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SENATE BILL 201

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO DRIVER'S LICENSES; PROVIDING THAT AN INDIVIDUAL TAX IDENTIFICATION NUMBER MAY BE USED FOR APPLICATIONS FOR DRIVER'S LICENSES.

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, PROVISIONAL LICENSE OR INSTRUCTION PERMIT. --

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

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1 License Act, submission of a complete application with payment
2 of the fee entitles the applicant to not more than three
3 attempts to pass the examination within a period of six months
4 from the date of application.

5 B. ~~Every~~ An application shall contain the full
6 name, social security number or individual tax identification
7 number, date of birth, sex and New Mexico residence address of
8 the applicant and briefly describe the applicant and indicate
9 whether the applicant has previously been licensed as a driver
10 and, if so, when and by what state or country and whether any
11 such license has ever been suspended or revoked or whether an
12 application has ever been refused and, if so, the date of and
13 reason for the suspension, revocation or refusal. For foreign
14 nationals applying for driver's licenses the secretary shall
15 accept the individual taxpayer identification number as a
16 substitute for a social security number regardless of
17 immigration status. The secretary ~~[is authorized to]~~ shall
18 establish by regulation other documents that may be accepted as
19 a substitute for a social security number or an individual tax
20 identification number.

21 C. ~~Every~~ An applicant shall indicate whether he
22 has been convicted of driving while under the influence of
23 intoxicating liquor or drugs in this state or in any other
24 jurisdiction. Failure to disclose any such conviction prevents
25 the issuance of a driver's license, provisional license,

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1 temporary license or instruction permit for a period of one
2 year if the failure to disclose is discovered by the department
3 prior to issuance. If the nondisclosure is discovered by the
4 department subsequent to issuance, the department shall revoke
5 the driver's license, provisional license, temporary license or
6 instruction permit for a period of one year. Intentional and
7 willful failure to disclose, as required in this subsection, is
8 a misdemeanor.

9 D. ~~[Every]~~ An applicant less than eighteen years of
10 age who is making an application to be granted his first New
11 Mexico driver's license shall submit evidence that he has:

12 (1) successfully completed a driver education
13 course that included a DWI prevention and education program
14 approved by the bureau or offered by a public school. The
15 bureau may accept verification of driver education course
16 completion from another state if the driver education course
17 substantially meets the requirements of the bureau for a course
18 offered in New Mexico;

19 (2) had a provisional license for the twelve-
20 month period immediately preceding the date of the application
21 for the driver's license;

22 (3) complied with restrictions on that
23 license;

24 (4) not been convicted of a traffic violation
25 committed during the ninety days prior to applying for a

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1 driver's license;

2 (5) not been cited for a traffic violation
3 that is pending at the time of his application; and

4 (6) not been adjudicated for an offense
5 involving the use of alcohol or drugs during the twelve-month
6 period immediately preceding the date of the application for
7 the driver's license and that there are no pending
8 adjudications alleging an offense involving the use of alcohol
9 or drugs at the time of his application.

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

16 F. ~~Every~~ An applicant twenty-five years of age
17 and over who has been convicted of driving under the influence
18 of intoxicating liquor or drugs, and who is making an
19 application to be granted his first New Mexico driver's
20 license, shall submit evidence with his application that he has
21 successfully completed a bureau-approved DWI prevention and
22 education program.

23 G. Whenever application is received from a person
24 previously licensed in another jurisdiction, the department may
25 request a copy of the driver's record from the other

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1 jurisdiction. When received, the driver's record may become a
2 part of the driver's record in this state with the same effect
3 as though entered on the driver's record in this state in the
4 original instance.

5 H. Whenever the department receives a request for a
6 driver's record from another licensing jurisdiction, the record
7 shall be forwarded without charge.

8 I. This section does not apply to driver's licenses
9 issued pursuant to the New Mexico Commercial Driver's License
10 Act. "