

LFC Requester:**GINGER ANDERSON**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 19JAN2024

Bill No: SB 88

Sponsor: Robert "Bobby" J. Gonzales
Short Title: Electronic Driver's License Credentials

Agency Name and Code 790-Department of Public Safety
Number: _____
Person Writing KELLY MILLER
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Senate bill 88 amends the Motor Vehicle Code to authorize the Taxation and Revenue Department (TRD) to issue an electronic credential in addition to a physical driver’s license or identification card. An “electronic credential” is an electronic representation of a driver’s license, identification card, or data field that can be electronically accessed and maintained by TRD.

SPECIFICATIONS FOR ELECTRONIC CREDENTIALS.

- Issued via download from a state-approved application.
- Capable of producing a full or a limited profile (all or a portion of the information on a driver’s license or ID card).
- Designed to allow the credential holder to maintain physical possession of the device on which the electronic credential is accessed during verification.
- Satisfy the purpose for which the profile is being presented.
- Does not include a digital copy, photograph, or image of an electronic credential that is not downloaded through a state-approved application.
- TRD may charge a fee for issuance or use of a verification system.
- Access to the verification system by a person presented with an electronic credential requires the credential holder’s consent.
- A third party may administer on behalf of TRD a system to facilitate the issuance, verification, or use of electronic credentials.
- TRD is to adopt rules as necessary or appropriate to implement this program.

FISCAL IMPLICATIONS

No fiscal implications to DPS.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

No performance implications to DPS. This bill takes into account the concerns of law enforcement by still requiring individuals to present a physical license to an officer upon request and has the provision that any digital credential must be able to be presented for verification while the owner maintains possession of their electronic device.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None at this time.