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SENATE BILL 137

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO THE MOTOR VEHICLE CODE; PROVIDING FOR THE RENEWAL OF DRIVER'S LICENSES OR IDENTIFICATION CARDS BY ALTERNATIVE MEANS; PROVIDING FOR THE EXPIRATION OF DRIVER'S LICENSES THIRTY DAYS FOLLOWING THE HOLDER'S TWENTY-FIRST OR SEVENTY-FIFTH BIRTHDAY; PROVIDING FOR FLEXIBILITY IN THE EXPIRATION DATES OF IDENTIFICATION CARDS; AUTHORIZING PRORATION OF FEES.

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

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1 of the applicant's ability to read and understand highway signs
2 regulating, warning and directing traffic, the applicant's
3 knowledge of the traffic laws of this state and an actual
4 demonstration of ability to exercise ordinary and reasonable
5 control in the operation of a motor vehicle except as provided
6 in Section 66-5-7 NMSA 1978 and any further physical and mental
7 examination as the department finds necessary to determine the
8 applicant's fitness to operate a motor vehicle or motorcycle
9 safely upon the highways.

10 B. Regardless of whether an applicant is examined
11 under Subsection A of this section, the department shall test
12 the eyesight of every applicant for a driver's license or
13 motorcycle endorsement unless the application is for renewal of
14 a license or endorsement and is made by mail or telephonic or
15 electronic means.

16 C. The department is authorized to contract with
17 other persons for conduct of tests of the applicant's ability
18 to exercise ordinary and reasonable control of a motor vehicle.
19 Any such contract may be terminated by the secretary upon
20 written notice for failure of the contractor to perform [~~his~~]
21 the contractor's duties to the secretary's satisfaction.
22 Contracts under this subsection may provide for the form of
23 notice and the length of the period, if any, between the notice
24 and the effective date of the termination.

25 D. For purposes of this section, a "first-time

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1 applicant" means an applicant other than a person who:

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

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

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

16 "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE
17 PERIOD--EIGHT-YEAR ISSUANCE PERIOD--RENEWAL.--

18 A. Except as provided in Subsection B or D of this
19 section, Section 66-5-19 NMSA 1978 and Section 66-5-67 NMSA
20 1978, all driver's licenses shall be issued for a period of
21 four years, and each license shall expire thirty days after the
22 applicant's birthday in the fourth year after the effective
23 date of the license or shall expire thirty days after the
24 applicant's seventy-fifth birthday. A license issued pursuant
25 to Section 66-5-19 NMSA 1978 shall expire thirty days after the

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1 applicant's birthday in the year in which the license expires.
2 Each license is renewable within ninety days prior to its
3 expiration or at an earlier date approved by the department.
4 The fee for the license shall be as provided in Section 66-5-44
5 NMSA 1978. The department may provide for renewal by mail or
6 telephonic or electronic means of a driver's license issued
7 pursuant to the provisions of this subsection, pursuant to
8 regulations adopted by the department [~~and~~] that ensure
9 adequate security measures to safeguard personal information
10 that is obtained in the issuance of a driver's license. The
11 department may require an examination upon renewal of the
12 driver's license.

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

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

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

20 (3) will not reach the age of seventy-five
21 during the last four years of the eight-year license period or
22 reach the age of twenty-one during any year within the term of
23 the license.

24 C. A driver's license issued pursuant to the
25 provisions of Subsection B of this section shall expire thirty

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1 days after the applicant's birthday in the eighth year after
2 the effective date of the license.

3 D. A driver's license issued prior to an
4 applicant's twenty-first birthday shall expire thirty days
5 after the applicant's twenty-first birthday. A driver's
6 license issued prior to an applicant's twenty-first birthday
7 may be issued for a period of up to five years.

8 [~~D.~~] E. The director may adopt regulations
9 providing for the proration of driver's license fees and
10 commercial driver's license fees due to shortened licensure
11 periods permitted pursuant to Subsection A of Section 66-5-19
12 NMSA 1978 or for licensure periods authorized pursuant to the
13 provisions of this section."

14 Section 3. Section 66-5-403 NMSA 1978 (being Laws 1973,
15 Chapter 269, Section 3, as amended) is amended to read:

16 "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--DURATION--
17 RENEWAL.--

18 A. Except as provided in Subsection B or C of this
19 section, every identification card shall be issued for a period
20 not to exceed four years and shall expire on the last day of
21 the month of the identified person's birth in the fourth year
22 after the effective date of the identification card. [~~The~~]

23 B. An identification card may be renewed within
24 ninety days prior to its expiration or at an earlier date
25 approved by the department. An identification card may be

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1 renewed by mail or telephonic or electronic means pursuant to
2 regulations adopted by the department. The regulations shall
3 ensure adequate security measures to safeguard personal
4 information that is obtained in the issuance of an
5 identification card.

6 [B-] C. At the option of the applicant for an
7 identification card, a card may be issued for a period of eight
8 years, provided that the applicant pays the amount required for
9 an identification card issued for a term of eight years. An
10 identification card issued pursuant to the provisions of this
11 subsection shall expire on the last day of the month of the
12 applicant's birth in the eighth year after the effective date
13 of the identification card. The identification card may be
14 renewed within ninety days prior to its expiration."

15 Section 4. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2010.

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