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SENATE BILL 205

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

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO MOTOR VEHICLES; WAIVING THE FEE FOR REGISTERING ONE
MOTOR VEHICLE OR MOTORCYCLE ELIGIBLE FOR A DISTINCTIVE
REGISTRATION PLATE.

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

Section 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH
SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARD.--

A. The division shall issue distinctive
registration plates for use on motor vehicles and motorcycles
owned by a person with a significant mobility limitation who
requests a distinctive registration plate and who proves
satisfactorily to the division that the person meets the
standard provided in Subsection [F] J of this section. The

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1 regular vehicle registration fee for one motor vehicle or
2 motorcycle registered to a person eligible for a distinctive
3 registration plate shall be waived. No fee in addition to the
4 regular registration fee, if any, applicable to the motor
5 vehicle or motorcycle shall be collected for issuance of
6 distinctive registration plates pursuant to this section.

7 B. No person shall falsely claim to have a
8 significant mobility limitation so as to be eligible to be
9 issued a distinctive registration plate or a parking placard
10 pursuant to this section when the person does not in fact have
11 a significant mobility limitation. Upon notice and opportunity
12 to be heard, the division may revoke and demand return of any
13 placard when:

14 (1) it was issued in error or with false
15 information;

16 (2) the person receiving the placard is no
17 longer eligible; or

18 (3) the placard is being used by ineligible
19 persons.

20 C. Upon written application to the division
21 accompanied by a medical statement by a licensed physician
22 attesting to the permanent significant mobility limitation, a
23 resident of the state who has a significant mobility
24 limitation, as provided in this section, may apply for and be
25 issued no more than two parking placards for display upon a

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1 motor vehicle registered to the person or motor vehicle owned
2 by another person who is transporting the person with a
3 significant mobility limitation. The physician shall provide
4 the division all information and records necessary to issue a
5 permanent parking placard. Once approved for use of a
6 permanent parking placard, a person with a significant mobility
7 limitation shall not be required to furnish further medical
8 information.

9 D. A parking placard issued pursuant to this
10 section shall expire on the same date the person's license or
11 identification card issued pursuant to Section 66-5-401 NMSA
12 1978 expires.

13 E. The division shall issue two-sided hanger-style
14 parking placards with the following characteristics:

- 15 (1) a picture of the international symbol of
16 access;
- 17 (2) a hologram to make duplication difficult;
- 18 (3) an imprinted expiration date; and
- 19 (4) a full-face photograph of the holder on
20 the inside of the placard covered by a flap.

21 F. The division shall consult with the governor's
22 commission on disability for continued issuance and format of
23 the placard.

24 G. The division may issue an identification card
25 containing a full-face photograph of the holder of the

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1 registration plate or parking placard and the number of the
2 registration plate or parking placard issued to that person.

3 H. Upon written application to the division
4 accompanied by a medical statement from a licensed physician
5 attesting to a temporary significant mobility limitation, a
6 person may be issued a temporary placard for no more than one
7 year. The physician shall provide the division all information
8 and records necessary to issue a temporary placard.

9 I. Registration plates or parking placards issued
10 to a person with a significant mobility limitation by another
11 state or foreign jurisdiction shall be honored until the motor
12 vehicle or motorcycle is registered or the parking placard
13 holder establishes residency in this state.

14 J. A person with a significant mobility limitation
15 means a person who:

16 (1) cannot walk one hundred feet without
17 stopping to rest;

18 (2) cannot walk without the use of a brace,
19 cane or crutch or without assistance from another person, a
20 prosthetic device, a wheelchair or other assistive device;

21 (3) is restricted by lung disease to such an
22 extent that the person's forced respiratory volume, when
23 exhaling for one second, when measured by spirometry, is less
24 than one liter or the arterial oxygen tension is less than
25 sixty millimeters on room air at rest;

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- 1 (4) uses portable oxygen;
- 2 (5) has a severe cardiac condition; or
- 3 (6) is so severely limited in the ability to
- 4 walk due to an arthritic, neurologic or orthopedic condition
- 5 that the person cannot ascend or descend more than ten stair
- 6 steps."

7 Section 2. Section 66-6-2 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 337, as amended) is amended to read:

9 "66-6-2. PASSENGER VEHICLES--REGISTRATION FEES.--

10 A. For the registration of motor vehicles other
11 than motorcycles, trucks, buses and tractors, the division
12 shall collect the following fees for each twelve-month
13 registration period:

14 [~~A.~~] (1) for a vehicle whose gross factory
15 shipping weight is not more than two thousand pounds, twenty-
16 seven dollars (\$27.00); provided, however, that after five
17 years of registration, calculated from the date when the
18 vehicle was first registered in this or another state, the fee
19 is twenty-one dollars (\$21.00);

20 [~~B.~~] (2) for a vehicle whose gross factory
21 shipping weight is more than two thousand but not more than
22 three thousand pounds, thirty-nine dollars (\$39.00); provided,
23 however, that after five years of registration, calculated from
24 the date when the vehicle was first registered in this or
25 another state, the fee is thirty-one dollars (\$31.00);

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1 [~~E-~~] (3) for a vehicle whose gross factory
2 shipping weight is more than three thousand pounds, fifty-six
3 dollars (\$56.00); provided, however, that after five years of
4 registration, calculated from the date when the vehicle was
5 first registered in this or another state, the fee is forty-
6 five dollars (\$45.00); and

7 [~~D-~~] (4) for a vehicle registered pursuant to
8 the provisions of this section, a tire recycling fee of one
9 dollar fifty cents (\$1.50).

10 B. The registration fee shall be waived for one
11 vehicle registered to a person eligible for a distinctive
12 registration plate pursuant to Section 66-3-16 NMSA 1978. The
13 registration fee for a second distinctive registration plate
14 shall be as provided in Subsection A of this section."