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## FISCAL IMPACT REPORT

**SPONSOR** Nava **ORIGINAL DATE** 02/16/11  
**LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_

**SHORT TITLE** HS Graduation For Minors' Driver's License **SB** 345

**ANALYST** Lucero

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		NFI	NFI			

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Taxation and Revenue Department (TRD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 345 proposes to amend Section 66-5-9 NMSA 1978 of the Motor Vehicle Code to require as part of the drivers' license application process for a person under the age of 18 proof of high school graduation; GED attainment; or a letter or a school form from the applicant's school, or equivalent, indicating the minor is in compliance with school's attendance policy.

### FISCAL IMPLICATIONS

No fiscal impact. Similar regulations are currently in place.

### SIGNIFICANT ISSUES

The Motor Vehicle Division (MVD) reports:

Regulation 18.19.5.118 NMAC and by a governor's directive, requires school attendance and proficiency on state assessment tests in order to obtain a provisional license.

This bill only requires school attendance, a high school diploma or GED. By not requiring proficiency on state assessment tests, this bill would weaken current regulations.

## **ADMINISTRATIVE IMPLICATIONS**

Administrative impact on TRD-MVD would include the necessity of revising forms, brochures and the driver's manual to reflect changes in the Graduated Driver's License requirements.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill relates to HB-78 "Social Security Number for Drivers' License", HB-261 "Foreign Intl. Driver's License Expiration Date", and SB-9 "License Requirements for Drivers Under 18"

## **TECHNICAL ISSUES**

The bill does not address process for obtaining a license during breaks from school, most importantly the summer break.

## **OTHER SUBSTANTIVE ISSUES**

- In Georgia, a Department of Driver Services (DDS) Certificate of Attendance form must be signed and notarized from your school. It is only valid for 30 days. All applicants under the age of 18 not enrolled in school must provide a GED diploma, high school diploma, or an attendance form from your local Board of Education if you are enrolled in an approved home school program.
- In Texas, a driver under 18 years of age wishing to transfer a valid out-of-state learner license or driver license must:
  1. Provide verification of enrollment and attendance in school, or a high school diploma/GED. If you have not graduated from high school or obtained a GED, verification of attendance in a school out-of-state may be shown by presenting a letter from the school principal on school stationery or letterhead stating you attended school and met the minimum attendance for class credit (at least 80 days) in each class you were enrolled during the semester immediately preceding the current semester, and were enrolled until transfer to Texas.
  2. Be currently enrolled in school. If you are currently enrolled in a Texas school, that school may certify to the enrollment and may also certify to the prior attendance, provided they have a record from your previous school that reflects you attended the minimum required days in the previous semester.
- The West Virginia Legislature recently amended its current teen driving law, granting the state's Department of Motor Vehicles the permission and authority to revoke any student's driver's license due to poor grades or attendance. Although the law does not currently outline a minimum GPA that students must maintain to preserve their driving privileges, the revised law states that student must uphold "adequate academic progress."