executors, guardians or other persons appointed by or acting  
3 under judgment, decree or order of any court;

4 (2) public officers while performing their  
5 duties as such officers;

6 (3) persons making casual sales of their own  
7 vehicles;

8 (4) finance companies, banks and other  
9 lending institutions making sales of repossessed vehicles; or

10 (5) licensed brokers under the Manufactured  
11 Housing Act who, for a fee, commission or other valuable  
12 consideration, engage in brokerage activities related to the  
13 sale, exchange or lease purchase of pre-owned manufactured  
14 homes on a site installed for a consumer;

15 C. "declared gross weight" means the maximum gross  
16 vehicle weight or combination gross vehicle weight at which a  
17 vehicle or combination will be operated during the  
18 registration period, as declared by the registrant for  
19 registration and fee purposes; the vehicle or combination  
20 shall have only one declared gross weight for all operating  
21 considerations;

22 D. "department" means the taxation and revenue  
23 department, the secretary of taxation and revenue or any  
24 employee of the department exercising authority lawfully  
25 delegated to that employee by the secretary;

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1           E. "designated disabled parking space" means any  
2 space marked and reserved for the parking of a passenger  
3 vehicle that carries registration plates or a placard  
4 indicating disability in accordance with Section 66-3-16 NMSA  
5 1978; such a place shall be designated by a conspicuously  
6 posted sign bearing the international disabled symbol of a  
7 wheelchair or by a clearly visible depiction of this symbol  
8 painted on the pavement of the space;

9           F. "director" means the secretary;

10          G. "disqualification" means a prohibition against  
11 driving a commercial motor vehicle;

12          H. "distinguishing number" means the number  
13 assigned by the department to a vehicle whose identifying  
14 number has been destroyed or obliterated or the number  
15 assigned by the department to a vehicle that has never had an  
16 identifying number;

17          I. "distributor" means any person who distributes  
18 or sells new or used motor vehicles to dealers and who is not  
19 a manufacturer;

20          J. "division", without further specification,  
21 "division of motor vehicles" or "motor vehicle division" means  
22 the department;

23          K. "driver" means every person who drives or is in  
24 actual physical control of a motor vehicle, including a  
25 motorcycle, upon a highway, who is exercising control over or

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1 steering a vehicle being towed by a motor vehicle or who  
2 operates or is in actual physical control of an off-highway  
3 motor vehicle;

4 L. "drivers insurance policy" means an insurance  
5 policy that covers the insured for liability for bodily  
6 injury, wrongful death or property damage caused by the  
7 operation or maintenance of a motor vehicle by the insured;

8 [~~L.~~] M "driver's license" means a license or a  
9 class of license issued by a state or other jurisdiction to an  
10 individual that authorizes the individual to drive a motor  
11 vehicle; and

12 [~~M.~~] N. "driveaway-towaway operation" means any  
13 operation in which any motor vehicle, new or used, is the item  
14 being transported when one set or more of wheels of any such  
15 motor vehicle is on the roadway during the course of  
16 transportation, whether or not the motor vehicle furnishes the  
17 motive power. "

18 Section 5. Section 66-1-4.6 NMSA 1978 (being Laws 1990,  
19 Chapter 120, Section 7, as amended) is amended to read:

20 "66-1-4.6. DEFINITIONS.--As used in the Motor Vehicle  
21 Code:

22 A. "farm tractor" means every motor vehicle  
23 designed and used primarily as a farm implement for drawing  
24 plows, mowing machines and other implements of husbandry;

25 B. "financial responsibility" means the ability to

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1 respond in damages for liability resulting from traffic  
2 accidents arising out of the [~~ownership~~] maintenance or use of  
3 a motor vehicle of a type subject to registration under the  
4 laws of New Mexico, in amounts not less than specified in the  
5 Mandatory Financial Responsibility Act or having in effect a  
6 [~~motor vehicle insurance policy~~] drivers insurance policy.

7 "Financial responsibility" includes a [~~motor vehicle insurance~~  
8 ~~policy~~] drivers insurance policy, a surety bond or evidence of  
9 a sufficient cash deposit with the state treasurer;

10 C. "first offender" means a person who for the  
11 first time under state or federal law or municipal ordinance  
12 has been adjudicated guilty of the charge of driving a motor  
13 vehicle while under the influence of intoxicating liquor or  
14 any other drug that renders the person incapable of safely  
15 driving a motor vehicle, regardless of whether the person's  
16 sentence was suspended or deferred;

17 D. "flammable liquid" means any liquid that has a  
18 flash point of seventy degrees fahrenheit or less, as  
19 determined by a tagliabue or equivalent closed-cup test  
20 device;

21 E. "foreign jurisdiction" means any jurisdiction  
22 other than a state of the United States or the District of  
23 Columbia;

24 F. "foreign vehicle" means every vehicle of a type  
25 required to be registered under the provisions of the Motor

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1 Vehicle Code brought into this state from another state,  
2 territory or country; and

3 G. "freight trailer" means any trailer,  
4 semitrailer or pole trailer drawn by a truck tractor or road  
5 tractor, and any trailer, semitrailer or pole trailer drawn by  
6 a truck that has a gross vehicle weight of more than  
7 twenty-six thousand pounds, but "freight trailer" does not  
8 include manufactured homes, trailers of less than one-ton  
9 carrying capacity used to transport animals or fertilizer  
10 trailers of less than three thousand five hundred pounds empty  
11 weight. "

12 Section 6. Section 66-1-4.11 NMSA 1978 (being Laws 1990,  
13 Chapter 120, Section 12, as amended) is amended to read:

14 "66-1-4.11. DEFINITIONS. --As used in the Motor Vehicle  
15 Code:

16 A. "mail" means any item properly addressed with  
17 postage prepaid delivered by the United States postal service  
18 or any other public or private enterprise primarily engaged in  
19 the transport and delivery of letters, packages and other  
20 parcels;

21 B. "manufactured home" means a movable or portable  
22 housing structure that exceeds either a width of eight feet or  
23 a length of forty feet, constructed to be towed on its own  
24 chassis and designed to be installed with or without a  
25 permanent foundation for human occupancy;

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1 C. "manufacturer" means every person engaged in  
2 the business of constructing or assembling vehicles of a type  
3 required to be registered under the Motor Vehicle Code;

4 D. "manufacturer's certificate of origin" means a  
5 certification, on a form supplied by or approved by the  
6 department, signed by the manufacturer that the new vehicle  
7 described therein has been transferred to the New Mexico  
8 dealer or distributor named therein or to a dealer duly  
9 licensed or recognized as such in another state, territory or  
10 possession of the United States and that such transfer is the  
11 first transfer of the vehicle in ordinary trade and commerce.  
12 Every such certificate shall contain space for proper  
13 reassignment to a New Mexico dealer or to a dealer duly  
14 licensed or recognized as such in another state, territory or  
15 possession of the United States, and the certificate shall  
16 contain a description of the vehicle, the number of cylinders,  
17 type of body, engine number and the serial number or other  
18 standard identification number provided by the manufacturer of  
19 the vehicle;

20 E. "metal tire" means every tire of which the  
21 surface in contact with the highway is wholly or partly of  
22 metal or other hard nonresilient material, except that a snow  
23 tire with metal studs designed to increase traction on ice or  
24 snow is not considered a metal tire;

25 F. "moped" means a two-wheeled or three-wheeled

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1 vehicle with an automatic transmission and a motor having a  
2 piston displacement of less than fifty cubic centimeters, that  
3 is capable of propelling the vehicle at a maximum speed of not  
4 more than thirty miles an hour on level ground, at sea level;

5 G. "motorcycle" means every motor vehicle having a  
6 seat or saddle for the use of the rider and designed to travel  
7 on not more than three wheels in contact with the ground,  
8 excluding a tractor;

9 H. "motor home" means a camping body built on a  
10 self-propelled motor vehicle chassis so designed that seating  
11 for driver and passengers is within the body itself; and

12 I. "motor vehicle" means every vehicle that is  
13 self-propelled and every vehicle that is propelled by electric  
14 power obtained from batteries or from overhead trolley wires,  
15 but not operated upon rails; but for the purposes of the  
16 Mandatory Financial Responsibility Act, "motor vehicle" does  
17 not include "special mobile equipment"; [ and

18 ~~J. "motor vehicle insurance policy" means a policy~~  
19 ~~of vehicle insurance that covers self-propelled vehicles of a~~  
20 ~~kind required to be registered pursuant to New Mexico law for~~  
21 ~~use on the public streets and highways. A "motor vehicle~~  
22 ~~insurance policy":-~~

23 (1) ~~shall include:-~~  
24 (a) ~~motor vehicle bodily injury and~~  
25 ~~property damage liability coverages in compliance with the~~

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1 ~~Mandatory Financial Responsibility Act; and~~  
2 ~~(b) uninsured motorist coverage,~~  
3 ~~subject to the provisions of Section 66-5-301 NMSA 1978~~  
4 ~~permitting the insured to reject such coverage; and~~  
5 ~~(2) may include:~~  
6 ~~(a) physical damage coverage;~~  
7 ~~(b) medical payments coverage; and~~  
8 ~~(c) other coverages that the insured~~  
9 ~~and the insurer agree to include within the policy]. "~~

10 Section 7. Section 66-5-5 NMSA 1978 (being Laws 1978,  
11 Chapter 35, Section 227, as amended) is amended to read:

12 "66-5-5. PERSONS NOT TO BE LICENSED. -- The division shall  
13 not issue a driver's license under the Motor Vehicle Code to  
14 any person:

15 A. who is under the age of sixteen years, except  
16 the division may, in its discretion, issue:

17 (1) a restricted instruction permit or a  
18 restricted license to students fourteen years of age or over,  
19 enrolled in and attending a driver-education course that  
20 includes a DWI education and prevention component approved by  
21 the bureau or offered by a public school;

22 (2) a license to any person fifteen years of  
23 age or older who has satisfactorily completed a driver-  
24 education course that is approved by the bureau or offered by  
25 a public school and that includes both a DWI education and

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1 prevention component and practice driving; and

2 (3) to any person thirteen years of age or  
3 older who passes an examination prescribed by the division, a  
4 license restricted to the operation of a motorcycle, provided:

5 (a) the motor is not in excess of one  
6 hundred cubic centimeters displacement;

7 (b) no holder of an initial license may  
8 carry any other passenger while driving a motorcycle; and

9 (c) the director approves and certifies  
10 motorcycles as not in excess of one hundred cubic centimeters  
11 displacement and by regulation provides for a method of  
12 identification of such motorcycles by all law enforcement  
13 officers;

14 B. whose license or driving privilege has been  
15 suspended or denied, during the period of suspension or  
16 denial, or to any person whose license has been revoked,  
17 except as provided in Section 66-5-32 NMSA 1978;

18 C. who is an habitual drunkard, an habitual user  
19 of narcotic drugs or an habitual user of any drug to a degree  
20 which renders him incapable of safely driving a motor vehicle;

21 D. who, within any ten-year period, is three times  
22 convicted of driving a motor vehicle while under the influence  
23 of intoxicating liquor or narcotic drug regardless of whether  
24 the convictions are under the laws or ordinances of this state  
25 or any municipality or county of this state or under the laws

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1 or ordinances of any other state, the District of Columbia or  
2 any governmental subdivision thereof. Ten years after being  
3 so convicted for the third time, the person may apply to any  
4 district court of this state for restoration of the license,  
5 and the court, upon good cause being shown, may order  
6 restoration of the license applied for; provided that the  
7 person has not been subsequently convicted of driving a motor  
8 vehicle while under the influence of intoxicating liquor or  
9 drug in the ten-year period prior to his request for  
10 restoration of his license. Upon issuance of the order of  
11 restoration, a certified copy shall immediately be forwarded  
12 to the division, and if the person is otherwise qualified for  
13 the license applied for, the three previous convictions shall  
14 not prohibit issuance of the license applied for. Should the  
15 person be subsequently once convicted of driving a motor  
16 vehicle while under the influence of intoxicating liquor or  
17 drug, the division shall revoke his license for five years,  
18 after which time he may apply for restoration of his license  
19 as provided in this subsection;

20 E. who has previously been afflicted with or who  
21 is suffering from any mental disability or disease which would  
22 render him unable to drive a motor vehicle with safety upon  
23 the highways and who has not, at the time of application, been  
24 restored to health;

25 F. who is required by the Motor Vehicle Code to

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1 take an examination, unless he has successfully passed the  
2 examination;

3 G. who is required under the laws of this state to  
4 deposit proof of financial responsibility and who has not  
5 deposited the proof;

6 H. when the director has good cause to believe  
7 that the operation of a motor vehicle on the highways by the  
8 person would be inimical to public safety or welfare; [ or]

9 I. as a motorcycle driver who is less than  
10 eighteen years of age and who has not presented a certificate  
11 or other evidence of having successfully completed a  
12 motorcycle driver-education program licensed or offered in  
13 conformance with regulations of the bureau; or

14 J. who is not covered by a currently valid drivers  
15 insurance policy or by evidence of financial responsibility  
16 meeting the requirements of the Mandatory Financial  
17 Responsibility Act and rules of the department, unless  
18 specifically exempted from the Mandatory Financial  
19 Responsibility Act. "

20 Section 8. Section 66-5-9 NMSA 1978 (being Laws 1978,  
21 Chapter 35, Section 231, as amended) is amended to read:

22 "66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE OR  
23 INSTRUCTION PERMIT. --

24 A. Every application for an instruction permit or  
25 for a driver's license shall be made upon a form furnished by

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1 the department. Every application shall be accompanied by the  
2 proper fee. For permits or driver's licenses other than those  
3 issued pursuant to the New Mexico Commercial Driver's License  
4 Act, submission of a complete application with payment of the  
5 fee entitles the applicant to not more than three attempts to  
6 pass the examination within a period of six months from the  
7 date of application.

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

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

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1 driver's license, temporary license or instruction permit for  
2 a period of one year. Intentional and willful failure to  
3 disclose, as required in this subsection, is a misdemeanor.

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

14 E. Every applicant eighteen years of age and over,  
15 but less than forty-five years of age, who is making an  
16 application to be granted his first New Mexico driver's  
17 license shall submit evidence with his application that he has  
18 successfully completed a bureau-approved DWI prevention and  
19 education program.

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

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1 submit evidence with his application that he has successfully  
2 completed a bureau-approved DWI prevention and education  
3 program.

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

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

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

17 J. Every applicant shall submit evidence that he  
18 is covered by a currently valid drivers insurance policy or by  
19 evidence of financial responsibility meeting the requirements  
20 of the Mandatory Financial Responsibility Act and rules of the  
21 department, unless specifically exempted from the Mandatory  
22 Financial Responsibility Act. "

23 Section 9. Section 66-5-30 NMSA 1978 (being Laws 1978,  
24 Chapter 35, Section 252, as amended) is amended to read:

25 "66-5-30. AUTHORITY OF DIVISION TO SUSPEND OR REVOKE

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1 LICENSE. --

2 A. The division is authorized to suspend the  
3 license of a driver without preliminary hearing upon a showing  
4 by its records or other sufficient evidence that the licensee:

5 (1) has been convicted of an offense for  
6 which mandatory revocation of license is required upon  
7 conviction;

8 (2) has been convicted as a driver in any  
9 accident resulting in the death or personal injury of another  
10 or serious property damage;

11 (3) has been convicted with such frequency of  
12 offenses against traffic laws or regulations governing motor  
13 vehicles as to indicate a disrespect for traffic laws and a  
14 disregard for the safety of other persons on the highways;

15 (4) is an habitually reckless or negligent  
16 driver of a motor vehicle;

17 (5) is incompetent to drive a motor vehicle;

18 (6) has permitted an unlawful or fraudulent  
19 use of the license;

20 (7) has been convicted of an offense in  
21 another state which if committed in this state would be  
22 grounds for suspension or revocation;

23 (8) has violated provisions stipulated by a  
24 district court in limitation of certain driving privileges;

25 (9) has failed to fulfill a signed promise to

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1 appear or notice to appear in court as evidenced by notice  
2 from a court, whenever appearance is required by law or by the  
3 court as a consequence of any charge or conviction under the  
4 Motor Vehicle Code;

5 (10) has failed to pay a penalty assessment  
6 within thirty days of the date of issuance; [ or ]

7 (11) has accumulated seven points, but less  
8 than eleven points, and when the division has received a  
9 recommendation from a municipal or magistrate judge that the  
10 [licensee] license be suspended for a period not to exceed  
11 three months; or

12 (12) is not covered by a currently valid  
13 drivers insurance policy or by evidence of financial  
14 responsibility meeting the requirements of the Mandatory  
15 Financial Responsibility Act or rules of the department,  
16 unless specifically exempted from the Mandatory Financial  
17 Responsibility Act.

18 B. Upon suspending the license of any person as  
19 authorized in this section, the division shall immediately  
20 notify the licensee in writing and upon his request shall  
21 afford him an opportunity for a hearing as early as  
22 practicable within not to exceed twenty days, not counting  
23 Saturdays, Sundays and legal holidays, after receipt of the  
24 request in the county wherein the licensee resides unless the  
25 division and the licensee agree that the hearing may be held

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1 in some other county; provided that the hearing request is  
2 received within twenty days from the date that the suspension  
3 was deposited in the United States mail. The director may, in  
4 his discretion, extend the twenty-day period. Upon the  
5 hearing, the director or his duly authorized agent may  
6 administer oaths and may issue subpoenas for the attendance of  
7 witnesses and the production of relevant books and papers and  
8 may require a reexamination of the licensee. Upon the  
9 hearing, the division shall either rescind its order of  
10 suspension or, good cause appearing therefor, may continue,  
11 modify or extend the suspension of the license or revoke the  
12 license. "

13 Section 10. Section 66-5-41 NMSA 1978 (being Laws 1978,  
14 Chapter 35, Section 263) is amended to read:

15 "66-5-41. PERMITTING UNAUTHORIZED PERSON TO DRIVE. -- No  
16 person shall authorize or knowingly permit a motor vehicle  
17 owned by him or under his control to be driven upon any  
18 highway:

19 A. by any person who is not authorized [ hereunder]  
20 pursuant to the Motor Vehicle Code or is in violation of any  
21 of the provisions of [this article] Chapter 66, Article 5 NMSA  
22 1978; or

23 B. by any person who is not covered by a currently  
24 valid drivers insurance policy or by evidence of financial  
25 responsibility meeting the requirements of the Mandatory

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1 Financial Responsibility Act or rules of the department,  
2 unless specifically exempted from the Mandatory Financial  
3 Responsibility Act. "

4 Section 11. Section 66-5-201.1 NMSA 1978 (being Laws  
5 1983, Chapter 318, Section 2, as amended) is amended to read:

6 "66-5-201.1. PURPOSE. --The legislature is aware that  
7 motor vehicle accidents in New Mexico can result in  
8 catastrophic financial hardship. The purpose of the Mandatory  
9 Financial Responsibility Act is to require residents of New  
10 Mexico who [~~own and~~] operate motor vehicles upon the highways  
11 of the state either to have the ability to respond in damages  
12 to accidents arising out of the use and operation of a motor  
13 vehicle or to obtain a [~~motor vehicle~~] drivers insurance  
14 policy. "

15 Section 12. Section 66-5-205 NMSA 1978 (being Laws 1983,  
16 Chapter 318, Section 6, as amended) is amended to read:

17 "66-5-205. [~~VEHICLE~~] DRIVER MUST BE INSURED OR [~~OWNER~~  
18 ~~MUST~~] HAVE EVIDENCE OF FINANCIAL RESPONSIBILITY--PENALTIES. --

19 A. No owner shall permit the operation of [ an  
20 ~~uninsured~~] a motor vehicle [~~or a motor vehicle for which~~  
21 ~~evidence of financial responsibility as was affirmed to the~~  
22 ~~department is not currently valid~~] by an uninsured motorist  
23 upon the streets or highways of New Mexico unless the driver  
24 or the vehicle is specifically exempted from the provisions of  
25 the Mandatory Financial Responsibility Act.

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1           B. No ~~[person]~~ uninsured motorist shall drive [~~an~~  
2 ~~uninsured motor vehicle, or~~] a motor vehicle [~~for which~~  
3 ~~evidence of financial responsibility as was affirmed to the~~  
4 ~~department is not currently valid~~] upon the streets or  
5 highways of New Mexico unless he or the motor vehicle is  
6 specifically exempted from the provisions of the Mandatory  
7 Financial Responsibility Act.

8           C. For the purposes of the Mandatory Financial  
9 Responsibility Act, "uninsured [~~motor vehicle~~] motorist" means  
10 a [~~motor vehicle~~] driver for [~~which~~] whom a [~~motor vehicle~~]  
11 drivers insurance policy meeting the requirements of the laws  
12 of New Mexico and of the secretary, or a surety bond or  
13 evidence of a sufficient cash deposit with the state  
14 treasurer, is not in effect [~~or a surety bond or evidence of a~~  
15 ~~sufficient cash deposit with the state treasurer~~].

16           D. The provisions of the Mandatory Financial  
17 Responsibility Act requiring the deposit of evidence of  
18 financial responsibility as provided in Section 66-5-218 NMSA  
19 1978, subject to certain exemptions, may apply with respect to  
20 persons who have been convicted of or forfeited bail for  
21 certain offenses under motor vehicle laws or who have failed  
22 to pay judgments or written settlement agreements upon causes  
23 of action arising out of [~~ownership~~] maintenance or use of  
24 vehicles of a type subject to registration under the laws of  
25 New Mexico.

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1           E. Any person who violates the provisions of this  
2 section is guilty of a misdemeanor and upon conviction shall  
3 be sentenced to a fine not to exceed three hundred dollars  
4 (\$300). "

5           Section 13. Section 66-5-205.1 NMSA 1978 (being Laws  
6 1989, Chapter 214, Section 1, as amended) is amended to read:

7           "66-5-205.1. UNINSURED MOTORIST CITATION-- REQUIREMENTS  
8 TO BE FOLLOWED AT TIME OF ACCIDENT-- SUBSEQUENT PROCEDURES. --

9           A. When a law enforcement officer issues a driver  
10 who is involved in an accident a citation for failure to  
11 comply with the provisions of the Mandatory Financial  
12 Responsibility Act, the law enforcement officer shall  
13 personally at the same time:

14                   (1) issue to the driver cited a temporary  
15 [~~operation sticker~~] driver's license, valid for thirty days  
16 after the date the [~~sticker~~] license is issued, and forward by  
17 mail or delivery to the department a duplicate of the issued  
18 [~~sticker~~] license; and

19                   (2) [~~remove the license plate from the~~  
20 ~~vehicle and send it with the duplicate of the sticker to the~~  
21 ~~department or, if it cannot be removed, permanently deface the~~  
22 ~~plate~~] confiscate the driver's current license and send it  
23 with the duplicate of the temporary license to the department.

24           B. The department shall return or replace, in its  
25 discretion, a license [~~plate removed~~] confiscated under the

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1 provisions of Paragraph (2) of Subsection A of this section  
2 [~~or replace a license plate defaced under that paragraph~~] when  
3 the person cited for failure to comply with the provisions of  
4 the Mandatory Financial Responsibility Act furnishes proof of  
5 compliance to the department and pays to the division a  
6 reinstatement fee of twenty-five dollars (\$25.00). If a  
7 person to whom the temporary [~~operation sticker~~] license is  
8 issued furnishes to the department, within fifteen days after  
9 the issuance of the sticker, evidence of financial  
10 responsibility in compliance with the Mandatory Financial  
11 Responsibility Act and in effect on the date and at the time  
12 of the issuance of the sticker, the department shall replace  
13 or return the license plate and waive the twenty-five-dollar  
14 (\$25.00) reinstatement fee.

15 C. The secretary shall adopt and promulgate  
16 regulations prescribing the form and use of the sticker  
17 required to be issued under Subsection A of this section.

18 D. The secretary may adopt and promulgate  
19 regulations requiring insurance carriers who terminate or  
20 cancel any [~~motor vehicle~~] drivers insurance policy to report  
21 monthly each cancellation or termination to the department.  
22 Information pertaining to each [~~motor vehicle~~] licensed driver  
23 shall be made a part of that [~~vehicle~~] driver's file for one  
24 year. Notification of termination or cancellation made under  
25 such a regulation is not grounds for revocation of the [~~motor~~



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1 ~~vehicle registration]~~ driver's license. "

2 Section 14. Section 66-5-207 NMSA 1978 (being Laws 1983,  
3 Chapter 318, Section 8, as amended) is amended to read:

4 "66-5-207. EXEMPT MOTOR VEHICLES. --The following motor  
5 vehicles are exempt from the Mandatory Financial  
6 Responsibility Act:

7 A. a motor vehicle owned by the United States  
8 government, any state or any political subdivision of a state;

9 B. an implement of husbandry or special mobile  
10 equipment that is only incidentally operated on a highway;

11 C. a motor vehicle operated upon a highway only for  
12 the purpose of crossing [~~such~~] the highway from one property  
13 to another;

14 D. a commercial motor vehicle registered or  
15 proportionally registered in this and any other jurisdiction,  
16 provided [~~such~~] the motor vehicle is covered by [~~a motor~~  
17 ~~vehicle~~] an insurance policy or equivalent coverage or other  
18 form of financial responsibility in compliance with the laws  
19 of any other jurisdiction in which it is registered;

20 E. a motor vehicle approved as self-insured by the  
21 superintendent of insurance pursuant to Section 66-5-207.1  
22 NMSA 1978; and

23 F. any motor vehicle when the owner has submitted to  
24 the department a signed statement, in the form prescribed by  
25 the department, declaring that the vehicle will not be

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1 operated on the highways of New Mexico and explaining the  
2 reasons therefor. "

3 Section 15. Section 66-5-208 NMSA 1978 (being Laws 1978,  
4 Chapter 35, Section 282, as amended) is amended to read:

5 "66-5-208. EVIDENCE OF FINANCIAL RESPONSIBILITY--AMOUNTS  
6 AND CONDITIONS.--"Evidence of financial responsibility", as  
7 used in the Mandatory Financial Responsibility Act, means  
8 evidence of the ability to respond in damages for liability,  
9 on account of accidents occurring subsequent to the effective  
10 date of the evidence, arising out of the [~~ownership~~]  
11 maintenance or use of a vehicle [~~of a type subject to~~  
12 registration] by a driver licensed under the laws of New  
13 Mexico, in the following amounts:

14 A. twenty-five thousand dollars (\$25,000) because of  
15 bodily injury to or death of one person in any one accident;

16 B. subject to this limit for one person, fifty  
17 thousand dollars (\$50,000) because of bodily injury to or  
18 death of two or more persons in any one accident;

19 C. ten thousand dollars (\$10,000) because of injury  
20 to or destruction of property of others in any one accident;  
21 and

22 D. if evidence is in the form of a surety bond or a  
23 cash deposit, the total amount shall be sixty thousand dollars  
24 (\$60,000). "

25 Section 16. Section 66-5-218 NMSA 1978 (being Laws 1978,

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1 Chapter 35, Section 302, as amended) is amended to read:

2 "66-5-218. ALTERNATE METHODS OF GIVING EVIDENCE. --  
3 Evidence of financial responsibility, when required under the  
4 Mandatory Financial Responsibility Act, may be given by  
5 filing:

6 A. evidence of a [~~motor vehicle~~] drivers insurance  
7 policy;

8 B. a surety bond as provided in Section 66-5-225  
9 NMSA 1978; or

10 C. a certificate of deposit of [~~money~~] cash as  
11 provided in Section 66-5-226 NMSA 1978. "

12 Section 17. Section 66-5-224 NMSA 1978 (being Laws 1978,  
13 Chapter 35, Section 309, as amended) is amended to read:

14 "66-5-224. ACT NOT TO AFFECT OTHER POLICIES. --

15 A. The Mandatory Financial Responsibility Act does  
16 not apply to or affect policies of [~~motor vehicle~~] insurance  
17 against liability which may now or hereafter be required by  
18 any other law of New Mexico, and such policies, if they  
19 contain an agreement or are endorsed to conform with the  
20 requirements of the Mandatory Financial Responsibility Act,  
21 may be considered as evidence of financial responsibility  
22 under that act.

23 B. The Mandatory Financial Responsibility Act does  
24 not apply to or affect policies insuring solely the insured  
25 named in the policy against liability resulting from the

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1 maintenance or use by persons in the insured's employ or on  
2 his behalf of motor vehicles not owned by the insured. "

3 Section 18. Section 66-5-227 NMSA 1978 (being Laws 1978,  
4 Chapter 35, Section 314, as amended) is amended to read:

5 "66-5-227. APPLICATION OF CASH DEPOSIT. -- The cash  
6 deposit provided for in Section 66-5-226 NMSA 1978 shall be  
7 held by the state treasurer to satisfy, in accordance with the  
8 provisions of the Mandatory Financial Responsibility Act, any  
9 execution on a judgment issued against the person making the  
10 deposit, for damages, including damages for care and loss of  
11 services because of bodily injury to or death of any person or  
12 for damages because of injury to or destruction of property,  
13 including the loss of use thereof, resulting from the  
14 [~~ownership~~] maintenance, use or operation of a motor vehicle  
15 [~~of a type~~] subject to [~~registration under the laws of New~~  
16 ~~Mexico~~] the provisions of the Mandatory Financial  
17 Responsibility Act after the deposit was made. Money so  
18 deposited shall not be subject to attachment or execution  
19 unless such attachment or execution arises out of a suit for  
20 damages as provided in this section. "

21 Section 19. Section 66-5-232 NMSA 1978 (being Laws 1983,  
22 Chapter 318, Section 31, as amended) is amended to read:

23 "66-5-232. SAMPLING-- LETTER TO OWNER. --

24 A. The department, at various times as it considers  
25 necessary or appropriate to assure compliance with the

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1 Mandatory Financial Responsibility Act, shall select for  
2 financial responsibility affirmation an appropriate sample  
3 number of the [~~motor vehicles registered~~] drivers licensed in  
4 New Mexico. The department is authorized to emphasize, in  
5 accordance with rules adopted by the department, for  
6 affirmation of financial responsibility, individuals whose  
7 affirmations of financial responsibility have previously been  
8 found to be incorrect.

9 B. When a [~~motor vehicle~~] licensed driver is  
10 selected for financial responsibility affirmation under  
11 Subsection A of this section, the department shall mail an  
12 affirmation form to the [~~registered owner of the motor~~  
13 ~~vehicle~~] driver notifying him that [~~his motor vehicle~~] he has  
14 been selected for financial responsibility affirmation and  
15 requiring him to respond and to affirm, by at least one  
16 signature shown on the affirmation form, the existence of  
17 evidence satisfying the financial responsibility requirements  
18 of the Mandatory Financial Responsibility Act [~~for the motor~~  
19 ~~vehicle~~].

20 C. Failure by [~~an owner~~] a driver to return the  
21 affirmation of financial responsibility to the department  
22 within fifteen days after mailing by the department or a  
23 determination by the department that an affirmation is not  
24 accurate constitutes reasonable grounds under Section 66-5-235  
25 NMSA 1978 to believe that a person is operating a motor

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1 vehicle in violation of Section 66-5-205 NMSA 1978 or has  
2 falsely affirmed the existence of means of satisfying the  
3 financial responsibility requirements of the Mandatory  
4 Financial Responsibility Act.

5 D. The department may investigate all affirmations  
6 required by the Mandatory Financial Responsibility Act  
7 returned to the department. If the [~~owner~~] driver affirms the  
8 existence of a [~~motor vehicle~~] drivers insurance policy  
9 covering the [~~motor vehicle~~] driver, the department may  
10 forward the affirmation to the listed insurer to determine  
11 whether the affirmation is correct. An insurer shall mail  
12 notification to the department within twenty working days of  
13 receipt of the affirmation inquiry in the event the  
14 affirmation is not correct. The notification shall be prima  
15 facie evidence of failure to satisfy the financial  
16 responsibility requirements of the Mandatory Financial  
17 Responsibility Act. The department may determine the  
18 correctness of affirmation of other means of satisfying the  
19 financial responsibility requirements of that act for the  
20 [~~motor vehicle~~] driver.

21 E. The department may use accident reports as basic  
22 material for the construction of its sampling procedure.

23 F. No civil liability shall accrue to the insurer or  
24 any of its employees for reports made to the department under  
25 this section when the reports are made in good faith based on

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1 the most recent information available to the insurer.

2 G. The affirmation form used when sampling shall  
3 require the report of the name of the company issuing the  
4 policy, the policy number or any other information that  
5 identifies the policy. "

6 Section 20. Section 66-5-233 NMSA 1978 (being Laws 1983,  
7 Chapter 318, Section 32, as amended) is amended to read:

8 "66-5-233. AFFIRMATION FORM -- The affirmation of  
9 financial responsibility required under Sections 66-5-208,  
10 66-5-225 and 66-5-226 NMSA 1978 shall be in a form prescribed  
11 by the department and shall require an applicant to provide  
12 such information as may be required by the department. If a  
13 person affirms the existence of a [~~motor vehicle~~] drivers  
14 insurance policy, the affirmation form shall require him to  
15 report at least the name of the insurer issuing the policy and  
16 the policy number. "

17 Section 21. Section 66-5-235 NMSA 1978 (being Laws 1983,  
18 Chapter 318, Section 34, as amended) is amended to read:

19 "66-5-235. FALSE AFFIRMATION-- VIOLATION. -- When the  
20 department has reasonable grounds to believe that a person is  
21 operating a motor vehicle in violation of Section 66-5-205  
22 NMSA 1978 or has falsely affirmed the existence of a [~~motor~~  
23 ~~vehicle~~] drivers insurance policy or the existence of some  
24 other means of satisfying the financial responsibility  
25 requirements of the Mandatory Financial Responsibility Act,

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1 the department shall demand satisfactory evidence from the  
2 person that the person meets the requirements of that act as  
3 provided in Section 66-5-233 NMSA 1978. If the person cannot  
4 provide evidence of financial responsibility within twenty  
5 days after receipt of the department's demand for satisfactory  
6 proof of financial responsibility, the department may suspend  
7 the person's [~~registration~~] license as provided in Section  
8 66-5-236 NMSA 1978. "

9 Section 22. Section 66-5-236 NMSA 1978 (being Laws 1983,  
10 Chapter 318, Section 35, as amended) is amended to read:

11 "66-5-236. SUSPENSION FOR NONPAYMENT OF JUDGMENT OR FOR  
12 FALSE AFFIRMATION. --

13 A. Except as otherwise provided, the secretary shall  
14 suspend:

15 (1) [~~the motor vehicle registration for all~~  
16 ~~motor vehicles and~~] the driver's license of any person against  
17 whom a judgment has been rendered, the department being in  
18 receipt of a certified copy of the judgment on a form provided  
19 by the department; or

20 (2) the [~~registration~~] driver's license for a  
21 period not to exceed one year of a person who is operating a  
22 motor vehicle in violation of Section 66-5-205 NMSA 1978 or  
23 falsely affirms the existence of a [~~motor vehicle~~] drivers  
24 insurance policy or some other means of satisfying the  
25 financial responsibility requirements of the Mandatory



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1 Financial Responsibility Act, but only if evidence of  
2 financial responsibility is not submitted within twenty days  
3 after the date of the mailing of the department's demand  
4 therefor. The department shall notify the person that he may  
5 request a hearing within twenty days after the date of the  
6 mailing of the department's demand as provided under this  
7 subsection.

8 B. The ~~[registration]~~ license shall remain suspended  
9 and shall not be renewed, nor shall any ~~[registration]~~ license  
10 be issued thereafter in the name of that person, unless and  
11 until every judgment is stayed, satisfied in full or to the  
12 extent provided in the Mandatory Financial Responsibility Act  
13 and evidence of financial responsibility as required in  
14 Section 66-5-218 NMSA 1978 is provided to the department. "

15 Section 23. Section 66-5-301 NMSA 1978 (being Laws 1978,  
16 Chapter 35, Section 325, as amended) is amended to read:

17 "66-5-301. INSURANCE AGAINST UNINSURED AND UNKNOWN  
18 MOTORISTS--REJECTION OF COVERAGE BY THE INSURED. --

19 A. No ~~[motor vehicle or automobile liability]~~  
20 drivers insurance policy insuring against loss resulting from  
21 liability imposed by law for bodily injury or death suffered  
22 by any person and for injury to or destruction of property of  
23 others arising out of the ~~[ownership]~~ maintenance or use of a  
24 motor vehicle shall be delivered or issued for delivery in New  
25 Mexico with respect to any ~~[motor vehicle registered or~~

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1 ~~principally garaged~~] driver licensed in New Mexico unless  
2 coverage is provided therein or supplemental thereto in  
3 minimum limits for bodily injury or death and for injury to or  
4 destruction of property as set forth in Section 66-5-215 NMSA  
5 1978 and such higher limits as may be desired by the insured,  
6 but up to the limits of liability specified in bodily injury  
7 and property damage liability provisions of the insured's  
8 policy, for the protection of persons insured thereunder who  
9 are legally entitled to recover damages from [ ~~owners or~~]  
10 operators of uninsured motor vehicles because of bodily  
11 injury, sickness or disease, including death, and for injury  
12 to or destruction of property resulting therefrom, according  
13 to the rules [ ~~and regulations~~] promulgated by, and under  
14 provisions filed with and approved by, the superintendent of  
15 insurance.

16 B. The uninsured motorist coverage described in  
17 Subsection A of this section shall include underinsured  
18 motorist coverage for persons protected by an insured's  
19 policy. For the purposes of this subsection, "underinsured  
20 motorist" means an operator of a motor vehicle with respect to  
21 the [ ~~ownership~~] maintenance or use of which the sum of the  
22 limits of liability under all bodily injury liability  
23 insurance applicable at the time of the accident is less than  
24 the limits of liability under the insured's uninsured motorist  
25 coverage. No motor vehicle or automobile liability policy

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1 sold in New Mexico shall be required to include underinsured  
2 motorist coverage until January 1, 1980.

3 C. The uninsured motorist coverage shall provide an  
4 exclusion of not more than the first two hundred fifty dollars  
5 (\$250) of loss resulting from injury to or destruction of  
6 property of the insured in any one accident. The named  
7 insured shall have the right to reject uninsured motorist  
8 coverage as described in Subsections A and B of this section;  
9 provided that unless the named insured requests such coverage  
10 in writing, such coverage need not be provided in or  
11 supplemental to a renewal policy where the named insured has  
12 rejected the coverage in connection with a policy previously  
13 issued to him by the same insurer. "

14 Section 24. A new section of the Mandatory Financial  
15 Responsibility Act is enacted to read:

16 "[NEW MATERIAL] MINIMUM LIABILITY POLICIES--SELECTION OF  
17 INSURANCE CARRIER--SALES BY DEPARTMENT--PENALTY FOR FALSE  
18 INFORMATION. --

19 A. In consultation with the superintendent of  
20 insurance and pursuant to the provisions of the Procurement  
21 Code, the secretary shall request proposals from insurance  
22 carriers to issue minimum liability policies to be sold by the  
23 department. Proposals submitted pursuant to the request shall  
24 state the cost of a minimum liability policy for different  
25 classes of drivers, as specified in the request for proposals.

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1 After consulting with the superintendent of insurance, the  
2 secretary shall contract with the insurance carrier that, in  
3 the opinion of the secretary, will provide reliable minimum  
4 liability policies for the most drivers that would otherwise  
5 be uninsured.

6 B. Pursuant to the contract entered into pursuant to  
7 Subsection A of this section, the department, by mail and at  
8 each location where drivers licenses may be issued, shall  
9 offer minimum liability policies for sale. Department  
10 employees or agents shall accept each application and, as  
11 specified in the contract, determine the eligibility of the  
12 applicant and the cost of the minimum liability policy for the  
13 class of driver to be insured. Upon payment of the cost plus  
14 a ten-dollar (\$10.00) processing fee to be retained by the  
15 department and deposited in the motor vehicle suspense fund,  
16 the applicant shall be issued a minimum liability policy.  
17 Pursuant to the terms of the contract, the secretary shall  
18 remit all money collected for the costs of minimum liability  
19 policies to the insurance carrier.

20 C. As used in the Mandatory Financial Responsibility  
21 Act, "minimum liability policy" means a drivers insurance  
22 policy issued for a term of one year and including only the  
23 minimum bodily injury and property damage liability coverages  
24 required by the Mandatory Financial Responsibility Act. Even  
25 though a minimum liability policy does not include uninsured

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1 motorist coverage or other coverage, any requirement in the  
2 Mandatory Financial Responsibility Act for coverage under a  
3 drivers insurance policy or for evidence of financial  
4 responsibility is satisfied by coverage under a minimum  
5 liability policy or evidence of a minimum liability policy.

6 D. The maximum term for a contract entered into  
7 pursuant to Subsection A of this section is four years.

8 E. No civil liability shall accrue to the department  
9 or any of its employees or agents for making a determination  
10 or a sale in good faith pursuant to the provisions of this  
11 section.

12 F. The secretary shall adopt rules necessary for the  
13 implementation of this section.

14 G. In addition to other civil or criminal penalties  
15 that may be applicable, a person who provides false  
16 information in order to acquire a minimum liability policy is  
17 guilty of a misdemeanor and shall be sentenced pursuant to the  
18 provisions of Subsection A of Section 31-19-1 NMSA 1978. "

19 Section 25. Section 66-7-302.1 NMSA 1978 (being Laws  
20 1989, Chapter 318, Section 30 and also Laws 1989, Chapter 319,  
21 Section 8, as amended) is amended to read:

22 "66-7-302.1. SPEED LIMIT--CONVICTION--USE LIMITED.--

23 A. The division shall not use a violation under  
24 Paragraph (3) or (4) of Subsection A of Section 66-7-301 NMSA  
25 1978 for the purpose of suspending or revoking a driver's

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1 license unless the driver was exceeding the speed of seventy-  
2 five miles an hour.

3 B. An insurer shall not consider a violation under  
4 Paragraph (3) or (4) of Subsection A of Section 66-7-301 NMSA  
5 1978 as a moving traffic violation against a person, unless  
6 the person was exceeding the speed of seventy-five miles an  
7 hour, for the purpose of establishing rates of [~~motor vehicle~~]  
8 drivers insurance charged by the insurer nor shall the insurer  
9 cancel or refuse to renew any policy of insurance for such a  
10 violation. "

11 Section 26. REPEAL. -- Sections 66-5-206, 66-5-222 and  
12 66-5-234 NMSA 1978 (being Laws 1983, Chapter 318, Section 7,  
13 Laws 1977, Chapter 61, Section 2 and Laws 1983, Chapter 318,  
14 Section 33, as amended) are repealed.

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1 FORTY- FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3  
4  
5 February 23, 1999

6  
7 Mr. President:

8  
9 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to  
10 whom has been referred  
11

12  
13 SENATE BILL 568

14  
15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 FINANCE COMMITTEE.

18  
19 Respectfully submitted,  
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Roman M. Maes, Chairman

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Kysar

Excused: Fidel, Kidd, Macias, McKibben

Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3  
4  
5  
6 March 1, 1999

7  
8 Mr. President:

9  
10 Your FINANCE COMMITTEE, to whom has been referred

11  
12 SENATE BILL 568

13  
14 has had it under consideration and reports same with  
15 recommendation that it DO PASS.

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18 Respectfully submitted,

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23 \_\_\_\_\_  
24 Ben D. Altamirano, Chairman

25 . 126520. 1

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Adopted \_\_\_\_\_ Not

1 Adopted \_\_\_\_\_

2 (Chief Clerk)

(Chief Clerk)

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6 Date \_\_\_\_\_

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9 The roll call vote was 6 For 1 Against

10 Yes: 6

11 No: Wilson

12 Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben, Tsosie

13 Absent: None

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16 S0568FC1

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