

1 SENATE BILL 526

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Rod Adair

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; AMENDING A SECTION OF THE MOTOR
12 VEHICLE CODE TO REQUIRE INCLUSION OF MAILING ADDRESSES ON
13 DRIVER'S LICENSE APPLICATIONS AND DRIVER'S LICENSES.

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

16 SECTION 1. Section 66-5-9 NMSA 1978 (being Laws 1978,
17 Chapter 35, Section 231, as amended) is amended to read:

18 "66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE,
19 PROVISIONAL LICENSE OR INSTRUCTION PERMIT.--

20 A. An application for an instruction permit,
21 provisional license or driver's license shall be made upon a
22 form furnished by the department. An application shall be
23 accompanied by the proper fee. For permits, provisional
24 licenses or driver's licenses other than those issued pursuant
25 to the New Mexico Commercial Driver's License Act, submission

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

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

24 C. An applicant shall indicate whether [~~he~~] the
25 applicant has been convicted of driving while under the

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1 influence of intoxicating liquor or drugs in this state or in
2 any other jurisdiction. Failure to disclose any such
3 conviction prevents the issuance of a driver's license,
4 provisional license, temporary license or instruction permit
5 for a period of one year if the failure to disclose is
6 discovered by the department prior to issuance. If the
7 nondisclosure is discovered by the department subsequent to
8 issuance, the department shall revoke the driver's license,
9 provisional license, temporary license or instruction permit
10 for a period of one year. Intentional and willful failure to
11 disclose, as required in this subsection, is a misdemeanor.

12 D. An applicant [~~less than~~] who is under eighteen
13 years of age and who is making an application to be granted
14 [~~his~~] a first New Mexico driver's license shall submit evidence
15 that [~~he~~] the applicant has:

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

23 (2) had a provisional license for the twelve-
24 month period immediately preceding the date of the application
25 for the driver's license;

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1 (3) complied with restrictions on that
2 license;

3 (4) not been convicted of a traffic violation
4 committed during the ninety days prior to applying for a
5 driver's license;

6 (5) not been cited for a traffic violation
7 that is pending at the time of [~~his~~] the application; and

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

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

20 F. An applicant who is twenty-five years of age
21 [~~and~~] or over, who has been convicted of driving under the
22 influence of intoxicating liquor or drugs and who is making an
23 application to be granted [~~his~~] a first New Mexico driver's
24 license shall submit evidence with [~~his~~] the application that
25 [~~he~~] the applicant has successfully completed a bureau-approved

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1 DWI prevention and education program.

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

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

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