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HOUSE BILL 1082

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Ernest H. Chavez

AN ACT

RELATING TO DRIVER'S LICENSES; PROVIDING FOR RENEWALS BY MAIL
IN CERTAIN CIRCUMSTANCES.

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

Section 1. Section 66-5-14 NMSA 1978 (being Laws 1978,
Chapter 35, Section 236, as amended) is amended to read:

"66-5-14. EXAMINATION OF APPLICANTS.--

A. The department shall examine every first-time
applicant for a driver's license or a motorcycle endorsement
and may examine other applicants for a driver's license or
motorcycle endorsement. The examination shall include a test
of the applicant's ability to read and understand highway signs
regulating, warning and directing traffic, the applicant's
knowledge of the traffic laws of this state and an actual
demonstration of ability to exercise ordinary and reasonable

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1 control in the operation of a motor vehicle except as provided
2 in Section 66-5-7 NMSA 1978 and any further physical and mental
3 examination as the department finds necessary to determine the
4 applicant's fitness to operate a motor vehicle or motorcycle
5 safely upon the highways.

6 B. Regardless of whether an applicant is examined
7 under Subsection A of this section, the department shall test
8 the eyesight of every applicant for a driver's license or
9 motorcycle endorsement, except that no test shall be required
10 by driver's licenses that are renewed by mail unless required
11 by rule of the department.

12 C. The department is authorized to contract with
13 other persons for conduct of tests of the applicant's ability
14 to exercise ordinary and reasonable control of a motor vehicle.
15 Any such contract may be terminated by the secretary upon
16 written notice for failure of the contractor to perform [~~his~~]
17 the contractor's duties to the secretary's satisfaction.

18 Contracts under this subsection may provide for the form of
19 notice and the length of the period, if any, between the notice
20 and the effective date of the termination.

21 D. For purposes of this section, a "first-time
22 applicant" means an applicant other than a person who:

23 (1) holds a currently valid driver's license
24 issued by New Mexico or any other jurisdiction at the time of
25 application; or

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1 (2) does not hold a currently valid driver's
2 license issued by New Mexico or any other jurisdiction at the
3 time of application but who held a valid driver's license
4 issued by New Mexico or any other jurisdiction within one year
5 prior to the date of application if that driver's license was
6 not revoked under any provision of the Motor Vehicle Code or
7 suspended, canceled or revoked under the laws of any other
8 jurisdiction for reasons similar to those for which revocation
9 is authorized under the Motor Vehicle Code."

10 Section 2. Section 66-5-21 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 243, as amended) is amended to read:

12 "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE
13 PERIOD--EIGHT-YEAR ISSUANCE PERIOD.--

14 A. Except as provided in Subsection B of this
15 section, Section 66-5-19 NMSA 1978 and Section 66-5-67 NMSA
16 1978, all driver's licenses shall be issued for a period of
17 four years, and each license shall expire thirty days after the
18 applicant's birthday in the fourth year after the effective
19 date of the license. A license issued pursuant to Section
20 66-5-19 NMSA 1978 shall expire thirty days after the
21 applicant's birthday in the year in which the license expires.
22 Each license is renewable within ninety days prior to its
23 expiration or at an earlier date approved by the department.
24 The fee for the license shall be as provided in Section 66-5-44
25 NMSA 1978. The department may, [~~provide for renewal by mail of~~

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1 ~~a driver's license issued pursuant to the provisions of this~~
2 ~~subsection, pursuant to regulations adopted by the department~~
3 ~~and may] by rule~~, require an examination upon renewal of the
4 driver's license.

5 B. At the option of an applicant, a driver's
6 license may be issued for a period of eight years, provided
7 that the applicant:

8 (1) pays the amount required for a driver's
9 license issued for a term of eight years;

10 (2) otherwise qualifies for a four-year
11 driver's license; and

12 (3) will not reach the age of seventy-five
13 during the last four years of the eight-year license period.

14 C. A driver's license issued pursuant to the
15 provisions of Subsection B of this section shall expire thirty
16 days after the applicant's birthday in the eighth year after
17 the effective date of the license.

18 D. The director may adopt regulations providing for
19 the proration of driver's license fees and commercial driver's
20 license fees due to shortened licensure periods permitted
21 pursuant to Subsection A of Section 66-5-19 NMSA 1978.

22 E. Unless an examination or an eyesight test is
23 required by rule of the department, the department shall, by
24 rule, provide for driver's license renewal by mail."

25 Section 3. EFFECTIVE DATE.--The effective date of the

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provisions of this act is July 1, 2007.

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