

1 SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE SUBSTITUTE FOR  
2 SENATE BILL 125

3 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

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10 AN ACT

11 RELATING TO DRIVER'S LICENSES; PROVIDING FOR SHORTER LICENSING  
12 PERIODS AS DRIVERS AGE; REQUIRING EXAMINATION OF REFLEXES AND  
13 REACTION TIMES FOR ALL APPLICANTS.

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

16 SECTION 1. Section 66-5-14 NMSA 1978 (being Laws 1978,  
17 Chapter 35, Section 236, as amended by Laws 2010, Chapter 42,  
18 Section 1 and by Laws 2010, Chapter 70, Section 1) is amended  
19 to read:

20 "66-5-14. EXAMINATION OF APPLICANTS.--

21 A. The department shall examine every first-time  
22 applicant for a driver's license or a motorcycle endorsement  
23 and may examine other applicants for a driver's license or  
24 motorcycle endorsement. The examination shall include a test  
25 of the applicant's ability to read and understand highway signs

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

9 B. Regardless of whether an applicant is examined  
10 under Subsection A of this section, the department shall test  
11 the eyesight, reflexes, reaction times, motor skills and  
12 coordination 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 the  
21 contractor's duties to the secretary's satisfaction. Contracts  
22 under this subsection may provide for the form of notice and  
23 the length of the period, if any, between the notice and the  
24 effective date of the termination.

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

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 66-5-19 NMSA 1978 (being Laws 1978,  
 15 Chapter 35, Section 241, as amended) is amended to read:

16 "66-5-19. RESTRICTED LICENSES.--

17 A. The division, upon issuing a driver's license or  
 18 a provisional license, has authority, whenever good cause  
 19 appears, to impose restrictions, including the shortening of  
 20 the licensure period suitable to the licensee's driving ability  
 21 with respect to the type of or special mechanical control  
 22 devices required on a motor vehicle that the licensee may  
 23 operate or such other restrictions applicable to the licensee  
 24 as the division determines to be appropriate to ensure the safe  
 25 operation of a motor vehicle by the licensee.

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1                   ~~[B. At age seventy-five and thereafter, the~~  
2 ~~applicant shall renew the applicant's license on a yearly basis~~  
3 ~~at no cost to the applicant.~~

4                   ~~G.]~~ B. The division may either issue a special  
5 restricted license or may set forth such restrictions upon the  
6 usual license form.

7                   ~~[D.]~~ C. The division may issue a restricted license  
8 or a restricted provisional license for driving during daylight  
9 hours only to some visually impaired persons who fail the usual  
10 eyesight test. The health standards advisory board created  
11 pursuant to the provisions of Section 66-5-6 NMSA 1978 shall  
12 evaluate the extent of the visual impairment and its effect on  
13 the driving ability of the applicant and, based on its  
14 recommendations, the director may issue a restricted license  
15 under the following conditions:

16                               (1) the applicant has no record of moving  
17 violations;

18                               (2) the necessity of the license is shown to  
19 the satisfaction of the director; and

20                               (3) the applicant satisfies the provisions of  
21 Section 66-5-206 NMSA 1978 relating to proof of financial  
22 responsibility.

23                   D. A driver who is seventy-five years of age or  
24 older shall renew the driver's license at no cost:

25                               (1) every two years, from age seventy-five to

1 eighty-four;

2 (2) every year, from age eighty-five to  
3 eighty-nine; and

4 (3) every six months, from age ninety and  
5 thereafter.

6 E. The division may, upon receiving satisfactory  
7 evidence of any violation of the restrictions of the license,  
8 suspend the license, but the licensee is entitled to a hearing  
9 as upon a suspension under Sections 66-5-1 through 66-5-47 NMSA  
10 1978.

11 F. It is a misdemeanor for any person to operate a  
12 motor vehicle in any manner in violation of the restrictions  
13 imposed in a restricted license issued to the person."

14 SECTION 3. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is July 1, 2011.

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