

1 HOUSE BILL 266

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

4 Elizabeth "Liz" Thomson

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10 AN ACT

11 RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR
12 OR DRUGS; INCREASING THE REQUIREMENTS TO BE MET FOR REMOVAL OF
13 AN IGNITION INTERLOCK DEVICE BEFORE REINSTATEMENT OF A DRIVER'S
14 LICENSE.

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

17 SECTION 1. Section 66-5-33.1 NMSA 1978 (being Laws 1985,
18 Chapter 47, Section 1, as amended) is amended to read:

19 "66-5-33.1. REINSTATEMENT OF DRIVER'S LICENSE OR
20 REGISTRATION--IGNITION INTERLOCK--FEE.--

21 A. Whenever a driver's license or registration is
22 suspended or revoked and an application has been made for its
23 reinstatement, compliance with all appropriate provisions of
24 the Motor Vehicle Code and the payment of a fee of twenty-five
25 dollars (\$25.00) is a prerequisite to the reinstatement of any

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1 license or registration.

2 B. If a driver's license was revoked for driving
3 while under the influence of intoxicating liquor or drugs, for
4 aggravated driving while under the influence of intoxicating
5 liquor or drugs or pursuant to the Implied Consent Act, the
6 following are required to reinstate the driver's license:

7 (1) an additional fee of seventy-five dollars
8 (\$75.00);

9 (2) completion of the license revocation
10 period;

11 (3) satisfaction of any court-ordered ignition
12 interlock requirements; ~~and~~

13 (4) a minimum of six months of driving with an
14 ignition interlock license with no attempts to circumvent or
15 tamper with the ignition interlock device;

16 (5) evidence that the ignition interlock
17 device has recorded no more than two tests at a level greater
18 than five one hundredths alcohol concentration during the six
19 months prior to reinstatement of the unrestricted driver's
20 license; and

21 (6) evidence of at least one ignition
22 interlock test during each of twenty-four weeks during the six
23 months.

24 C. The department may reinstate the driving
25 privileges of an out-of-state resident without the requirement

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1 that the person obtain an ignition interlock license for a
2 minimum of six months, if the following conditions are met:

3 (1) the license revocation period is
4 completed;

5 (2) satisfactory proof is presented to the
6 department that the person is no longer a resident of New
7 Mexico; and

8 (3) the license reinstatement fee is paid.

9 D. Fees collected pursuant to Subsection B of this
10 section are appropriated to the local governments road fund.
11 The department shall maintain an accounting of the fees
12 collected and shall report that amount upon request to the
13 legislature."

