

1 SENATE BILL 653

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Stuart Ingle

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10 AN ACT

11 RELATING TO DRIVER'S LICENSES; PROVIDING TWO TIERS OF DRIVER'S  
12 LICENSES AND IDENTIFICATION CARDS; CREATING DRIVER'S LICENSES  
13 AND IDENTIFICATION CARDS THAT MEET THE REQUIREMENTS OF THE  
14 FEDERAL REAL ID ACT OF 2005; REQUIRING PROOF OF LAWFUL PRESENCE  
15 IN THE UNITED STATES FOR APPLICANTS TO OBTAIN DRIVER'S LICENSES  
16 OR IDENTIFICATION CARDS THAT MEET THE REQUIREMENTS OF THE  
17 FEDERAL REAL ID ACT OF 2005; LIMITING THE DURATION OF A  
18 PERSON'S DRIVER'S LICENSE OR IDENTIFICATION CARD TO THE  
19 PERSON'S LAWFUL STAY IN THE UNITED STATES; INCREASING PENALTIES  
20 AND IMPOSING NEW PENALTIES.

21  
22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

25 "66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE,

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1 PROVISIONAL LICENSE OR INSTRUCTION PERMIT.--

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

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

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1 authorized to establish by regulation [~~other~~] documents that  
2 may be accepted as [~~a substitute for a social security number~~  
3 ~~or an individual tax identification number~~] evidence of the  
4 identity and residency of the applicant.

5 C. A person with lawful presence in the United  
6 States may apply for a driver's license that meets federal  
7 requirements to be accepted by federal agencies for official  
8 federal purposes or a driver's license not intended to be  
9 accepted by federal agencies for official federal purposes.

10 D. An applicant shall indicate whether the  
11 applicant is applying for a driver's license that meets federal  
12 requirements to be accepted by federal agencies for official  
13 federal purposes or a driver's license not intended to be  
14 accepted by federal agencies for official federal purposes.

15 The department shall issue a driver's license not intended to  
16 be accepted by federal agencies for official federal purposes  
17 to an applicant who is otherwise eligible but who does not  
18 provide a social security number or proof of lawful presence in  
19 the United States. An applicant who does not provide a social  
20 security number or proof of lawful presence in the United  
21 States shall only apply for a driver's license not intended to  
22 be accepted by federal agencies for official federal purposes.

23 E. An application by a foreign national with lawful  
24 presence in the United States for a driver's license that meets  
25 federal requirements to be accepted by federal agencies for

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1 official federal purposes shall contain the unique identifying  
2 number of the foreign national's valid passport, valid visa,  
3 employment authorization card issued under the applicant's  
4 approved deferred action status or other arrival-departure  
5 record or document issued by the federal government that  
6 conveys lawful presence in the United States. The department  
7 may issue to an eligible foreign national applicant a driver's  
8 license that meets federal requirements to be accepted by  
9 federal agencies for official federal purposes that is valid  
10 only for the time period that the applicant is authorized to  
11 stay in the United States.

12 F. For an application by a foreign national who  
13 does not provide a social security number or proof of lawful  
14 presence in the United States, the secretary shall accept:

15 (1) an individual tax identification number;

16 (2) a passport from the applicant's country of  
17 citizenship or an identification card, issued by the consulate  
18 of Mexico in Albuquerque, New Mexico, the consulate general of  
19 Mexico in El Paso, Texas, or such other foreign consulate with  
20 which the department has established a reliable method of  
21 verifying the authenticity of the identification card; or

22 (3) a document that the secretary has  
23 authorized as an acceptable substitute for an individual tax  
24 identification number.

25 [~~G.~~] G. An applicant shall indicate whether the

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

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

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

22 (2) had a provisional license for at least the  
23 twelve-month period immediately preceding the date of the  
24 application for the driver's license; provided that thirty days  
25 shall be added to the twelve-month period for each adjudication

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1 or conviction of a traffic violation committed during the time  
2 the person was driving with a provisional license;

3 (3) complied with restrictions on that  
4 license;

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

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

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

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

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

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

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

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

16           "66-5-15. LICENSES ISSUED TO APPLICANTS.--

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

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1 signature of the licensee.

2 B. By December 1, 2015, the department shall  
3 establish two distinct driver's licenses. A driver's license  
4 issued to a licensee that meets federal requirements to be  
5 accepted by federal agencies for official federal purposes  
6 shall contain a color and design that distinguishes it from a  
7 driver's license that is not intended to be accepted by federal  
8 agencies for official federal purposes. The department shall  
9 adopt the general design marking known as gold star pursuant to  
10 the federal real ID security plan guidance handbook to  
11 implement the provisions of this subsection.

12 C. A driver's license that is not intended to be  
13 accepted by federal agencies for official federal purposes  
14 shall bear the following statement: "Not for Federal  
15 Purposes", and otherwise maintain the color and design in  
16 effect prior to January 1, 2015."

17 **SECTION 3.** Section 66-5-21 NMSA 1978 (being Laws 1978,  
18 Chapter 35, Section 243, as amended by Laws 2010, Chapter 42,  
19 Section 2 and by Laws 2010, Chapter 70, Section 2) is amended  
20 to read:

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

24 A. Except as provided in Subsection B, [~~or~~] D, E or  
25 F of this section, Section 66-5-19 NMSA 1978 and Section

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1 66-5-67 NMSA 1978, all driver's licenses shall be issued for a  
2 period of four years, and each license shall expire thirty days  
3 after the applicant's birthday in the fourth year after the  
4 effective date of the license or shall expire thirty days after  
5 the applicant's seventy-fifth birthday. A license issued  
6 pursuant to Section 66-5-19 NMSA 1978 shall expire thirty days  
7 after the applicant's birthday in the year in which the license  
8 expires. Each license is renewable within ninety days prior to  
9 its expiration or at an earlier date approved by the  
10 department. The fee for the license shall be as provided in  
11 Section 66-5-44 NMSA 1978. The department may provide for  
12 renewal by mail or telephonic or electronic means of a driver's  
13 license issued pursuant to the provisions of this subsection,  
14 pursuant to regulations adopted by the department that ensure  
15 adequate security measures to safeguard personal information  
16 that is obtained in the issuance of a driver's license. The  
17 department may require an examination upon renewal of the  
18 driver's license.

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

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

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

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1 (3) will not reach the age of seventy-five  
2 during the last four years of the eight-year license period or  
3 reach the age of twenty-one during any year within the term of  
4 the license.

5 C. A driver's license issued pursuant to the  
6 provisions of Subsection B of this section shall expire thirty  
7 days after the applicant's birthday in the eighth year after  
8 the effective date of the license.

9 D. A driver's license issued prior to an  
10 applicant's twenty-first birthday shall expire thirty days  
11 after the applicant's twenty-first birthday. A driver's  
12 license issued prior to an applicant's twenty-first birthday  
13 may be issued for a period of up to five years.

14 E. A driver's license that meets federal  
15 requirements to be accepted by federal agencies for official  
16 federal purposes issued to a foreign national with lawful  
17 presence in the United States shall expire on the earlier of:

18 (1) thirty days after the applicant's twenty-  
19 first birthday, if issued prior to the applicant's twenty-first  
20 birthday;

21 (2) thirty days after the applicant's seventy-  
22 fifth birthday;

23 (3) thirty days after the applicant's birthday  
24 on the fourth year after the effective date of the license or  
25 on the eighth year after the effective date of the license if

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1 the applicant opted for a period of eight years pursuant to  
2 Subsection B of this section; or

3 (4) the expiration date of the time period  
4 that the applicant is authorized to stay in the United States;  
5 provided that if that date cannot be determined by the  
6 department and the applicant is not a legal permanent resident,  
7 the driver's license shall expire one year after the effective  
8 date of the license.

9 ~~[E.]~~ F. The ~~[director]~~ secretary may adopt  
10 regulations providing for the proration of driver's license  
11 fees and commercial driver's license fees due to shortened  
12 licensure periods permitted pursuant to Subsection A of Section  
13 66-5-19 NMSA 1978 or for licensure periods authorized pursuant  
14 to the provisions of this section."

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

17 "66-5-37. UNLAWFUL USE OF LICENSE.--It is a misdemeanor  
18 for any person to:

19 A. display or cause or permit to be displayed or  
20 have in ~~[his]~~ the person's possession any canceled, revoked or  
21 suspended driver's license or permit or commercial driver's  
22 license or permit;

23 B. lend ~~[his]~~ the person's driver's license or  
24 permit or commercial driver's license or permit to any other  
25 person or knowingly permit the use of ~~[his]~~ the person's

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1 license or permit by another;

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

5 D. fail or refuse to surrender to the division upon  
6 its lawful demand any driver's license or permit or commercial  
7 driver's license or permit [~~which~~] that has been suspended,  
8 revoked or canceled;

9 E. use a false or fictitious name in any  
10 application for a [~~driver's license or permit or~~] commercial  
11 driver's license or permit or knowingly make a false statement  
12 or knowingly conceal a material fact or otherwise commit a  
13 fraud in any such application;

14 F. permit any unlawful use of the driver's license  
15 or permit or commercial driver's license or permit issued to  
16 [~~him~~] the person; or

17 G. do any act forbidden or fail to perform any act  
18 required by Sections [~~66-5-1~~] 66-5-1.1 through 66-5-47 NMSA  
19 1978 or the provisions of the New Mexico Commercial Driver's  
20 License Act."

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

23 "66-5-401. IDENTIFICATION CARDS--APPLICATION.--

24 A. A person who does not have a valid New Mexico  
25 driver's license may be issued an identification card by the

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1 department certified by the applicant as to true name, correct  
2 age and other identifying data as the department may require.  
3 An application for an identification card shall be made upon a  
4 form furnished by the department. An application shall contain  
5 the applicant's full legal name; social security number, except  
6 for applicants ineligible for a social security number; date of  
7 birth; sex; and New Mexico residence address and briefly  
8 describe the applicant. The department shall establish two  
9 distinct identification cards as provided in Section 66-5-405  
10 NMSA 1978: an identification card that meets federal  
11 requirements to be accepted by federal agencies for official  
12 federal purposes and an identification card not intended to be  
13 accepted by federal agencies for official federal purposes. A  
14 person with lawful presence in the United States may apply for  
15 an identification card that meets federal requirements to be  
16 accepted by federal agencies for official federal purposes or  
17 an identification card not intended to be accepted by federal  
18 agencies for official federal purposes. Every application for  
19 an identification card shall be signed by the applicant or the  
20 applicant's parent or guardian. The secretary may, for good  
21 cause, revoke or deny the issuance of an identification card.

22 B. An application by a foreign national with lawful  
23 presence in the United States for an identification card that  
24 meets federal requirements to be accepted by federal agencies  
25 for official federal purposes shall contain the unique

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1 identifying number of the foreign national's valid passport,  
2 valid visa, employment authorization card issued under the  
3 applicant's approved deferred action status or other  
4 arrival-departure record or document issued by the federal  
5 government that conveys lawful presence in the United States.  
6 The department may issue to an eligible foreign national  
7 applicant an identification card that meets federal  
8 requirements to be accepted by federal agencies for official  
9 federal purposes that is valid only for the time period that  
10 the applicant is authorized to stay in the United States.

11 C. The department shall issue an identification  
12 card that is not intended to be accepted by federal agencies  
13 for official federal purposes to an applicant who is otherwise  
14 eligible but who does not provide a social security number or  
15 proof of lawful presence in the United States. For an  
16 application by a foreign national who does not provide a social  
17 security number or proof of lawful presence in the United  
18 States, the secretary shall accept:

19 (1) an individual tax identification number;  
20 (2) a passport from the applicant's country of  
21 citizenship or an identification card, issued by the consulate  
22 of Mexico in Albuquerque, New Mexico, the consulate general of  
23 Mexico in El Paso, Texas, or such other foreign consulate with  
24 which the department has established a reliable method of  
25 verifying the authenticity of the identification card; or

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1                   (3) a document that the secretary has  
2 authorized as an acceptable substitute for an individual tax  
3 identification number.

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

15                   **SECTION 6.** Section 66-5-403 NMSA 1978 (being Laws 1973,  
16 Chapter 269, Section 3, as amended by Laws 2010, Chapter 42,  
17 Section 3 and by Laws 2010, Chapter 70, Section 3) is amended  
18 to read:

19                   "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--DURATION--  
20 RENEWAL.--

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

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1           B. An identification card may be renewed within  
2 ninety days prior to its expiration or at an earlier date  
3 approved by the department. An identification card may be  
4 renewed by mail or telephonic or electronic means pursuant to  
5 regulations adopted by the department. The regulations shall  
6 ensure adequate security measures to safeguard personal  
7 information that is obtained in the issuance of an  
8 identification card.

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

18           D. An identification card that meets federal  
19 requirements to be accepted by federal agencies for official  
20 federal purposes issued to a foreign national with lawful  
21 presence in the United States shall expire on the earlier of:

22                   (1) the last day of the month of the  
23 applicant's birth in the fourth year after the effective date  
24 of the identification card or in the eighth year after the  
25 effective date of the identification card if the applicant

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1 opted for a period of eight years pursuant to Subsection C of  
2 this section; or

3 (2) the expiration date of the time period  
4 that the applicant is authorized to stay in the United States;  
5 provided that if that date cannot be determined by the  
6 department and the applicant is not a legal permanent resident,  
7 the identification card shall expire one year after the  
8 effective date of the identification card."

9 SECTION 7. Section 66-5-405 NMSA 1978 (being Laws 1978,  
10 Chapter 35, Section 332, as amended) is amended to read:

11 "66-5-405. CONTENTS OF CARD.--~~[The]~~

12 A. All identification [card] cards shall  
13 [adequately describe the registrant and bear his picture that  
14 shall show a full face or front view for all registrants and]  
15 bear the full legal name, date of birth, sex, current New  
16 Mexico residence address, a full-face or front-view digital  
17 photograph of the identification card holder, a unique  
18 identification card number, a date of issuance, an expiration  
19 date, a brief description of the identification card holder and  
20 the signature of the holder, and the identification card shall  
21 indicate donor status. All identification cards of persons  
22 under the age of twenty-one years shall have a printed legend  
23 indicating that the person is under twenty-one. ~~[The]~~

24 B. An identification card that is not intended to  
25 be accepted by federal agencies for official federal purposes

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1 shall bear the following statement:

2 "STATE OF NEW MEXICO IDENTIFICATION

3 CARD NO. \_\_\_\_\_

4 This card is provided solely for the purpose of establishing  
5 that the bearer described on the card was not the holder of a  
6 New Mexico driver's license as of the date of issuance of this  
7 card. This identification card is not a license. ISSUED FOR  
8 IDENTIFICATION PURPOSES ONLY. NOT FOR FEDERAL PURPOSES.".

9 C. An identification card that meets federal  
10 requirements to be accepted by federal agencies for official  
11 federal purposes shall contain a color and design that  
12 distinguishes it from an identification card that is not  
13 intended to be accepted by federal agencies for official  
14 federal purposes. The department shall adopt the general  
15 design marking known as gold star pursuant to the federal real  
16 ID security plan guidance handbook to implement the provisions  
17 of this subsection. An identification card that is acceptable  
18 by federal agencies for official federal purposes shall bear  
19 the following statement:

20 "STATE OF NEW MEXICO IDENTIFICATION

21 CARD NO. \_\_\_\_\_

22 This card is provided for the purpose of establishing that the  
23 bearer described on the card was not the holder of a New Mexico  
24 driver's license as of the date of issuance of this card. This  
25 identification card is not a license."."

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1           SECTION 8. Section 66-5-409 NMSA 1978 (being Laws 1991,  
2 Chapter 160, Section 13) is amended to read:

3           "66-5-409. UNLAWFUL USE OF IDENTIFICATION CARD.--

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

5                   (1) use or possess an altered, forged or  
6 fictitious identification card;

7                   (2) alter or forge an identification card or  
8 make a fictitious identification card;

9                   (3) lend the person's identification card to  
10 any other person or to knowingly permit the use of the person's  
11 identification card by another;

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

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

18                   ~~(6)]~~ (5) make or permit any unlawful use of  
19 the identification card issued to, or received or obtained by,  
20 the person.

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

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

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

3                   [~~B-~~] C. For the purposes of this section,  
4 "identification card" means an identification card issued by  
5 the department pursuant to Section 66-5-401 or 66-5-404 NMSA  
6 1978."

7                   SECTION 9. Section 66-8-1.1 NMSA 1978 (being Laws 2007,  
8 Chapter 319, Section 65) is amended to read:

9                   "66-8-1.1. FRAUD [~~IN OBTAINING DOCUMENTS ISSUED~~] RELATED  
10 TO THE ISSUANCE OF DOCUMENTS BY THE DIVISION--[~~PENALTY~~]  
11 PENALTIES.--

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

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

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

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

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1 (4) solicit or accept, directly or indirectly,  
2 anything of value with the intent to influence a decision or  
3 action on an identification card, a driver's license, a vehicle  
4 or vessel registration or a vehicle or vessel title.

5 B. It is a felony for an applicant to knowingly or  
6 willfully provide a false name, false information or fraudulent  
7 document required by Section 66-5-9 or 66-5-401 NMSA 1978 or  
8 otherwise commit a fraud in an application submitted pursuant  
9 to Section 66-5-9 or 66-5-401 NMSA 1978.

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

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

16 (2) induce or solicit another person, or  
17 conspire with another person, to violate Subsection A or B of  
18 this section.

19 D. A person convicted of violating Subsection A of  
20 this section is guilty of a third degree felony and shall be  
21 sentenced pursuant to the provisions of Section 31-18-15 NMSA  
22 1978.

23 [~~B-~~] E. A person convicted of violating Subsection  
24 B or C of this section is guilty of a fourth degree felony and  
25 shall be sentenced pursuant to the provisions of Section

.200322.1

underscoring material = new  
~~[bracketed material]~~ = delete

1 31-18-15 NMSA 1978."

2 SECTION 10. EFFECTIVE DATE.--The effective date of the  
3 provisions of this act is July 1, 2015.

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