

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 32

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

AN ACT

RELATING TO DRIVER'S LICENSES; PROVIDING FOR A RESTRICTED  
TEMPORARY DRIVER'S LICENSE OR IDENTIFICATION CARD FOR CERTAIN  
FOREIGN NATIONALS; REQUIRING PROOF OF AUTHORIZED PRESENCE FROM  
APPLICANTS FOR DRIVER'S LICENSES OR IDENTIFICATION CARDS;  
PROVIDING FOR DRIVER'S LICENSES AND IDENTIFICATION CARDS TO BE  
ACCEPTED BY FEDERAL AGENCIES FOR OFFICIAL FEDERAL PURPOSES;  
LIMITING THE DURATION OF DRIVER'S LICENSES AND IDENTIFICATION  
CARDS OF CERTAIN FOREIGN NATIONALS; INCREASING PENALTIES AND  
IMPOSING NEW PENALTIES.

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

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

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

.199818.2

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1           A. An application for an instruction permit,  
2 provisional license or driver's license shall be made upon a  
3 form furnished by the department. An application shall be  
4 accompanied by the proper fee. For permits, provisional  
5 licenses or driver's licenses other than those issued pursuant  
6 to the New Mexico Commercial Driver's License Act, submission  
7 of a complete application with payment of the fee entitles the  
8 applicant to not more than three attempts to pass the  
9 examination within a period of six months from the date of  
10 application.

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

.199818.2

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1 be accepted as ~~[a substitute for a social security number or an~~  
2 ~~individual tax identification number]~~ documentary evidence of  
3 the identity and residency of the applicant.

4 C. An applicant who is a foreign national shall  
5 provide proof of authorized period of admission into the United  
6 States.

7 D. An application by a foreign national shall  
8 contain the unique identifying number of the foreign national's  
9 valid passport, valid visa, employment authorization card  
10 issued under the applicant's approved deferred action status or  
11 other arrival-departure record or document issued by the  
12 federal government and the expiration date of the foreign  
13 national's authorized period of admission or extension of stay  
14 as demonstrated on the foreign national's valid passport, valid  
15 visa, employment authorization card issued under the  
16 applicant's approved deferred action status or arrival-  
17 departure record or other document issued by the federal  
18 government. The department may issue to an eligible foreign  
19 national applicant a driver's license that is valid only for  
20 the duration of the foreign national's authorized period of  
21 admission or extension of stay and that shall state that it is  
22 term limited.

23 ~~[G.]~~ E. An applicant shall indicate whether the  
24 applicant has been convicted of driving while under the  
25 influence of intoxicating liquor or drugs in this state or in

.199818.2

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

11 ~~[D-]~~ F. An applicant under eighteen years of age  
12 who is making an application for a first New Mexico driver's  
13 license shall submit evidence that the applicant has:

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

20 (2) had a provisional license for at least the  
21 twelve-month period immediately preceding the date of the  
22 application for the driver's license; provided that thirty days  
23 shall be added to the twelve-month period for each adjudication  
24 or conviction of a traffic violation committed during the time  
25 the person was driving with a provisional license;

.199818.2

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

3 (4) not been cited for a traffic violation  
4 that is pending at the time of application; and

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

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

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

24 [~~G.~~] I. Whenever an application is received from a  
25 person previously licensed in another jurisdiction, the

.199818.2

1 department may request a copy of the driver's record from the  
2 other jurisdiction. When received, the driver's record may  
3 become a part of the driver's record in this state with the  
4 same effect as though entered on the driver's record in this  
5 state in the original instance.

6 ~~[H.]~~ J. Whenever the department receives a request  
7 for a driver's record from another licensing jurisdiction, the  
8 record shall be forwarded without charge.

9 ~~[I.]~~ K. This section does not apply to driver's  
10 licenses issued pursuant to the New Mexico Commercial Driver's  
11 License Act."

12 **SECTION 2.** Section 66-5-15 NMSA 1978 (being Laws 1978,  
13 Chapter 35, Section 237, as amended) is amended to read:

14 "66-5-15. LICENSES ISSUED TO APPLICANTS.--The department  
15 shall, upon payment of the required fee, issue to every  
16 qualified applicant a driver's license as applied for. ~~[The~~  
17 ~~license]~~ All licenses shall bear the full legal name, date of  
18 birth, sex, current New Mexico physical ~~[or mailing]~~ address, a  
19 full-face or front-view digital photograph of the license  
20 holder, ~~[and]~~ a unique driver's license number, a date of  
21 issuance, an expiration date, a brief description of the  
22 licensee and the signature of the licensee. A license shall  
23 not be valid unless it bears the signature of the licensee."

24 **SECTION 3.** Section 66-5-21 NMSA 1978 (being Laws 1978,  
25 Chapter 35, Section 243, as amended by Laws 2010, Chapter 42,

.199818.2

1 Section 2 and by Laws 2010, Chapter 70, Section 2) is amended  
2 to read:

3 "66-5-21. EXPIRATION OF LICENSE--LIMITED ISSUANCE  
4 PERIOD--FOUR-YEAR ISSUANCE PERIOD--EIGHT-YEAR ISSUANCE PERIOD--  
5 RENEWAL.--

6 A. Except as provided in Subsection B, [~~or~~] D, E or  
7 F of this section, Section 66-5-19 NMSA 1978 [~~and~~] or Section  
8 66-5-67 NMSA 1978, all driver's licenses shall be issued for a  
9 period of four years, and each license shall expire thirty days  
10 after the applicant's birthday in the fourth year after the  
11 effective date of the license or shall expire thirty days after  
12 the applicant's seventy-fifth birthday. A license issued  
13 pursuant to Section 66-5-19 NMSA 1978 shall expire thirty days  
14 after the applicant's birthday in the year in which the license  
15 expires. Each license is renewable within ninety days prior to  
16 its expiration or at an earlier date approved by the  
17 department. The fee for the license shall be as provided in  
18 Section 66-5-44 NMSA 1978. The department may provide for  
19 renewal by mail or telephonic or electronic means of a driver's  
20 license issued pursuant to the provisions of this subsection,  
21 pursuant to regulations adopted by the department that ensure  
22 adequate security measures to safeguard personal information  
23 that is obtained in the issuance of a driver's license. The  
24 department may require an examination upon renewal of the  
25 driver's license. A driver's license issued to a foreign

.199818.2

1 national shall not be renewed unless the applicant presents  
2 valid documentary evidence that the status by which the  
3 applicant qualified for the driver's license is still in effect  
4 or that the applicant remains within the applicant's authorized  
5 period of admission or extension of stay in the United States.

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

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

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

13 (3) will not reach the age of seventy-five  
14 during the last four years of the eight-year license period or  
15 reach the age of twenty-one during any year within the term of  
16 the license.

17 C. A driver's license issued pursuant to the  
18 provisions of Subsection B of this section shall expire thirty  
19 days after the applicant's birthday in the eighth year after  
20 the effective date of the license.

21 D. A driver's license issued prior to an  
22 applicant's twenty-first birthday shall expire thirty days  
23 after the applicant's twenty-first birthday. A driver's  
24 license issued prior to an applicant's twenty-first birthday  
25 may be issued for a period of up to five years.

.199818.2

1           E. A driver's license issued to a foreign national  
2 shall expire on the earlier of:

3                   (1) thirty days after the applicant's twenty-  
4 first birthday, if issued prior to the applicant's twenty-first  
5 birthday;

6                   (2) thirty days after the applicant's seventy-  
7 fifth birthday;

8                   (3) thirty days after the applicant's birthday  
9 on the fourth year after the effective date of the license or  
10 on the eighth year after the effective date of the license if  
11 the applicant opted for a period of eight years pursuant to  
12 Subsection B of this section; or

13                   (4) the date, if one exists, of the foreign  
14 national's termination of authorized period of admission or  
15 extension of stay as demonstrated on the foreign national's  
16 valid passport, valid visa, employment authorization card  
17 issued under the applicant's approved deferred action status or  
18 arrival-departure record or other document issued by the  
19 federal government; provided that if that date cannot be  
20 determined by the department, the driver's license shall expire  
21 one year after the effective date of the license.

22           F. A driver's license issued to a foreign national  
23 is no longer valid and shall expire immediately upon the  
24 revocation, termination or withdrawal of approval by the  
25 federal government for the foreign national's authorized period

.199818.2

1 of admission or extension of stay or if the foreign national is  
2 no longer approved for deferred action.

3 [E.] G. The [~~director~~] secretary may adopt  
4 regulations providing for the proration of driver's license  
5 fees and commercial driver's license fees due to shortened  
6 licensure periods permitted pursuant to Subsection A of Section  
7 66-5-19 NMSA 1978 or for licensure periods authorized pursuant  
8 to the provisions of this section."

9 SECTION 4. Section 66-5-37 NMSA 1978 (being Laws 1978,  
10 Chapter 35, Section 259, as amended) is amended to read:

11 "66-5-37. UNLAWFUL USE OF LICENSE.--It is a misdemeanor  
12 for any person to:

13 A. display or cause or permit to be displayed or  
14 have in [~~his~~] the person's possession any canceled, revoked or  
15 suspended driver's license or permit or commercial driver's  
16 license or permit;

17 B. lend [~~his~~] the person's driver's license or  
18 permit or commercial driver's license or permit to any other  
19 person or knowingly permit the use of [~~his~~] the person's  
20 license or permit by another;

21 C. display or represent as one's own any driver's  
22 license or permit or commercial driver's license or permit not  
23 issued to [~~him~~] the person;

24 D. fail or refuse to surrender to the division upon  
25 its lawful demand any driver's license or permit or commercial

.199818.2

1 driver's license or permit [~~which~~] that has been suspended,  
2 revoked or canceled;

3 E. use a false or fictitious name in any  
4 application for a [~~driver's license or permit or~~] commercial  
5 driver's license or permit or knowingly make a false statement  
6 or knowingly conceal a material fact or otherwise commit a  
7 fraud in any such application;

8 F. permit any unlawful use of the driver's license  
9 or permit or commercial driver's license or permit issued to  
10 [~~him~~] the person; or

11 G. do any act forbidden or fail to perform any act  
12 required by Sections [~~66-5-1~~] 66-5-1.1 through 66-5-47 NMSA  
13 1978 or the provisions of the New Mexico Commercial Driver's  
14 License Act."

15 SECTION 5. Section 66-5-47 NMSA 1978 (being Laws 1978,  
16 Chapter 35, Section 269, as amended) is amended to read:

17 "66-5-47. PHOTOGRAPHS--EVIDENCE OF APPLICANT'S AGE.--

18 A. The department shall reproduce the likeness of  
19 drivers, subject to the following conditions:

20 (1) photographs or other reproductions of the  
21 likeness of all persons shall show a full face or front view;  
22 and

23 (2) photographs or other reproductions of the  
24 likeness of all persons under the age of twenty-one years shall  
25 have a printed legend, indicating that the person is under

.199818.2

1 twenty-one, which shall be displayed in such manner as to be  
2 easily read by any person inspecting the license.

3 B. Each applicant for an initial license or a  
4 replacement license shall produce evidence of the applicant's  
5 age. Proof of an applicant's age shall be a ~~[birth~~  
6 ~~certificate]~~ certified copy of a birth certificate ~~[a church~~  
7 ~~record purporting to show the date of birth and baptism, an~~  
8 ~~acknowledged copy of the church record]~~ filed with the vital  
9 records and health statistics bureau of the department of  
10 health or equivalent agency in the applicant's state of birth,  
11 a valid, unexpired United States passport, ~~[or other evidence~~  
12 ~~which the secretary deems sufficient]~~ a valid, unexpired  
13 permanent resident card issued by the United States department  
14 of homeland security, an unexpired employment authorization  
15 document issued by the United States department of homeland  
16 security, a valid, unexpired foreign passport with a valid,  
17 unexpired United States visa affixed accompanied by the  
18 approved I-94 form documenting the applicant's most recent  
19 admittance into the United States, a certificate of  
20 naturalization issued by the United States department of  
21 homeland security, a certificate of citizenship issued by the  
22 United States department of homeland security or a REAL ID  
23 driver's license or identification card issued in compliance  
24 with the standards established by the United States department  
25 of homeland security. The date of birth shown on ~~[any]~~ a

.199818.2

1 driver's license or [~~any~~] instruction permit issued by the  
 2 department shall coincide with the date of birth shown on the  
 3 proof of applicant's age."

4 SECTION 6. Section 66-5-401 NMSA 1978 (being Laws 1978,  
 5 Chapter 35, Section 328, as amended) is amended to read:

6 "66-5-401. IDENTIFICATION CARDS.--

7 A. A person who does not have a valid New Mexico  
 8 driver's license may be issued an identification card by the  
 9 department certified by the applicant as to true name, correct  
 10 age and other identifying data as the department may require.  
 11 Every application for an identification card shall be signed by  
 12 the applicant or the applicant's parent or guardian. The  
 13 secretary may, for good cause, revoke or deny the issuance of  
 14 an identification card.

15 B. An applicant who is a foreign national shall  
 16 provide proof of authorized period of admission into the United  
 17 States.

18 C. An application by a foreign national shall  
 19 contain the unique identifying number of the foreign national's  
 20 valid passport, valid visa, employment authorization card  
 21 issued under the applicant's approved deferred action status or  
 22 other arrival-departure record or document issued by the  
 23 federal government and the expiration date of the foreign  
 24 national's authorized period of admission or extension of stay  
 25 as demonstrated on the foreign national's valid passport, valid

.199818.2

1 visa, employment authorization card issued under the  
2 applicant's approved deferred action status or  
3 arrival-departure record or other document issued by the  
4 federal government. The department may issue to an eligible  
5 foreign national applicant with lawful status an identification  
6 card that is valid only for the duration of the foreign  
7 national's authorized period of admission or extension of stay  
8 and that states that it is term limited.

9           ~~[B-]~~ D. Within the forms prescribed by the  
10 department for identification card applications, a space shall  
11 be provided to show whether the applicant is a donor as  
12 provided in the Jonathan Spradling Revised Uniform Anatomical  
13 Gift Act. A person applying for an identification card may  
14 indicate that person's status on the space provided on the  
15 application. The donor status indicated by the applicant shall  
16 be displayed on the identification card. The form and  
17 identification card shall be signed by the donor in the  
18 presence of a witness who shall also sign the form in the  
19 donor's presence."

20           **SECTION 7.** Section 66-5-402 NMSA 1978 (being Laws 1978,  
21 Chapter 35, Section 329, as amended) is amended to read:

22           "66-5-402. PERSONS ELIGIBLE FOR IDENTIFICATION CARDS.--  
23 The department shall issue an identification card only to ~~[A-]~~  
24 a person who is a New Mexico resident and who does not have a  
25 valid New Mexico driver's license and only upon the furnishing

.199818.2

1 of a birth certificate or its certified copy [~~a certificate of~~  
 2 ~~baptism~~] or a valid passport or other evidence that the  
 3 department deems sufficient as documentary evidence of the age  
 4 and identity of the person [~~or~~

5 ~~B. a person over age sixty-five who is a New Mexico~~  
 6 ~~resident and who is surrendering a valid New Mexico driver's~~  
 7 ~~license, which license shall be sufficient documentary evidence~~  
 8 ~~of the age and identity of the person]."~~

9 SECTION 8. Section 66-5-403 NMSA 1978 (being Laws 1973,  
 10 Chapter 269, Section 3, as amended by Laws 2010, Chapter 42,  
 11 Section 3 and by Laws 2010, Chapter 70, Section 3) is amended  
 12 to read:

13 "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--DURATION--  
 14 RENEWAL.--

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

21 B. An identification card may be renewed within  
 22 ninety days prior to its expiration or at an earlier date  
 23 approved by the department. An identification card may be  
 24 renewed by mail or telephonic or electronic means pursuant to  
 25 regulations adopted by the department. The regulations shall

.199818.2

1 ensure adequate security measures to safeguard personal  
2 information that is obtained in the issuance of an  
3 identification card. An identification card issued to a  
4 foreign national shall not be renewed unless the person  
5 presents valid documentary evidence that the status by which  
6 the applicant qualified for the identification card is still in  
7 effect or that the applicant remains within the applicant's  
8 authorized period of admission or extension of stay in the  
9 United States.

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

19 D. An identification card issued to a foreign  
20 national shall expire on the earlier of:

21 (1) thirty days after the applicant's twenty-  
22 first birthday, if issued prior to the applicant's twenty-first  
23 birthday;

24 (2) thirty days after the applicant's birthday  
25 on the fourth year after the effective date of the

.199818.2

1 identification card or on the eighth year after the effective  
 2 date of the identification card if the applicant opted for a  
 3 period of eight years pursuant to Subsection C of this section;  
 4 or

5 (3) the date, if one exists, of the foreign  
 6 national's termination of authorized period of admission or  
 7 extension of stay as demonstrated on the foreign national's  
 8 valid passport, valid visa, employment authorization card  
 9 issued under the applicant's approved deferred action status or  
 10 arrival-departure record or other document issued by the  
 11 federal government; provided that if that date cannot be  
 12 determined by the department, the identification card shall  
 13 expire one year after the effective date of the identification  
 14 card.

15 E. An identification card issued to a foreign  
 16 national is no longer valid and shall expire immediately upon  
 17 the revocation, termination or withdrawal of approval by the  
 18 federal government for the foreign national's authorized period  
 19 of admission or extension of stay or if the foreign national is  
 20 no longer approved for deferred action.

21 F. The secretary may adopt regulations providing  
 22 for the proration of identification card fees due to shortened  
 23 licensure periods permitted pursuant to the provisions of this  
 24 section."

25 SECTION 9. Section 66-5-405 NMSA 1978 (being Laws 1978,

.199818.2

1 Chapter 35, Section 332, as amended) is amended to read:

2 "66-5-405. CONTENTS OF CARD.--~~[The identification card~~  
3 ~~shall adequately describe the registrant and bear his picture~~  
4 ~~that shall show a full face or front view for all registrants~~  
5 ~~and]~~ All identification cards shall bear the full legal name,  
6 date of birth, sex, current New Mexico physical address, a  
7 full-face or front-view digital photograph of the  
8 identification card holder, a unique identification card  
9 number, a date of issuance, an expiration date, a brief  
10 description of the identification card holder and a signature  
11 of the holder, and the identification card shall indicate donor  
12 status. All identification cards of persons under the age of  
13 twenty-one years shall have a printed legend indicating that  
14 the person is under twenty-one. The identification card shall  
15 bear the following statement:

16 "STATE OF NEW MEXICO IDENTIFICATION

17 CARD NO. \_\_\_\_\_

18 This card is provided solely for the purpose of establishing  
19 that the bearer described on the card was not the holder of a  
20 New Mexico driver's license as of the date of issuance of this  
21 card. This identification card is not a license. ISSUED FOR  
22 IDENTIFICATION PURPOSES ONLY".

23 SECTION 10. Section 66-5-409 NMSA 1978 (being Laws 1991,  
24 Chapter 160, Section 13) is amended to read:

25 "66-5-409. UNLAWFUL USE OF IDENTIFICATION CARD.--

.199818.2

1           A. It is a misdemeanor for any person to:

2                   (1) use or possess an altered, forged or  
3 fictitious identification card;

4                   (2) alter or forge an identification card or  
5 make a fictitious identification card;

6                   (3) lend the person's identification card to  
7 any other person or to knowingly permit the use of the person's  
8 identification card by another;

9                   (4) display or represent as one's own any  
10 identification card not issued to the person; or

11                   ~~[(5) use a false or fictitious name in any~~  
12 ~~application for an identification card or knowingly make a~~  
13 ~~false statement or conceal a material fact or otherwise commit~~  
14 ~~a fraud in any such application; or~~

15                   ~~(6)]~~ (5) make or permit any unlawful use of  
16 the identification card issued to, or received or obtained by,  
17 the person.

18           B. It is a felony for any person to:

19                   (1) knowingly or willfully provide a false or  
20 fictitious name in any application for an identification card  
21 or knowingly make a false statement or conceal a material fact  
22 or otherwise commit a fraud in any such application; or

23                   (2) induce or solicit another person, or  
24 conspire with another person, to violate this subsection.

25           ~~[B.]~~ C. For the purposes of this section,

.199818.2

1 "identification card" means an identification card issued by  
2 the department pursuant to Section 66-5-401 or 66-5-404 NMSA  
3 1978."

4 SECTION 11. Section 66-8-1.1 NMSA 1978 (being Laws 2007,  
5 Chapter 319, Section 65) is amended to read:

6 "66-8-1.1. FRAUD [~~IN OBTAINING DOCUMENTS ISSUED~~] RELATED  
7 TO THE ISSUANCE OF DOCUMENTS BY THE DIVISION--~~[PENALTY]~~  
8 PENALTIES.--

9 A. It is a felony for a [~~person~~] department  
10 employee or contractor to:

11 (1) knowingly issue an identification card,  
12 driver's license, vehicle or vessel registration or vehicle or  
13 vessel title to a person who is not lawfully entitled to  
14 issuance of that document;

15 (2) knowingly accept and use fraudulent  
16 documents as a basis for issuing an identification card,  
17 driver's license, vehicle or vessel registration or vehicle or  
18 vessel title;

19 (3) knowingly alter a record of an  
20 identification card, driver's license, vehicle or vessel  
21 registration or vehicle or vessel title without legal  
22 justification; or

23 (4) solicit or accept, directly or indirectly,  
24 anything of value with the intent to influence a decision or  
25 action on an identification card, a driver's license, a vehicle

.199818.2

1 or vessel registration or a vehicle or vessel title.

2 B. It is a felony for an applicant to knowingly or  
3 willfully provide a false name, false information or fraudulent  
4 document required by Section 66-5-9 NMSA 1978 or otherwise  
5 commit a fraud in an application submitted pursuant to Section  
6 66-5-9 NMSA 1978.

7 C. It is a felony for a person to:

8 (1) receive or obtain an instruction permit,  
9 driver's license or provisional license and then transfer the  
10 instruction permit, driver's license or provisional license to  
11 another person who is not lawfully entitled to that document;  
12 or

13 (2) induce or solicit another person, or  
14 conspire with another person, to violate Subsection A or B of  
15 this section.

16 D. A person convicted of violating Subsection A of  
17 this section is guilty of a third degree felony and shall be  
18 sentenced pursuant to the provisions of Section 31-18-15 NMSA  
19 1978.

20 [~~B.~~] E. A person convicted of violating Subsection  
21 B or C of this section is guilty of a fourth degree felony and  
22 shall be sentenced pursuant to the provisions of Section  
23 31-18-15 NMSA 1978."

24 SECTION 12. A new section of the Motor Vehicle Code is  
25 enacted to read:

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underscored material = new  
[bracketed material] = delete

