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SENATE BILL 77

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

MICHAEL C. WIENER

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

REVISING PROVISIONS OF THE MOTOR VEHICLE CODE RELATING TO
REGISTRATION OF VEHICLES AND ISSUANCE OF SPECIAL REGISTRATION
PLATES; MOVING CERTAIN PROVISIONS RELATING TO BOATS FROM THE
MOTOR VEHICLE CODE TO THE BOAT ACT; MOVING PROVISIONS RELATING
TO CERTAIN FUNDS; MAKING APPROPRIATIONS; AMENDING, REPEALING,
ENACTING AND RECOMPILING SECTIONS OF THE NMSA 1978.

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

Section 1. A new section of the Veterans' Service Act,
Section 28-13-5.2 NMSA 1978, is enacted to read:

"28-13-5.2. [NEW MATERIAL] ARMED FORCES VETERANS' LICENSE
FUND--PURPOSE.--The "armed forces veterans' license fund" is
created in the state treasury. A portion of the fee collected
for each special registration plate for armed forces veterans,
as provided in Section 66-3B-14 NMSA 1978, shall be transferred

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1 to the state treasurer for the credit of the fund. Expenditures
2 from the fund shall be made on vouchers issued and signed by the
3 director of veterans' affairs upon warrants drawn by the
4 department of finance and administration for the purpose of
5 expanding services to rural areas of the state, including Native
6 American communities and senior citizen centers. Any unexpended
7 or unencumbered balance remaining at the end of any fiscal year
8 in the armed forces veterans' license fund shall not revert to
9 the general fund. "

10 Section 2. Section 66-1-1 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 1) is amended to read:

12 "66-1-1. SHORT TITLE. -- ~~[Articles 1 through 8 of]~~ Chapter
13 ~~[64 NMSA 1953]~~ 66, Articles 1 through 8A NMSA 1978 may be cited
14 as the "Motor Vehicle Code". "

15 Section 3. Section 66-1-4.3 NMSA 1978 (being Laws 1990,
16 Chapter 120, Section 4) is amended to read:

17 "66-1-4.3. DEFINITIONS. -- As used in the Motor Vehicle
18 Code:

19 A. "camping body" means a vehicle body primarily
20 designed or converted for use as temporary living quarters for
21 recreational, camping or travel activities;

22 B. "camping trailer" means a camping body that
23 exceeds neither eight feet in width nor forty feet in length,
24 mounted on a chassis, or frame with wheels, designed to be drawn
25 by another vehicle and that has collapsible partial side walls

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1 that fold for towing and unfold at the campsite;

2 C. "cancellation" means that a driver's license is
3 annulled and terminated because of some error or defect or
4 because the licensee is no longer entitled to the license, but
5 cancellation of a license is without prejudice, and application
6 for a new license may be made at any time after cancellation;

7 D. "casual sale" means the sale of a motor vehicle
8 by the registered owner of the vehicle if the owner has not sold
9 more than four vehicles in that calendar year;

10 E. "certified motor vehicle liability policy" means
11 an owner's policy or a driver's policy of liability insurance to
12 or for the benefit of the person named therein as insured,
13 certified as provided in the Motor Vehicle Code and meeting the
14 requirements of the Motor Vehicle Code as evidence of financial
15 responsibility and issued by an insurance carrier duly
16 authorized to transact business in New Mexico;

17 F. "chassis" means the complete motor vehicle,
18 including standard factory equipment, exclusive of the body and
19 cab;

20 G. "collector" means a person who is the owner of
21 one or more vehicles of historic or special interest who
22 collects, purchases, acquires, trades or disposes of these
23 vehicles or parts thereof for the person's own use in order to
24 preserve, restore and maintain a similar vehicle for hobby
25 purposes;

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1 H. "combination" means any connected assemblage of a
2 motor vehicle and one or more semitrailers, trailers or
3 semitrailers converted to trailers by means of a converter gear;

4 I. "combination gross vehicle weight" means the sum
5 total of the gross vehicle weights of all units of a
6 combination;

7 J. "commerce" means the transportation of persons,
8 property or merchandise for hire, compensation, profit or in the
9 furtherance of a commercial enterprise in this state or between
10 New Mexico and a place outside New Mexico, including a place
11 outside the United States;

12 K. "commercial motor vehicle" means a motor vehicle
13 used in commerce:

14 (1) if the vehicle has a [deleted] gross
15 vehicle weight rating of twenty-six thousand one or more pounds;

16 (2) if the vehicle is designed to transport
17 sixteen or more passengers, including the driver; or

18 (3) if the vehicle is transporting hazardous
19 materials and is required to be placarded pursuant to applicable
20 law;

21 L. "controlled-access highway" means every highway,
22 street or roadway in respect to which owners or occupants of
23 abutting lands and other persons have no legal right of access
24 to or from the highway, street or roadway except at those points
25 only and in the manner as may be determined by the public

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1 authority having jurisdiction over the highway, street or
2 roadway;

3 M. "controlled substance" means any substance
4 defined in Section 30-31-2 NMSA 1978 as a controlled substance;

5 N. "converter gear" means any assemblage of one or
6 more axles with a fifth wheel mounted thereon, designed for use
7 in a combination to support the front end of a semitrailer but
8 not permanently attached thereto. A converter gear shall not be
9 considered a vehicle, as that term is defined in Section
10 66-1-4.19 NMSA 1978, but weight attributable thereto shall be
11 included in [~~declared~~] gross vehicle weight;

12 O. "conviction" means the alleged violator has
13 entered a plea of guilty or nolo contendere or has been found
14 guilty in the trial court and has waived or exhausted all rights
15 to an appeal;

16 P. "crosswalk" means:

17 (1) that part of a roadway at an intersection
18 included within the connections of the lateral lines of the
19 sidewalks on opposite sides of the highway measured from the
20 curbs or, in the absence of curbs, from the edges of the
21 traversable roadway; and

22 (2) any portion of a roadway at an intersection
23 or elsewhere distinctly indicated for pedestrian crossing by
24 lines or other markings on the surface; and

25 Q. "curb cut" means a short ramp through a curb or

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1 built up to the curb. "

2 Section 4. Section 66-1-4.4 NMSA 1978 (being Laws 1990,
3 Chapter 120, Section 5, as amended) is amended to read:

4 "66-1-4.4. DEFINITIONS. --As used in the Motor Vehicle
5 Code:

6 A. "day" means calendar day, unless otherwise
7 provided in the Motor Vehicle Code;

8 B. "dealer", except as herein specifically excluded,
9 means any person who sells or solicits or advertises the sale of
10 new or used motor vehicles, manufactured homes or trailers
11 subject to registration in this state; "dealer" does not
12 include:

13 (1) receivers, trustees, administrators,
14 executors, guardians or other persons appointed by or acting
15 under judgment, decree or order of any court;

16 (2) public officers while performing their
17 duties as such officers;

18 (3) persons making casual sales of their own
19 vehicles;

20 (4) finance companies, banks and other lending
21 institutions making sales of repossessed vehicles; or

22 (5) licensed brokers under the Manufactured
23 Housing Act who, for a fee, commission or other valuable
24 consideration, engage in brokerage activities related to the
25 sale, exchange or lease purchase of pre-owned manufactured homes

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1 on a site installed for a consumer;

2 [C. ~~"declared gross weight" means the maximum gross~~
3 ~~vehicle weight or combination gross vehicle weight at which a~~
4 ~~vehicle or combination will be operated during the registration~~
5 ~~period, as declared by the registrant for registration and fee~~
6 ~~purposes; the vehicle or combination shall have only one~~
7 ~~declared gross weight for all operating considerations;~~

8 ~~D.]~~ C. "department" means the taxation and revenue
9 department, the secretary of taxation and revenue or any
10 employee of the department exercising authority lawfully
11 delegated to that employee by the secretary;

12 ~~E.]~~ D. "designated disabled parking space" means
13 any space marked and reserved for the parking of a passenger
14 vehicle that carries registration plates or a placard indicating
15 disability in accordance with Section ~~[66-3-16]~~ 66-3B-5 NMSA
16 1978; such a place shall be designated by a conspicuously posted
17 sign bearing the international disabled symbol of a wheelchair
18 or by a clearly visible depiction of this symbol painted on the
19 pavement of the space;

20 ~~F.]~~ E. "director" means the secretary;

21 ~~G.]~~ F. "disqualification" means a prohibition
22 against driving a commercial motor vehicle;

23 ~~H.]~~ G. "distinguishing number" means the number
24 assigned by the department to a vehicle whose identifying number
25 has been destroyed or obliterated or the number assigned by the

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1 department to a vehicle that has never had an identifying
2 number;

3 ~~[I.]~~ H. "distributor" means any person who
4 distributes or sells new or used motor vehicles to dealers and
5 who is not a manufacturer;

6 ~~[J.]~~ I. "division", without further specification,
7 "division of motor vehicles" or "motor vehicle division" means
8 the department;

9 J. "driveway-towaway operation" means any operation
10 in which any motor vehicle, new or used, is the item being
11 transported when one set or more of wheels of any such motor
12 vehicle is on the roadway during the course of transportation,
13 whether or not the motor vehicle furnishes the motive power;

14 K. "driver" means every person who drives or is in
15 actual physical control of a motor vehicle, including a
16 motorcycle, upon a highway, who is exercising control over or
17 steering a vehicle being towed by a motor vehicle or who
18 operates or is in actual physical control of an off-highway
19 motor vehicle; and

20 L. "driver's license" means a license or a class of
21 license issued by a state or other jurisdiction to an individual
22 that authorizes the individual to drive a motor vehicle. [and

23 ~~M. "driveway towaway operation" means any operation~~
24 ~~in which any motor vehicle, new or used, is the item being~~
25 ~~transported when one set or more of wheels of any such motor~~

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1 ~~vehicle is on the roadway during the course of transportation,~~
2 ~~whether or not the motor vehicle furnishes the motive power]"~~

3 Section 5. Section 66-1-4.6 NMSA 1978 (being Laws 1990,
4 Chapter 120, Section 7) is amended to read:

5 "66-1-4.6. DEFINITIONS. --As used in the Motor Vehicle
6 Code:

7 A. "farm tractor" means every motor vehicle designed
8 and used primarily as a farm implement for drawing plows, mowing
9 machines and other implements of husbandry;

10 B. "farm vehicle" means any vehicle owned by a
11 person whose principal occupation is farming or ranching and
12 which vehicle is not used for hire but is used principally in
13 the transportation of farm and ranch products to market and of
14 farm and ranch supplies and livestock from the place of purchase
15 to farms and ranches in this state;

16 [~~B.-~~] C. "financial responsibility" means the ability
17 to respond in damages for liability resulting from traffic
18 accidents arising out of the ownership, maintenance or use of a
19 motor vehicle of a type subject to registration under the laws
20 of New Mexico, in the amounts not less than that specified in
21 the Mandatory Financial Responsibility Act; the term includes a
22 motor vehicle liability policy, a certified motor vehicle
23 liability policy, a surety bond or evidence of a sufficient cash
24 deposit with the state treasurer;

25 [~~C.-~~] D. "first offender" means a person who for the

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1 first time under state or federal law or municipal ordinance has
2 been adjudicated guilty of the charge of driving a motor vehicle
3 while under the influence of intoxicating liquor or any other
4 drug that renders the person incapable of safely driving a motor
5 vehicle, regardless of whether the person's sentence was
6 suspended or deferred;

7 ~~[D.]~~ E. "flammable liquid" means any liquid that has
8 a flash point of seventy degrees fahrenheit or less, as
9 determined by a tagliabue or equivalent closed-cup test device;

10 ~~[E.]~~ E. "foreign jurisdiction" means any
11 jurisdiction other than a state of the United States or the
12 District of Columbia;

13 ~~[F.]~~ G. "foreign vehicle" means every vehicle of a
14 type required to be registered under the provisions of the Motor
15 Vehicle Code brought into this state from another state,
16 territory or country; and

17 ~~[G.]~~ H. "freight trailer" means any trailer,
18 semi trailer or pole trailer drawn by a truck tractor or road
19 tractor, and any trailer, semi trailer or pole trailer drawn by a
20 truck that has a gross vehicle weight of more than twenty-six
21 thousand pounds, but the term does not include manufactured
22 homes, trailers of less than one-ton carrying capacity used to
23 transport animals or fertilizer trailers of less than three
24 thousand five hundred pounds empty weight. "

25 Section 6. Section 66-1-4.8 NMSA 1978 (being Laws 1990,

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1 Chapter 120, Section 9, as amended) is amended to read:

2 "66-1-4. 8. DEFINITIONS. --As used in the Motor Vehicle
3 Code:

4 A. "hazardous material" means a substance or
5 material in a quantity and form that may pose an unreasonable
6 risk to health, safety or property when transported in commerce;

7 B. "highway" or "street" means every way or place
8 generally open to the use of the public as a matter of right for
9 the purpose of vehicular travel, even though it may be
10 temporarily closed or restricted for the purpose of
11 construction, maintenance, repair or reconstruction;

12 C. "historic [~~or special interest~~] vehicle" means a
13 vehicle [~~of any age that, because of its significance, is being~~
14 ~~collected, preserved, restored or maintained by a collector as a~~
15 ~~leisure pursuit;~~

16 D. ~~"horseless carriage" means a motor vehicle]~~ at
17 least thirty-five years old that is owned as a collector's item
18 and used solely for exhibition and educational purposes; and

19 [~~E.~~] D. "house trailer" means a manufactured home. "

20 Section 7. Section 66-1-4. 15 NMSA 1978 (being Laws 1990,
21 Chapter 120, Section 16) is amended to read:

22 "66-1-4. 15. DEFINITIONS. --As used in the Motor Vehicle
23 Code:

24 A. "railroad" means a carrier of persons or property
25 upon cars operated upon stationary rails;

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1 B. "railroad sign or signal" means any sign, signal
2 or device erected by authority of a public body or official or
3 by a railroad and intended to give notice of the presence of
4 railroad tracks or the approach of a railroad train;

5 C. "railroad train" means a steam engine, electric
6 or other motor, with or without cars coupled thereto, operated
7 upon rails;

8 D. "reconstructed vehicle" means any vehicle
9 assembled or constructed largely by means of essential parts,
10 new or used, derived from other vehicles or which, if originally
11 otherwise assembled or constructed, [~~shall have~~] has been
12 materially altered by the removal of essential parts, new or
13 used;

14 E. "recreational travel trailer" means a camping
15 body that exceeds neither eight feet in width nor forty feet in
16 length, when equipped for the road, designed to be drawn by
17 another vehicle;

18 F. "recreational vehicle" means a vehicle with a
19 camping body that either has its own motive power or is drawn by
20 another vehicle;

21 G. "registration" means registration certificates
22 and registration plates issued under the laws of New Mexico
23 pertaining to the registration of vehicles;

24 H. "registration number" means the number assigned
25 upon registration by the division to the owner of a vehicle or

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1 motor vehicle required to be registered by the Motor Vehicle
2 Code;

3 I. "registration plate" means the plate, marker,
4 sticker or tag assigned by the division for the identification
5 of the registered vehicle;

6 J. "residence district" means the territory
7 contiguous to and including a highway not comprising a business
8 district when the property on the highway for a distance of
9 three hundred feet or more is in the main improved with
10 residences or residences and buildings in use for business;

11 K. "resident" means an individual who is domiciled
12 in this state;

13 [~~K.~~] L. "revocation" means that the driver's license
14 and privilege to drive a motor vehicle on the public highways
15 are terminated and shall not be renewed or restored, except that
16 an application for a new license may be presented and acted upon
17 by the division after the expiration of at least one year after
18 date of revocation;

19 [~~L.~~] M. "right-of-way" means the privilege of the
20 immediate use of the roadway;

21 [~~M.~~] N. "road tractor" means every motor vehicle
22 designed and used for drawing other vehicles and not so
23 constructed as to carry any significant load thereon, either
24 independently or as any part of the weight of a vehicle or load
25 so drawn; and

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1 [~~N-~~] 0. "roadway" means that portion of a street or
2 highway improved, designed or ordinarily used for vehicular
3 travel, exclusive of the berm or shoulder, and in the event a
4 highway includes two or more separate roadways, the term
5 "roadway" refers to any such roadway separately but not to all
6 such roadways collectively. "

7 Section 8. Section 66-1-4.16 NMSA 1978 (being Laws 1990,
8 Chapter 120, Section 17, as amended) is amended to read:

9 "66-1-4.16. DEFINITIONS. --As used in the Motor Vehicle
10 Code:

11 A. "safety glazing materials" means glazing
12 materials so constructed, treated or combined with other
13 materials as to reduce substantially, in comparison with
14 ordinary sheet glass or plate glass, the likelihood of injury to
15 persons by objects from exterior sources or by these safety
16 glazing materials when they are cracked and broken;

17 B. "safety zone" means the area or space officially
18 set apart within a highway for the exclusive use of pedestrians
19 and which is protected or is so marked or indicated by adequate
20 signs as to be plainly visible at all times while set apart as a
21 safety zone;

22 C. "school bus" means any motor vehicle operating
23 under the authority of the state board of education or private
24 school or parochial school interests that is used to transport
25 children, students or teachers to and from schools or to and

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1 from any school activity, but not including any vehicle:

2 (1) operated by a common carrier, subject to
3 and meeting all requirements of the state corporation commission
4 but not used exclusively for the transportation of pupils;

5 (2) operated solely by a government-owned
6 transit authority, if the [~~transit authority~~] vehicle meets all
7 safety requirements of the state corporation commission but is
8 not used exclusively for the transportation of pupils; or

9 (3) operated as a per capita feeder as
10 [~~defined~~] provided in Section 22-16-6 NMSA 1978;

11 D. "seal" means the official seal of the taxation
12 and revenue department as designated by the secretary;

13 E. "secretary" means the secretary of taxation and
14 revenue, and, except for the purposes of Sections 66-2-3
15 [~~66-2-3-1~~] and 66-2-12 NMSA 1978, also includes the deputy
16 secretary and any division director delegated by the secretary;

17 F. "semitrailer" means any vehicle without motive
18 power, other than a pole trailer, designed for carrying persons
19 or property and for being drawn by a motor vehicle and so
20 constructed that some significant part of its weight and that of
21 its load rests upon or is carried by another vehicle;

22 G. "sidewalk" means that portion of street between
23 the curb lines, or the lateral lines of a roadway, and the
24 adjacent property lines, intended for the use of pedestrians;

25 H. "slow-moving vehicle" means any vehicle that is

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1 ordinarily moved, operated or driven at a speed less than
2 twenty-five miles per hour;

3 I. "solid tire" means every tire of rubber or other
4 resilient material that does not depend upon compressed air for
5 the support of the load;

6 J. "special mobile equipment" means every vehicle
7 not designed or used primarily for the transportation of persons
8 or property and incidentally operated or moved over the
9 highways, including but not limited to farm tractors, road
10 construction or maintenance machinery, ditch-digging apparatus,
11 well-boring apparatus and ~~concrete mixers~~ wheeled equipment;

12 K. "specially-constructed vehicle" means every
13 vehicle of a type required to be registered under the Motor
14 Vehicle Code not originally constructed under a distinctive
15 name, make, model or type by a generally recognized manufacturer
16 of vehicles and not materially altered from its original
17 construction;

18 L. "state" means any state, territory or possession
19 of the United States, the District of Columbia, ~~or~~ any
20 province of the Dominion of Canada or any state of the United
21 States of Mexico;

22 M "state highway" means any public highway that has
23 been designated as a state highway by the legislature, the state
24 highway commission or the secretary of highway and
25 transportation;

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1 N. "stop", when required, means complete cessation
2 from movement;

3 O. "stop, stopping or standing", when prohibited,
4 means any stopping or standing of a vehicle, whether occupied or
5 not, except when necessary to avoid conflict with other traffic
6 or in compliance with the directions of a police officer or
7 traffic-control sign or signal;

8 P. "street" or "highway" means every way or place
9 generally open to the use of the public as a matter of right for
10 the purpose of vehicular travel, even though it may be
11 temporarily closed or restricted for the purpose of
12 construction, maintenance, repair or reconstruction;

13 Q. "subsequent offender" means a person who was
14 previously a first offender and who again, under state law,
15 federal law or municipal ordinance, has been adjudicated guilty
16 of the charge of driving a motor vehicle while under the
17 influence of intoxicating liquor or any drug ~~[which]~~ that
18 rendered him incapable of safely driving a motor vehicle,
19 regardless of whether the person's sentence was suspended or
20 deferred; and

21 R. "suspension" means that a person's driver's
22 license and privilege to drive a motor vehicle on the public
23 highways are temporarily withdrawn. "

24 Section 9. Section 66-1-4.20 NMSA 1978 (being Laws 1990,
25 Chapter 120, Section 21) is amended to read:

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1 "66-1-4.20. DEFINITIONS. --As used in the Motor Vehicle
2 Code:

3 A. "wheeled equipment" means compressors, forklifts,
4 portable cement mixers, single axle tow dollies, tar pots, water
5 trailers used for watering livestock or for agricultural or
6 domestic purposes, welders or similar items designed and used
7 primarily for construction or building-trade purposes;

8 [A-] B. "wholesaler" means any person, except a
9 person making a casual sale of the person's own vehicle, who
10 sells or offers for sale vehicles of a type subject to
11 registration in this state, to a vehicle dealer who is licensed
12 under the Motor Vehicle Code or who is franchised by a
13 manufacturer, distributor or vehicle dealer; provided, however,
14 that if any person except a person making a casual sale of the
15 person's own vehicle also sells a vehicle at retail, that person
16 shall be deemed to be a dealer and is subject to the dealer-
17 licensing provisions of the Motor Vehicle Code;

18 [B-] C. "wrecker of vehicles" means every person
19 actively engaged in the business of acquiring vehicles that are
20 required to be registered under the Motor Vehicle Code for the
21 purpose of dismantling [such] the vehicles as scrap material or
22 for the resale of reclaimable parts and who, for those purposes,
23 maintains within this state an established place of business;
24 and

25 [C-] D. "written clearance from a law enforcement

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1 agency" means any written statement signed by a full-time,
2 salaried law enforcement officer stating that a check has been
3 made of the law enforcement agency's records and the
4 computerized records of the national crime information center
5 and that the check of records indicates that the vehicle or
6 motor vehicle in question has not been reported stolen."

7 Section 10. Section 66-3-1 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 21) is recompiled as Section 66-3A-1 NMSA
9 1978 and is amended to read:

10 "66-3A-1. VEHICLES SUBJECT TO REGISTRATION--EXCEPTIONS.--

11 [Every]

12 A. No motor vehicle, trailer, semitrailer [and] or
13 pole trailer [when driven or moved upon a highway shall be
14 subject to the registration and certificate of title] shall be
15 operated or permitted to operate on a highway in New Mexico
16 unless it is registered in accordance with the provisions of the
17 Motor Vehicle Code except:

18 [A.--any such] (1) a vehicle driven or moved
19 upon a highway in conformance with the provisions of the Motor
20 Vehicle Code relating to manufacturers or dealers; [~~lien holders~~
21 ~~or nonresidents~~

22 B. [~~any such~~] (2) a vehicle [~~which~~] that is
23 driven or moved upon a highway only for the purpose of crossing
24 [~~such~~] the highway from one property to another;

25 [C.--any] (3) an implement of husbandry [~~which~~]

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1 that is only incidentally operated or moved upon a highway;

2 ~~[D.—any]~~ (4) special mobile equipment; ~~[as~~
3 ~~herein-defined]~~

4 ~~E.—any]~~ (5) a vehicle ~~[which]~~ that is
5 propelled exclusively by electric power obtained from overhead
6 trolley wires though not operated upon rails;

7 ~~[F.—no certificate of title need be obtained for~~
8 ~~any]~~

9 (6) a vehicle of a type subject to registration
10 owned by the government of the United States; ~~[and~~

11 ~~G.—every house trailer shall be subject to the~~
12 ~~registration and certificate of title provisions of the Motor~~
13 ~~Vehicle Code, and each house trailer shall at all times bear a~~
14 ~~current registration plate.]~~

15 (7) vehicles owned by nonresidents and
16 registered for the current year in another jurisdiction, except
17 as provided in Section 66-3A-3 NMSA 1978;

18 (8) freight trailers as provided in Section
19 66-3A-2 NMSA 1978;

20 (9) a vehicle being towed as an abandoned
21 vehicle at the direction of a law enforcement officer; and

22 (10) mopeds.

23 B. No off-highway motor vehicle shall be operated or
24 permitted to be operated unless it is registered in accordance
25 with the Motor Vehicle Code, except that this registration

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1 requirement does not apply to off-highway motor vehicles:

2 (1) owned and operated by any agency or
3 department of the United States, this state or any political
4 subdivision of this state;

5 (2) operated exclusively on lands privately
6 held by the motor vehicle owner;

7 (3) owned by nonresidents of this state;
8 provided that the use in this state shall be for competition
9 purposes only and shall not exceed fifteen days and provided
10 further that the use is not on a rental basis;

11 (4) brought into this state by manufacturers or
12 distributors for wholesale purposes and not used for
13 demonstrations;

14 (5) that are in the possession of dealers as
15 stock-in-trade and not used for demonstration purposes; or

16 (6) that are farm tractors, mopeds or special
17 mobile equipment. "

18 Section 11. Section 66-3-2 NMSA 1978 (being Laws 1978,
19 Chapter 35, Section 22) is recompiled as Section 66-3A-2 NMSA
20 1978 and is amended to read:

21 "66-3A-2. REGISTRATION--TRAILERS, SEMITRAILERS, POLE
22 TRAILERS AND FREIGHT TRAILERS.--

23 A. ~~[The motor vehicle and motor transportation~~
24 ~~divisions, according to their appropriate jurisdictions, shall~~
25 ~~grant permanent registration to freight trailers upon~~

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1 ~~application and payment of the fee required by Section 64-6-3~~
2 ~~NMSA 1953, when according to Subsection B of this section~~
3 ~~registration is required. The registration shall expire,~~
4 ~~however, upon the transfer of title or interest in the vehicle,~~
5 ~~at which time the vehicle shall be reregistered, subject to the~~
6 ~~provisions of Subsection B of this section.~~

7 B.] Freight trailers are exempt from registration in
8 this state if they are:

9 (1) properly registered in another state;
10 (2) identified by a proper base registration
11 plate properly displayed; and

12 (3) identified by other required documentary
13 evidence of registration [~~which shall be~~] that is in the
14 possession of the operator and exhibited at the request of any
15 police officer.

16 B. Freight trailers not exempt from registration are
17 required to be registered. Upon receipt of a properly completed
18 application and the payment of all required fees, the department
19 shall register the freight trailer.

20 C. In registering trailers, semitrailers and pole
21 trailers, the [~~divisions~~] department may require [~~sueh~~]
22 information and documents and may make [~~sueh~~] tests and
23 investigations as [~~they deem~~] it deems necessary and practicable
24 to determine or to verify the empty weights and gross vehicle
25 weights and to ensure that the vehicles may be safely and

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1 legally operated upon the highways of this state. "

2 Section 12. Section 66-3-301 NMSA 1978 (being Laws 1978,
3 Chapter 35, Section 77, as amended) is recompiled as Section
4 66-3A-3 NMSA 1978 and is amended to read:

5 "66-3A-3. REGISTRATION BY NONRESIDENTS. --

6 A. Any nonresident owner of a vehicle of a type
7 otherwise subject to registration may use or permit the use of
8 the vehicle within the state for a period of one hundred eighty
9 days without registering his vehicle, but any vehicle so used
10 must display current registration plates issued for the vehicle
11 in the state where the owner resides. If a vehicle owned by a
12 nonresident is used in this state for more than one hundred
13 eighty days and is not registered with the owner's state of
14 residence or does not display current registration plates of the
15 owner's state of residence, the vehicle must be registered with
16 this state.

17 B. Any person gainfully employed and residing within
18 the boundaries of this state for a period of thirty days or more
19 within a sixty-day period shall be presumed to be a resident of
20 this state.

21 C. [~~Notwithstanding the fact of their employment~~]
22 The following nonresident individuals are not required to
23 register their vehicles if they display current registration
24 plates issued for the vehicle in the state where the owner
25 resides:

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1 (1) nonresident individuals who are students
2 engaged in a full-time course of study at an institution of
3 higher learning located within this state, and the vehicle
4 displays a valid nonresident student sticker issued by the
5 institution [~~which~~] that they attend; or

6 (2) a nonresident [~~owner~~] individual gainfully
7 employed within the boundaries of this state who owns a vehicle
8 and uses [~~his~~] the vehicle to commute daily from his home in
9 another state to and from his place of employment within this
10 state. The provisions of this paragraph apply only if the state
11 in which the owner resides extends like privileges to New Mexico
12 residents gainfully employed within the boundaries of that
13 state.

14 D. A nonresident owner of a foreign vehicle operated
15 within this state for the transportation of persons or property
16 for compensation or for the transportation of merchandise either
17 regularly according to a schedule or for a consecutive period
18 exceeding thirty days shall register the vehicle and pay the
19 same fees [~~as~~] required [~~with reference to~~] for like vehicles
20 owned by residents of this state. [~~This subsection shall not be~~
21 ~~construed as limiting the effect of validly entered reciprocal~~
22 ~~agreements between New Mexico and other states or of~~
23 ~~proportional registration provided for in Section 66-3-4 NMSA~~
24 ~~1978.~~]

25 E. Every nonresident [~~including any foreign~~

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1 ~~corporation~~] carrying on business within this state and owning
2 and regularly operating in that business any vehicle [~~trailer,~~
3 ~~semi-trailer, house trailer or pole trailer~~] within the state,
4 shall register each vehicle and pay the same fees [as] required
5 [~~with reference to~~] for like vehicles owned by residents of this
6 state.

7 F. For the purposes of this section, "nonresident
8 owner" or "nonresident individual" includes members of the armed
9 forces of the United States operating their personal passenger
10 vehicles. "

11 Section 13. Section 66-3-4 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 24, as amended) is recompiled as Section
13 66-3A-4 NMSA 1978 and is amended to read:

14 "66-3A-4. APPLICATION FOR REGISTRATION [~~AND CERTIFICATE OF~~
15 ~~TITLE~~]. --

16 A. Every owner of a vehicle of a type required to be
17 registered in this state shall [~~make application to the division~~
18 ~~for the registration and issuance of a certificate of title for~~
19 ~~such~~] apply to the department to register the vehicle.

20 Applications shall be upon the appropriate forms furnished by
21 the [~~division~~] department and shall bear the permanently affixed
22 signature of the owner [~~written with pen and ink~~]. All
23 applications presented to the [~~division~~] department shall
24 contain:

- 25 (1) the name, bona fide New Mexico residence or

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1 business address, as appropriate, and mailing address of the
2 owner or [~~if the owner is a firm, association or corporation,~~
3 ~~the name, bona fide New Mexico business address and mail address~~
4 ~~of the firm, association or corporation]~~ owners;

5 (2) a description of the vehicle, including,
6 [~~insofar as the hereinafter specified data may exist with~~
7 ~~respect to a given vehicle]~~ to the extent known, the make,
8 model, type of body, the number of cylinders, type of fuel used,
9 the serial number of the vehicle, the odometer reading, the
10 engine or other identification number provided by the
11 manufacturer of the vehicle, whether new or used and, if a
12 vehicle not previously registered, the date of sale by the
13 manufacturer or dealer to the person intending to operate [~~such~~]
14 the vehicle. In the event a vehicle is designed, constructed,
15 converted or rebuilt for the transportation of property, the
16 application shall include a statement of its rated capacity as
17 established by the manufacturer of the chassis or the complete
18 vehicle;

19 (3) a statement of the applicant's title and of
20 all liens or encumbrances upon [~~said~~] the vehicle and the names
21 and addresses of all persons having any interest therein and the
22 nature of every such interest and the name and address of the
23 person to whom the certificate of title shall be delivered by
24 the [~~division~~] department;

25 (4) if the vehicle required to be registered is

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1 a [~~house trailer, as defined in the Motor Vehicle Code~~]
2 manufactured home, a certificate from the treasurer or assessor
3 of the county in which the [~~house trailer~~] manufactured home is
4 located showing that either:

5 (a) all property taxes due or to become
6 due on the [~~house trailer~~] manufactured home for the current tax
7 year or any past tax years have been paid; or

8 (b) no liability for property taxes on
9 the [~~house trailer~~] manufactured home exists for the current
10 year or any past tax years; [~~and~~]

11 (5) if the owner of the vehicle rents or
12 intends to rent the vehicle without a driver, a statement of
13 that fact;

14 (6) if a county or municipal ordinance requires
15 the vehicle to pass a vehicle emissions inspection, the valid
16 vehicle emission inspection certificate for the vehicle in
17 accordance with Section 66-3A-6 NMSA 1978;

18 (7) if the vehicle is imported into this
19 country, a certificate of compliance that states that the
20 vehicle meets all applicable federal vehicle equipment and
21 emissions equipment requirements;

22 (8) a statement disclosing odometer mileage as
23 of the date of application;

24 (9) if a vehicle has been damaged by collision
25 or other occurrence so that either the cost of repairing the

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1 damage exceeds the fair market value of the vehicle or the
2 vehicle has been declared a total loss by an insurance company,
3 a statement of that fact;

4 (10) if the vehicle is a historic vehicle, a
5 witnessed bill of sale or an affidavit that the vehicle was
6 assembled by the owner from parts of automobiles at least
7 thirty-five years old; and

8 ~~[(5)]~~ (11) further information as may
9 reasonably be required by the ~~[division]~~ department to enable it
10 to determine whether the vehicle is lawfully entitled to
11 registration ~~[and the owner entitled to a certificate of title].~~

12 B. Any owner of a vehicle subject to registration
13 which has never been registered in this state ~~[and]~~ but which
14 ~~[vehicle]~~ has been registered in another state shall have ~~[such]~~
15 the vehicle examined and inspected for its identification number
16 or engine number by the ~~[division]~~ department or an officer or
17 designated agent thereof incident to securing registration
18 ~~[reregistration or a certificate of title]~~ from the ~~[division]~~
19 department.

20 C. When ~~[such]~~ an application refers to a vehicle
21 not previously registered and ~~[such]~~ the vehicle is purchased
22 from a dealer licensed in ~~[the]~~ this state or a dealer licensed
23 or recognized as such in any other state, territory or
24 possession of the United States, the application shall be
25 accompanied by a manufacturer's certificate of origin duly

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1 assigned by ~~[said]~~ the dealer to the purchaser. In the event
2 that a vehicle not previously registered is sold by the
3 manufacturer to a dealer in a state not requiring a
4 manufacturer's certificate of origin and in the event that the
5 vehicle is subsequently purchased by a dealer or any person in
6 this state, the application for title shall be accompanied by
7 the evidence of title accepted by the state in which the vehicle
8 was sold by the manufacturer ~~[thereof]~~ to a dealer in that state
9 together with evidence of subsequent transfers.

10 D. When an application refers to a vehicle currently
11 registered, the application shall be accompanied by a properly
12 endorsed certificate of title and the current evidence of
13 registration. If the vehicle is currently registered with New
14 Mexico, the registration process may be referred to as "re-
15 registration" or "registration renewal".

16 E. In the event the vehicle to be registered is a
17 specially constructed, reconstructed or foreign vehicle, that
18 fact shall be stated in the application, and with reference to
19 every foreign vehicle previously registered in another state,
20 the owner shall surrender to the department all registration
21 cards and certificates of title or other evidence of foreign
22 registration as may be in his possession or under his control.

23 F. Every application for registration shall be
24 accompanied by the required fee."

25 Section 14. A new section of the Motor Vehicle Code,

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1 Section 66-3A-5 NMSA 1978, is enacted to read:

2 "66-3A-5. [NEW MATERIAL] WHEN APPLICATION REQUIRED. --
3 Application for registration and for certificate of title shall
4 be made within thirty days of the date on which the sale,
5 assignment or other transfer of the vehicle to the applicant
6 occurred or on which the applicant imported the vehicle into New
7 Mexico from another nation. "

8 Section 15. Section 66-3-7.1 NMSA 1978 (being Laws 1988,
9 Chapter 103, Section 1, as amended) is recompiled as Section
10 66-3A-6 NMSA 1978 and is amended to read:

11 "66-3A-6. REGISTRATION IF VEHICLE EMISSION INSPECTION TEST
12 REQUIRED--REQUIRING A CERTIFICATE--REGISTRATION IN CLASS A
13 COUNTIES. --

14 A. No vehicle required by county or municipal
15 ordinance to pass a vehicle emission inspection test shall be
16 registered with the [~~division~~] department until such time as a
17 valid vehicle emission inspection certificate is presented,
18 unless the ordinance of the municipality or county specifically
19 excludes enforcement by the [~~division~~] department. The
20 provisions of this section shall apply to a class A county or
21 municipality within a class A county that has a vehicle emission
22 inspection program, and the provisions of this section may apply
23 to a municipality in an adjoining or contiguous county to a
24 class A county that adopts a vehicle emission inspection
25 program. Any municipality may adopt a voluntary or mandatory

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1 vehicle emission inspection program by ordinance. The ordinance
2 may exempt or exclude certain categories or classifications of
3 vehicles and may exempt or exclude a vehicle because of age or
4 type of vehicle.

5 B. It [~~shall be~~] is a misdemeanor for any person to
6 register a vehicle in a county or municipality [~~which~~] that does
7 not conduct a vehicle emission testing program if the registered
8 owner of that vehicle resides in a county or municipality
9 conducting a vehicle emissions inspection program and the person
10 registering the vehicle does so for the purpose of evading a
11 vehicle emissions inspection program "

12 Section 16. Section 66-3-101 NMSA 1978 (being Laws 1978,
13 Chapter 35, Section 48, as amended) is recompiled as Section
14 66-3A-7 NMSA 1978 and is amended to read:

15 "66-3A-7. TRANSFER BY OWNER-- [~~RECORDATION~~] RECORDING OF
16 MILEAGE OF VEHICLE. --

17 A. Whenever the owner of a registered vehicle sells,
18 transfers or assigns his title or interest in, and delivers the
19 possession of, the vehicle to another, the registration of the
20 vehicle [~~shall expire~~] expires, except as provided in Subsection
21 B of this section. The [~~previous owner~~] transferor shall notify
22 the [~~division~~] department of the sale or transfer giving the
23 date thereof, the name and address of the [~~new owner~~] transferee
24 and [~~such~~] a description of the vehicle as may be required in
25 the appropriate form provided for [~~such~~] the purpose by the

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1 ~~[division]~~ department. Except as provided in Subsection E of
2 this section, in the case of ~~[any]~~ a transfer, including but not
3 limited to a transfer resulting from a sale, lease, gift or
4 auction of any vehicle, the ~~[person making the transfer]~~
5 transferor shall: ~~[sign and shall]~~

6 (1) endorse an assignment and warranty of title
7 upon the certificate of title for the vehicle with a statement
8 of all liens or encumbrances;

9 (2) record on the document evidencing the
10 transfer of the vehicle the actual mileage of the vehicle as
11 indicated by the vehicle's odometer at the time of the transfer;
12 and

13 (3) deliver the certificate of title to the
14 purchaser or transferee at the time of delivering the vehicle.

15 B. The ~~[owner]~~ transferor shall remove the
16 registration plates from the vehicle except as provided in
17 Subsection C of this section and, within thirty days from the
18 date of transfer, shall either:

19 (1) forward the registration plates to the
20 ~~[division]~~ department or its authorized agent to be destroyed;
21 or ~~[may have the]~~

22 (2) request the department to assign the
23 registration plate and the registration number assigned to
24 another vehicle ~~[as provided for in Section 66-3-104 NMSA 1978]~~
25 upon the payment of the difference, if any, between the paid

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1 registration fee and the new registration fee and the transfer
2 fee provided by law and subject to the rules and regulations of
3 the ~~[division]~~ department. The registration plate shall be
4 transferred only where the application for transfer is made in
5 the name of the transferor unless the transferor's name has been
6 changed by marriage, divorce or court order. The registration
7 plate shall not be displayed upon the newly acquired vehicle
8 until the registration of the vehicle has been completed and a
9 new evidence of registration issued.

10 C. Whenever the owner of a vehicle bearing a current
11 registration plate of a foreign state, territory or country
12 transfers or assigns his title or interest in the vehicle, the
13 foreign registration plate ~~[must]~~ shall be delivered, together
14 with the title to the vehicle and evidence of registration, to
15 the ~~[division]~~ department or its authorized agent at the time
16 application is made for a New Mexico registration plate, except
17 when the assignment or transfer of the title is to a bona fide
18 resident of the foreign state, territory or country in which the
19 vehicle is registered.

20 D. Except as otherwise provided in Subsection E of
21 this section, the transferee before operating or permitting the
22 operation of the vehicle on a highway shall present to the
23 department the evidence of registration and the properly
24 assigned certificate of title and shall apply for and obtain a
25 new certificate of title and a new registration for the vehicle.

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1 E. When the transferee of a vehicle is a dealer who
2 holds the vehicle for resale and operates the vehicle only for
3 purposes incident to a resale or when a dealer does not drive
4 the vehicle or permit it to be driven upon the highways, the
5 dealer shall not be required to obtain transfer of registration
6 of the vehicle or forward the certificate of title to the
7 department. However, the dealer, upon transferring the dealer's
8 title or interest to another person, shall execute an assignment
9 and warrant of title upon the certificate of title and deliver
10 the certificate of title to the person to whom the transfer is
11 made. "

12 Section 17. Section 66-3-105 NMSA 1978 (being Laws 1978,
13 Chapter 35, Section 52) is recompiled as Section 66-3A-8 NMSA
14 1978 and is amended to read:

15 "66-3A-8. TRANSFER BY OPERATION OF LAW. --

16 A. Whenever the title or interest of an owner in or
17 to a registered vehicle [~~shall pass~~] passes to another by
18 operation of law, [~~as upon inheritance, bequest, order in~~
19 ~~bankruptcy or insolvency, execution sale, repossession upon~~
20 ~~default in performance in the terms of a lease or executory~~
21 ~~sales contract, or otherwise than by voluntary transfer, the~~
22 ~~transferee shall be subject to the provisions of this section.~~

23 B.] notice of the transfer by operation of law shall
24 be signed by the executor, administrator, receiver, trustee,
25 sheriff or other representative or successor in interest of the

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1 owner of the vehicle. The registration [~~certificate and~~
2 evidence and registration plate shall be delivered to the
3 registered owner upon [~~such~~] notification or shall be removed by
4 the transferee upon repossession and submitted to the [~~division~~]
5 department for cancellation.

6 [~~C.~~] B. The transferee, except as provided in
7 Subsection [~~D~~] C of this section, shall secure a transfer of
8 registration to himself and a new certificate of title upon
9 proper application and upon presentation of the last certificate
10 of title, if available, and [~~such~~] the instruments or documents
11 of authority or certified copies thereof as may be sufficient or
12 required by law to evidence or effect a transfer of title or in-
13 terest in or to chattels in such case.

14 [~~D.~~] C. When the transferee does not operate or
15 permit the operation of [~~such~~] the vehicle upon the highways or
16 when the transferee operates [~~such~~] the vehicle only for the
17 purposes of immediate delivery, demonstration or resale to
18 another person, the transferee shall display upon [~~such~~] the
19 vehicle a temporary permit issued to [~~such~~] the vehicle by the
20 [~~division~~] department. The transferee shall not be required to
21 secure a transfer of registration or a new certificate of title,
22 but upon his transfer of title or interest to another person,
23 [~~he~~] the transferee shall execute an assignment and warranty of
24 title upon the certificate of title previously issued, if
25 available, and deliver the same, along with the documents of

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1 authority or certified copies thereof as may be sufficient or
2 required by law to evidence the rights of [~~such~~] the person, to
3 the person to whom [~~such~~] the transfer is made. "

4 Section 18. Section 66-3-107 NMSA 1978 (being Laws 1978,
5 Chapter 35, Section 54, as amended) is recompiled as Section
6 66-3A-9 NMSA 1978 and is amended to read:

7 "66-3A-9. TRANSFER BY DEALER--APPLICATION FOR TRANSFER--
8 [~~PENALTY~~] MILEAGE OF VEHICLE. --

9 A. Dealers required to be licensed [~~under~~] pursuant
10 to the provisions of the Motor Vehicle Code shall furnish to a
11 purchaser upon delivery of a vehicle required to be registered
12 [~~under~~] pursuant to the provisions of the Motor Vehicle Code the
13 necessary title properly assigned and shall inform the purchaser
14 that application of transfer must be filed with the [~~division~~]
15 department within thirty days of the date of delivery. When a
16 dealer allows a vehicle [~~or motor vehicle~~] to be purchased over
17 a period of time pursuant to an expressed or implied contract
18 and elects to retain a security interest in [~~said~~] the vehicle,
19 the dealer shall collect the necessary transfer fees from the
20 purchaser upon delivery of the vehicle and shall, within thirty
21 days, pay all transfer fees due on [~~said~~] the vehicle to the
22 [~~division of motor vehicles~~] department and shall give to the
23 new purchaser the new evidence of registration [~~certificate~~] in
24 the purchaser's name.

25 B. Every dealer, upon transferring by sale, lease or

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1 otherwise any vehicle, whether new or used, of a type [~~subject~~
2 ~~to registration under~~] required to be registered pursuant to the
3 provisions of the Motor Vehicle Code shall give written notice
4 of the transfer to the [~~division~~] department upon an appropriate
5 form provided by the [~~division~~] department.

6 C. [~~Except as otherwise provided in this subsection~~]
7 The dealer shall indicate on the form the actual mileage of the
8 vehicle as indicated by the vehicle's odometer at the time of
9 the transfer.

10 D. A sale shall be deemed completed and consummated
11 when the purchaser of that vehicle has paid the purchase price
12 or, in lieu thereof, has signed a purchase contract or security
13 agreement and taken physical possession or delivery of that
14 vehicle.

15 [~~E. Failure to apply for transfer of registration~~
16 ~~and issuance of a new certificate of title within thirty days~~
17 ~~from the date of transfer shall subject the transferee to a~~
18 ~~penalty of twenty dollars (\$20.00) which shall be collected by~~
19 ~~the division and shall be in addition to other fees and~~
20 ~~penalties provided by law.] "~~

21 Section 19. Section 66-3-6 NMSA 1978 (being Laws 1978,
22 Chapter 35, Section 26, as amended) is recompiled as Section
23 66-3A-10 NMSA 1978 and is amended to read:

24 "66-3A-10. TEMPORARY PERMITS. --

25 A. The [~~division~~] department may issue a temporary

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1 permit to operate a vehicle pending action by the [~~division~~
2 department] upon an application for registration [~~and certificate~~
3 ~~of title~~] when the application is accompanied by the proper fee.
4 [~~and the division~~] The department may issue a temporary permit
5 [~~for a fifty cent (\$.50) fee~~] to individuals and to financing
6 institutions to operate a vehicle for purposes of demonstrating
7 the vehicle for resale. The temporary permit shall state the
8 number of days the permit is valid and shall be validated by the
9 signature of the director.

10 B. Upon receipt of the proper fee, the [~~division~~
11 department] shall issue temporary transportation permits to
12 dealers licensed [~~under~~] pursuant to the provisions of the
13 [~~Motor Vehicle Code who hold current special plates issued under~~
14 ~~Section 66-3-402 NMSA 1978. The division shall collect a fee of~~
15 ~~fifty cents (\$.50) for each permit issued~~] Motor Vehicle Dealer
16 and Dismantler Licensing Act. Temporary transportation permits
17 shall be used only by the dealer to whom the permits are issued.
18 Use of the permits shall be only for importing vehicles into
19 this state or for transporting vehicles between dealers
20 intrastate and only on vehicles owned by the dealer. Use of the
21 permits shall be deemed compliance with the requirements of
22 Section [~~66-3-4~~] 66-3A-4 NMSA 1978. For misuse of the permits
23 by a dealer, the director may revoke or suspend their use after
24 a hearing as provided in Section [~~66-4-3~~] 66-2-17 NMSA 1978.
25 The permits shall be validated by the signature of the dealer to

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1 whom they are issued and are valid for not more than thirty
2 additional days from the date of validation. In addition to the
3 general requirements for temporary permits, all temporary
4 transportation permits shall include the following:

5 (1) the name of the dealer to whom the permits
6 are issued;

7 (2) the name of the authorized driver of the
8 vehicle;

9 (3) the point of origin of the trip covered by
10 the permit; and

11 (4) the point of termination of the trip
12 covered by the permit.

13 C. The ~~[division]~~ department shall issue temporary
14 retail-sale permits to dealers licensed under the ~~[Motor Vehicle~~
15 ~~Code who hold current special plates issued under Section~~
16 ~~66-3-402 NMSA 1978. The division shall collect a fee of fifty~~
17 ~~cents (\$.50) for each permit issued]~~ Motor Vehicle Dealer and
18 Dismantler Licensing Act. Temporary retail-sale permits shall
19 be used only on vehicles sold at retail by the dealer to whom
20 the temporary permits are issued and shall not be extended nor
21 another issued for the same vehicle and only after the
22 application for registration has been executed and proper fees
23 collected by the dealer, except that when a vehicle is sold to a
24 bona fide nonresident, neither an application for registration
25 nor the payment of fees is required under this section. Use of

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1 the permits shall be deemed compliance with the provisions of
2 Section [~~66-3-4~~] 66-3A-4 NMSA 1978. For the misuse of the
3 permits by a dealer, the [~~director~~] department may revoke or
4 suspend their use after a hearing as provided in Section
5 [~~66-4-3~~] 66-2-17 NMSA 1978. The permits shall be validated by
6 the signature of the dealer to whom they are issued and shall be
7 valid for not more than thirty additional days from the date of
8 validation. Temporary retail-sale permits shall:

9 (1) name the dealer to whom the permits are
10 issued; and

11 (2) name the person to whom the vehicle has
12 been sold.

13 D. The [~~division~~] department shall prescribe the
14 size and shape of all temporary permits. No temporary permit is
15 valid until affixed to the vehicle for which it is validated in
16 a manner prescribed by the [~~division~~] department. All temporary
17 permits shall:

18 (1) identify the vehicle for which it is
19 validated by make, model, year of model and engine or other
20 identifying number;

21 (2) bear an identification number of a size and
22 color to be prescribed by the [~~division~~] department;

23 (3) bear the expiration date of the permit in
24 numerals of a size to be prescribed by the [~~division~~]
25 department; and

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1 (4) bear the date the validating signature is
2 affixed.

3 E. The fee for issuance of any permit authorized by
4 this section is one dollar (\$1.00). The ~~[division]~~ department
5 shall remit the temporary permit fee revenues of this section to
6 the motor vehicle suspense fund to be distributed in accordance
7 with Section 66-6-23 NMSA 1978. "

8 Section 20. Section 66-3-8 NMSA 1978 (being Laws 1978,
9 Chapter 35, Section 28, as amended) is recompiled as Section
10 66-3A-11 NMSA 1978 and is amended to read:

11 "66-3A-11. EXAMINATION OF REGISTRATION RECORDS AND INDEX
12 OF STOLEN AND RECOVERED VEHICLES. --

13 A. The department shall file each application
14 received for registration of a vehicle.

15 B. The department, upon receiving application for
16 original registration of a vehicle or any certificate of title,
17 shall ~~[first]~~ check the engine or other standard identification
18 number provided by the manufacturer of the vehicle shown in the
19 application against its own records, the records of the national
20 crime information center and other records as appropriate. "

21 Section 21. Section 66-3-7 NMSA 1978 (being Laws 1978,
22 Chapter 35, Section 27, as amended) is recompiled as Section
23 66-3A-12 NMSA 1978 and is amended to read:

24 "66-3A-12. GROUNDS FOR REFUSING REGISTRATION OR
25 CERTIFICATE OF TITLE. --

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1 A. The ~~[division]~~ department may refuse registration
2 or issuance of a certificate of title or any transfer of
3 registration upon the ground that:

4 [A.] (1) the application contains ~~[any]~~ a false
5 or fraudulent statement or that the applicant has failed to
6 furnish the required information or reasonable additional
7 information requested by the ~~[division]~~ department or that the
8 applicant is not entitled to the issuance of a certificate of
9 title or registration of the vehicle ~~[under]~~ pursuant to the
10 provisions of the Motor Vehicle Code;

11 [B.] (2) the vehicle is mechanically unfit or
12 unsafe to be operated or moved upon the highways;

13 [C.] (3) the ~~[division]~~ department has
14 reasonable ground to believe that the vehicle is a stolen or
15 embezzled vehicle or that the granting of registration or the
16 issuance of a certificate of title would constitute a fraud
17 against the rightful owner or other person having valid lien
18 upon the vehicle;

19 [D.] (4) the registration of the vehicle stands
20 suspended or revoked for any reason as provided in the motor
21 vehicle laws of this state;

22 [E.] (5) the required fee has not been paid;

23 [F.] (6) the motor vehicle excise tax has not
24 been paid;

25 [G.] (7) if the vehicle is a ~~[mobile]~~

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1 manufactured home, the property tax has not been paid;

2 [H-] (8) the owner's address, as shown in the
3 records of the [division] department, is within a class A county
4 or within any municipality that has a vehicle emission
5 inspection and maintenance program and the applicant has applied
6 at an office outside the designated county or municipality; or

7 [H-] (9) the owner is required to but has
8 failed to provide proof of compliance with a vehicle emission
9 inspection and maintenance program, if required in the county or
10 municipality in which the owner resides.

11 B. The applicant may protest a refusal to register a
12 vehicle, to issue a certificate of title or to transfer
13 registration in accordance with the provisions of Section
14 66-2-17 NMSA 1978. "

15 Section 22. Section 66-3-9 NMSA 1978 (being Laws 1978,
16 Chapter 35, Section 29, as amended) is recompiled as Section
17 66-3A-13 NMSA 1978 and is amended to read:

18 "66-3A-13. REGISTRATION [INDEXES] OF VEHICLE. -- [The
19 ~~department shall file each application received for registration~~
20 ~~of a vehicle.~~]

21 A. When satisfied as to the genuineness and
22 regularity of the application and that the applicant is entitled
23 to register the vehicle [and to the issuance of a certificate of
24 title], the department shall register the vehicle described and
25 keep a suitable record thereof.

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1 B. The department shall prepare evidence of
2 registration. The registration evidence shall be delivered to
3 the owner and shall contain upon its face the date issued, the
4 name and address of the owner, the registration number assigned
5 to the owner and a description of the vehicle registered to the
6 owner as determined by the department. The evidence of
7 registration may include an odometer statement.

8 C. Registration evidence for a vehicle registered
9 according to gross vehicle weight shall show the gross vehicle
10 weight of the vehicle. For these vehicles, a special
11 registration plate, sticker or electronic device displaying the
12 gross vehicle weight may be issued. When issued, the special
13 registration plate, sticker or electronic device shall be
14 attached to the motive unit and shall remain attached in the
15 place and manner set by department regulations or instructions. "

16 Section 23. Section 66-3-13 NMSA 1978 (being Laws 1978,
17 Chapter 35, Section 33) is recompiled as Section 66-3A-14 NMSA
18 1978 and is amended to read:

19 "66-3A-14. EVIDENCE OF REGISTRATION TO BE SIGNED AND
20 EXHIBITED ON DEMAND. --Every owner upon receipt of registration
21 evidence shall write his signature thereon in a space provided.
22 Every [~~such~~] registration evidence or duplicate [~~thereof~~] of
23 registration evidence validated by the [~~division~~] department
24 shall be exhibited upon demand of any police officer. "

25 Section 24. Section 66-3-14 NMSA 1978 (being Laws 1978,

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1 Chapter 35, Section 34, as amended) is recompiled as Section
2 66-3A-15 NMSA 1978 and is amended to read:

3 "66-3A-15. REGISTRATION PLATES OR VALIDATING STICKERS TO
4 BE FURNISHED BY DEPARTMENT [~~REFLECTIVE MATERIAL~~]. --

5 A. The department upon registering a vehicle shall
6 issue a regular or special registration plate or a validating
7 sticker to the owner of the vehicle. The validating sticker may
8 be designed and required to be placed on the registration plate
9 or elsewhere on the vehicle as prescribed by the department.

10 B. Each registration plate shall [~~have a background~~
11 ~~of reflective material such~~] be so designed and produced that
12 the registration number assigned to the vehicle is plainly
13 legible from a distance of one hundred feet at night. The
14 colors [~~shall~~] of the regular registration plate may include
15 those of the state flag [~~except prestige and special plates~~].
16 All registration plates shall be the same size except that
17 registration plates for motorcycles may be smaller than regular
18 registration plates.

19 C. Each registration plate shall have displayed upon
20 it:

21 (1) the registration number assigned to the
22 person to whom it was issued; and

23 (2) the name of this state.

24 D. The department shall issue no registration plates
25 for privately owned vehicles that contain [~~the words "staff~~

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1 ~~officer" or any other]~~ any title except as otherwise provided by
2 law.

3 E. All registration plates of a type, whether
4 regular or special, for private vehicles shall be alike in form
5 except for the owner's registration number. The department
6 shall adopt registration number systems for registration plates.
7 The department may issue different types of regular registration
8 plates to denote different types of vehicles, including but not
9 limited to passenger vehicles, farm vehicles, recreational
10 vehicles, buses, vehicles whose gross vehicle weight exceeds
11 twenty-six thousand pounds and business vehicles of vehicle
12 manufacturers, dealers, wreckers or dismantlers.

13 F. In lieu of or in addition to a registration plate
14 or sticker for commercial motor vehicles, the department may
15 issue an electronic identifying device. "

16 Section 25. Section 66-3-17 NMSA 1978 (being Laws 1978,
17 Chapter 35, Section 37, as amended) is recompiled as Section
18 66-3A-16 NMSA 1978 and is amended to read:

19 "66-3A-16. REGISTRATION PLATE--REPLACEMENT OF PLATE. --

20 A. Succeeding registration renewals [~~of the~~
21 ~~registration plate]~~ issued under Section [~~66-3-14]~~ 66-3A-15 NMSA
22 1978 shall cause the [~~division]~~ department to issue a validating
23 sticker only, except as provided in Subsections B and C of this
24 section, to be affixed to the registration plate.

25 B. The person to whom the registration plate is

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1 issued ~~may~~, at any time, apply for the issuance of a duplicate
2 or replacement plate. [~~and~~] Upon the surrender of the
3 registration plate [~~he then has~~], along with the payment of a
4 reasonable fee set by the [~~director~~] department that will cover
5 the cost of the production and distribution of the plate, the
6 applicant shall be issued a duplicate or replacement
7 registration plate.

8 C. Any peace officer [~~may~~], upon discovering that
9 the registration plate of any vehicle is illegible because of
10 wear or damage or other cause, may issue a citation to the owner
11 or operator of the vehicle. The citation shall provide that the
12 owner [~~shall~~], within thirty days from the date of the citation,
13 shall apply for and obtain a duplicate or replacement
14 registration plate from the [~~division~~] department. "

15 Section 26. Section 66-3-18 NMSA 1978 (being Laws 1978,
16 Chapter 35, Section 38, as amended) is recompiled as Section
17 66-3A-17 NMSA 1978 and is amended to read:

18 "66-3A-17. DISPLAY OF REGISTRATION PLATE--DISPLAYS
19 PROHIBITED AND ALLOWED. --

20 A. The registration plate shall be attached to the
21 rear of the vehicle for which it is issued; however, the
22 registration plate shall be attached to the front of a road
23 tractor or truck tractor. The plate shall be securely fastened
24 at all times in a fixed horizontal position at a height of not
25 less than twelve inches from the ground, measuring from the

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1 bottom of the plate. It shall be in a place and position so as
2 to be clearly visible, and it shall be maintained free from
3 foreign material and in a condition to be clearly legible. No
4 frame or cover of any type may be placed over or around a
5 registration plate if it covers any portion of the registration
6 plate displaying the state name, state motto, registration
7 number or validation decal. No frame or cover placed over or
8 around a registration plate may illuminate the registration
9 plate using neon lighting.

10 B. No vehicle while being operated on the highways
11 of this state shall have displayed either on the front or the
12 rear of the vehicle any registration plate, including tab or
13 sticker, other than one issued or validated for the current
14 registration period by the [~~division~~] department or any other
15 licensing authority having jurisdiction over the vehicle. No
16 expired registration plate, tab or sticker shall be displayed on
17 the vehicle other than an expired special registration plate
18 which may be exhibited on the front of the vehicle.

19 C. Nothing contained in this section shall be
20 construed as prohibiting the use on the front of the vehicle of
21 a promotional or advertising plate. "

22 Section 27. Section 66-6-14 NMSA 1978 (being Laws 1978,
23 Chapter 35, Section 349) is recompiled as Section 66-3A-18 NMSA
24 1978 and is amended to read:

25 "66-3A-18. VEHICLES OF UNITED STATES AND OTHER STATES. --

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1 Vehicles or trailers owned by and used in the service of the
2 United States or of any [~~other~~] state or political subdivision
3 thereof, other than the state of New Mexico, need not be
4 registered but must continually display plates or signs setting
5 forth the fact that they are in the service of the United States
6 or of [~~such other~~] another state or political subdivision
7 thereof. "

8 Section 28. Section 66-6-15 NMSA 1978 (being Laws 1978,
9 Chapter 35, Section 350) is recompiled as Section 66-3A-19 NMSA
10 1978 and is amended to read:

11 "66-3A-19. VEHICLES OF THE STATE, COUNTY OR
12 MUNICIPALITY. --

13 A. Vehicles or trailers of a type required to be
14 registered under the Motor Vehicle Code that are owned by and
15 used in the service of the state of New Mexico or of any county
16 or municipality [~~thereof~~] of this state need not be registered
17 but must continually display special registration plates
18 furnished by the [~~division~~] department.

19 B. Vehicles on loan from dealers and used in an
20 approved driver-training program by the public schools need not
21 be registered but must continually display special registration
22 plates [~~furnished~~] furnished by the [~~division~~] department.

23 [~~C. Each state department or agency, each county and~~
24 ~~each municipality shall apply to the division for a plate for~~
25 ~~each vehicle or trailer in their service and shall provide~~

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1 ~~identifying information concerning each vehicle or trailer for~~
2 ~~which a plate is applied for.~~

3 ~~D. The division shall issue plates for vehicles and~~
4 ~~trailers in the service of the state or of any county or~~
5 ~~municipality thereof and keep a record of plates issued and~~
6 ~~plates returned. Such plates shall be permanent and need not be~~
7 ~~renewed from year to year. Such plates shall be numbered to~~
8 ~~identify the state department or agency, the county or~~
9 ~~municipality to which the plates are issued. Such plates shall~~
10 ~~be the same size as registration plates issued to private~~
11 ~~vehicles but shall be different in color from the registration~~
12 ~~plates issued to private vehicles.]"~~

13 Section 29. Section 66-3-19 NMSA 1978 (being Laws 1978,
14 Chapter 35, Section 39, as amended by Laws 1995, Chapter 44,
15 Section 2 and also by Laws 1995, Chapter 135, Section 12) is
16 recompiled as Section 66-3A-20 NMSA 1978 and is amended to read:

17 "66-3A-20. RENEWAL OF REGISTRATION--STAGGERED PERIOD FOR
18 VEHICLES--EXCEPTION FOR MANUFACTURED HOMES AND FREIGHT
19 TRAILERS [~~LATE REGISTRATION~~]. --

20 A. The department, in order to operate a more
21 uniform system of vehicle registration, is authorized for
22 certain or all vehicles to:

23 (1) prorate registration fees by monthly
24 increments, but after the initial registration adjustment
25 period, renewals of registration shall be for a full twelve-

1 month period;

2 (2) determine the specific registered vehicle
3 owners and the numbers of these to be assigned to each
4 registration period in order to maintain the system;

5 (3) notify each registered vehicle owner by
6 mail at the last known address within an appropriate period
7 prior to the beginning of the registration period to which the
8 owner has been assigned. The notice shall include a renewal-of-
9 registration application form specifying the amount of
10 registration fees due and the specific dates of the registration
11 period covered by the renewal application;

12 (4) provide for the retention of registration
13 plates;

14 (5) provide for the issuance of validating
15 stickers to be affixed either to retained registration plates or
16 elsewhere on the vehicles as prescribed by the department to
17 signify the registration of the vehicles for the current
18 registration period; and

19 (6) provide for identification purposes clearly
20 recognizable distinctions between current and expired
21 registration plates. To this end, the department, by whatever
22 system or device the secretary may direct and which is approved
23 by the chief of the New Mexico state police division of the
24 department of public safety, shall ensure a practicable display
25 of the proper and current registration of vehicles.

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1 B. Certificates of title need not be renewed
2 annually but shall remain valid until canceled by the department
3 for cause or upon transfer of any interest shown in the
4 certificate of title.

5 C. The vehicle registration of vehicles registered
6 under the provisions of Subsection A of this section expires on
7 the last day of the twelve-month period for which the vehicle
8 has been registered. Every vehicle registration other than
9 historic vehicles, vehicles registered in accordance with
10 Subsection A of this section, ~~manufactured homes and freight~~
11 ~~trailers expires December 31. The department may receive~~
12 ~~applications for renewal of registration and may issue new~~
13 ~~registration evidence and registration plates or validating~~
14 ~~stickers at any time prior to expiration of registration. The~~
15 ~~registration of a historic vehicle does not expire and the~~
16 ~~historic vehicle remains registered until it is transferred to~~
17 ~~another person or the registration is canceled.~~

18 D. The registration of a ~~manufactured home or~~
19 ~~freight trailer need not be renewed annually, and the initial~~
20 ~~registration shall be effective and considered a current~~
21 ~~registration for the purpose of the Motor Vehicle Code as long~~
22 ~~as the ownership of the vehicle is not transferred or canceled.~~
23 ~~The transfer of title provisions of the Motor Vehicle Code do~~
24 ~~apply to ~~manufactured homes and freight trailers, and the~~~~
25 ~~transferee is required to register the vehicle [~~in accordance~~~~

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1 ~~with Section 66-3-103 NMSA 1978~~. The department is authorized
2 and directed to issue distinctive registration plates for
3 manufactured homes and freight trailers that identify the plates
4 as permanent registration plates.

5 ~~[E. It is unlawful to operate or transport or cause~~
6 ~~to be transported upon any highways in this state any vehicle,~~
7 ~~except a commercial motor vehicle registered in another state or~~
8 ~~a manufactured home, subject to registration under the~~
9 ~~provisions of the Motor Vehicle Code without having paid the~~
10 ~~registration fee or without having secured and constantly~~
11 ~~displayed the registration plate required by the Motor Vehicle~~
12 ~~Code. If a vehicle, other than a manufactured home, is operated~~
13 ~~or transported after the expiration of the vehicle registration,~~
14 ~~the owner of the vehicle is subject to a penalty of the greater~~
15 ~~of ten dollars (\$10.00) or, if the vehicle is operated or~~
16 ~~transported thirty one or more days after the expiration of the~~
17 ~~registration, an amount equal to seventy five percent of the~~
18 ~~registration fee. Any duly appointed deputy or agent of the~~
19 ~~department has the authority to seize the vehicle and hold it~~
20 ~~until the fee, penalty and any fine that may be imposed for~~
21 ~~violation of law are paid and may sell the vehicle in the manner~~
22 ~~provided by law for the distraint and sale of personal property.~~

23 ~~F. It is unlawful to operate, transport or cause to~~
24 ~~be transported upon any highways in this state or to maintain in~~
25 ~~any place in this state a manufactured home subject to~~

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[bracketed material] = delete

1 ~~registration under the provisions of the Motor Vehicle Code~~
2 ~~without having paid the registration fee or without having~~
3 ~~secured and constantly displayed the registration plate required~~
4 ~~by the Motor Vehicle Code. Violation of this subsection~~
5 ~~subjects the owner to a penalty of five dollars (\$5.00), and no~~
6 ~~other administrative penalty for failure to register under the~~
7 ~~Motor Vehicle Code shall be imposed upon manufactured homes that~~
8 ~~are subject to the provisions of Section 66-6-10 NMSA 1978. Any~~
9 ~~duly appointed deputy or agent of the department has authority~~
10 ~~to seize the manufactured home and hold it until the fee,~~
11 ~~penalties and any fine that may be imposed for violation of law~~
12 ~~are paid and may sell the manufactured home in the manner~~
13 ~~provided by law for the distraint and sale of personal property.~~

14 ~~G-]~~ E. This section authorizes a staggered system of
15 registration of vehicles. "

16 Section 30. Section 66-3-20 NMSA 1978 (being Laws 1978,
17 Chapter 35, Section 40, as amended) is recompiled as Section
18 66-3A-21 NMSA 1978 and is amended to read:

19 "66-3A-21. RENEWAL OF REGISTRATION--VEHICLES REGISTERED BY
20 [~~DECLARED~~] GROSS VEHICLE WEIGHT.--All motor vehicles registered
21 by [~~declared~~] gross vehicle weight [~~including vehicles subject~~
22 ~~to proportional registration or registration under reciprocal~~
23 ~~agreement with another state]~~ shall register with the department
24 on a calendar year basis. Registration for all such vehicles
25 expires on December 31 of each year. Application for renewal of

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1 registration shall be submitted to the department between
2 October 1 and December 31 of the expiring registration year.
3 Vehicle identification for the ensuing registration year shall
4 not be honored before December 15 of the expiring registration
5 year. "

6 Section 31. Section 66-3-20.1 NMSA 1978 (being Laws 1988,
7 Chapter 94, Section 1, as amended) is recompiled as Section
8 66-3A-22 NMSA 1978 and is amended to read:

9 "66-3A-22. PROVIDING FOR EXTENDED REGISTRATION PERIODS FOR
10 CERTAIN MOTOR VEHICLES. --

11 A. Registrations of vehicles, motorcycles and trucks
12 with a [~~declared~~] gross vehicle weight of twenty-six thousand
13 pounds or less may be for a period of up to two years; provided,
14 the extended registration period shall begin on the first day of
15 any month and expire on the last day of any month.

16 B. The fee for an extended registration period shall
17 be the fee for a registration for one year divided by four and
18 multiplied by the number of calendar quarters in the
19 registration period with any fraction of a quarter year to be
20 considered a full quarter.

21 C. Should a registration expire by operation of law
22 prior to the end of the extended registration period, no portion
23 of the registration fee shall be refunded. "

24 Section 32. A new section of the Motor Vehicle Code,
25 Section 66-3A-23 NMSA 1978, is enacted to read:

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1 "66-3A-23. [NEW MATERIAL] UNLAWFUL OPERATION OR
2 TRANSPORTATION OF VEHICLES--PENALTIES.--

3 A. It is unlawful to operate or transport or cause
4 to be transported upon any highways in this state any vehicle,
5 except a commercial motor vehicle registered in another state or
6 a manufactured home, subject to registration pursuant to the
7 provisions of the Motor Vehicle Code without having paid the
8 registration fee or without having secured and constantly
9 displayed the registration plate required by the Motor Vehicle
10 Code. If a vehicle, other than a manufactured home, is operated
11 or transported after the expiration of the vehicle registration,
12 the owner of the vehicle is subject to a penalty of the greater
13 of ten dollars (\$10.00) or, if the vehicle is operated or
14 transported thirty-one or more days after the expiration of the
15 registration, an amount equal to seventy-five percent of the
16 registration fee. Any duly appointed deputy or agent of the
17 department has the authority to seize the vehicle and hold it
18 until the fee, penalty and any fine that may be imposed for
19 violation of law are paid and may sell the vehicle in the manner
20 provided by law for the distraint and sale of personal property.

21 B. It is unlawful to operate, transport or cause to
22 be transported upon any highways in this state or to maintain in
23 any place in this state a manufactured home subject to
24 registration pursuant to the provisions of the Motor Vehicle
25 Code without having paid the registration fee or without having

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1 secured and constantly displayed the registration plate required
2 by the Motor Vehicle Code. Violation of this subsection
3 subjects the owner to a penalty of five dollars (\$5.00), and no
4 other administrative penalty for failure to register under the
5 Motor Vehicle Code shall be imposed upon manufactured homes that
6 are subject to the provisions of Section 66-6-10 NMSA 1978. Any
7 duly appointed deputy or agent of the department has authority
8 to seize the manufactured home and hold it until the fee,
9 penalties and any fine that may be imposed for violation of law
10 are paid and may sell the manufactured home in the manner
11 provided by law for the distraint and sale of personal
12 property. "

13 Section 33. Section 66-3-23 NMSA 1978 (being Laws 1978,
14 Chapter 35, Section 43) is recompiled as Section 66-3A-24 NMSA
15 1978 and is amended to read:

16 "66-3A-24. NOTICE OF CHANGE OF ADDRESS OR NAME. --

17 A. Whenever any person after making application for
18 or obtaining the registration of a vehicle or a certificate of
19 title [~~shall move~~] moves from the address named in the
20 application or shown upon a registration card or certificate of
21 title, [~~he shall~~] the person, within ten business days
22 thereafter, [~~excluding Saturdays, Sundays and legal holidays~~]
23 shall notify the [~~division~~] department in writing of [~~his~~] the
24 old and new addresses.

25 B. Whenever the name of any person who has made

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1 application for or obtained the registration of a vehicle or a
2 certificate of title is [~~thereafter~~] changed by marriage or
3 otherwise, [~~he shall~~] the person, within ten business days
4 [~~excluding Saturdays, Sundays and legal holidays, make~~
5 ~~application~~] thereafter, shall apply for a new certificate of
6 title and registration to the [~~division~~] department. The
7 [~~division~~] department may require [~~such~~] evidence as it deems
8 satisfactory regarding the change of name."

9 Section 34. Section 66-3-24 NMSA 1978 (being Laws 1978,
10 Chapter 35, Section 44, as amended) is recompiled as Section
11 66-3A-25 NMSA 1978 and is amended to read:

12 "66-3A-25. LOST OR DAMAGED CERTIFICATES, REGISTRATION
13 EVIDENCE OR PLATES. --

14 A. In the event any registration evidence or
15 registration plate is lost, mutilated or becomes illegible, the
16 owner or legal representative or successor in interest of the
17 owner of the vehicle for which the registration evidence or
18 registration plate was issued as shown by the records of the
19 [~~division~~] department shall immediately [~~make application~~] apply
20 for and may obtain a duplicate or a substitute or a new
21 registration under a new registration number as determined to be
22 the most advisable by the [~~division~~] department upon the
23 applicant furnishing information satisfactory to the [~~division~~]
24 department.

25 B. In the event any certificate of title is lost,

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1 mutilated or becomes illegible, the owner or legal
2 representative or successor in interest of the owner of [~~the~~
3 ~~boat required to be titled under the provisions of the Boat Act~~
4 ~~or~~] the vehicle for which the certificate of title was issued as
5 shown by the records of the [~~division~~] department shall
6 immediately make application for and may obtain a duplicate upon
7 the applicant furnishing information satisfactory to the
8 [~~division~~] department. In the event a lien or encumbrance is
9 filed of record with the [~~division~~] department, the [~~division~~]
10 department shall require the application for the duplicate
11 certificate of title to be signed by the holder of the lien or
12 encumbrance. Upon issuance of any duplicate certificate of
13 title, the previous certificate last issued is void.

14 C. In the absence of the regularly required
15 supporting evidence of ownership upon application for
16 certificate of title, registration or transfer of [~~a boat~~
17 ~~required to be titled under the provisions of the Boat Act or~~] a
18 vehicle, the [~~division~~] department may accept an undertaking or
19 surety bond, in an amount double the value of the [~~boat or~~]
20 vehicle, which shall be conditioned to protect the department
21 and all officers and employees of the department and any
22 subsequent purchaser of the [~~boat or~~] vehicle, any person
23 holding or acquiring a lien or security interest on the [~~boat~~
24 ~~or~~] vehicle or the successor in interest of the purchaser or
25 person against any loss or damage on account of any defect in or

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1 undisclosed claim upon the right, title and interest of the
2 applicant or other person in and to the [~~boat or~~] vehicle. The
3 bond shall run to the true owner or the lienholder. The bond
4 shall expire three years after the date it became effective."

5 Section 35. Section 66-3-25 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 45) is recompiled as Section 66-3A-26 NMSA
7 1978 and is amended to read:

8 "66-3A-26. [~~DIVISION~~] DEPARTMENT MAY ASSIGN NEW
9 IDENTIFYING NUMBER. -- The [~~division~~] department is authorized to
10 assign a "distinguishing number" to a vehicle required to be
11 registered [~~under~~] pursuant to the provisions of the Motor
12 Vehicle Code whenever the identifying number [~~thereon~~] on the
13 vehicle is destroyed or obliterated. The distinguishing number
14 shall be affixed to the vehicle in a position to be determined
15 by the director. [~~Such~~] The vehicle shall be registered under
16 [~~such~~] the distinguishing number in lieu of the former
17 identifying number."

18 Section 36. Section 66-3-122 NMSA 1978 (being Laws 1978,
19 Chapter 35, Section 69) is recompiled as Section 66-3A-27 NMSA
20 1978 and is amended to read:

21 "66-3A-27. REGISTRATION EFFECTIVE AFTER DEATH OF OWNER. --
22 Upon the death of an owner of a vehicle subject to registration,
23 its registration [~~shall continue~~] continues in force as a valid
24 registration until the end of the registration period for which
25 the [~~license~~] registration plate or sticker was issued or until

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1 the ownership of the vehicle is transferred before the end of
2 [such] the registration period by the executor or administrator
3 of the estate of the deceased owner or by a legatee or
4 distributee of the estate or until the ownership [thereof] is
5 transferred to a new owner before the end of [such] the
6 registration period by the survivor of two joint owners
7 [thereof]. "

8 Section 37. A new section of the Motor Vehicle Code,
9 Section 66-3B-1 NMSA 1978, is enacted to read:

10 "66-3B-1. [NEW MATERIAL] SPECIAL REGISTRATION PLATES--
11 GENERAL PROVISIONS. --

12 A. In lieu of the regular registration plates
13 provided for in Section 66-3A-15 NMSA 1978, the department may
14 issue the special registration plates provided for in Chapter
15 66, Article 3B NMSA 1978, provided that the person applying for
16 a special registration plate qualifies for the special
17 registration plate applied for and pays the appropriate fee.
18 Upon issuance of the special registration plate, any regular
19 registration plate issued with respect to the vehicle for which
20 the special registration plate is issued shall be surrendered to
21 the department unless otherwise provided by law.

22 B. Any person who is eligible for more than one
23 special registration plate may be issued only one special
24 registration plate of the person's choice for a vehicle.

25 C. Unless specified by law, the design and colors of

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1 special registration plates are at the discretion of the
2 department. Except for special registration plates issued for
3 motorcycles, all special registration plates shall be the same
4 size as regular registration plates for passenger vehicles.

5 D. Special registration plates shall not be issued
6 with respect to or displayed upon buses or upon vehicles whose
7 gross vehicle weight exceeds twenty-six thousand pounds.

8 E. When the ownership of a vehicle with respect to
9 which a special registration plate is issued changes or when the
10 person to whom the special registration plate was issued no
11 longer qualifies for the special registration plate issued, the
12 person shall promptly remove the special registration plate from
13 the vehicle and replace it in accordance with law with a regular
14 registration plate or a special registration plate for which the
15 person is eligible. As long as the person is eligible for the
16 special registration plate issued, the person may apply for
17 transfer of the special registration plate from one vehicle to
18 another owned by that person.

19 F. When a special registration plate is renewed by
20 the person to whom it is originally issued, the department may
21 issue a validating sticker in lieu of issuing a new special
22 registration plate."

23 Section 38. A new section of the Motor Vehicle Code,
24 Section 66-3B-2 NMSA 1978, is enacted to read:

25 "66-3B-2. [NEW MATERIAL] SPECIAL REGISTRATION PLATES--

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1 GOVERNMENT VEHICLES. --

2 A. The department may create special registration
3 plates for issuance to the United States or any of its agencies
4 or departments to indicate that vehicles and trailers of a type
5 required to be registered under the Motor Vehicle Code are in
6 the service of the United States. There will be no charge,
7 including the regular registration fee, for issuance of any
8 registration plate under this subsection.

9 B. The department shall create special registration
10 plates for issuance to the state of New Mexico and its agencies,
11 counties and municipalities to indicate that vehicles and
12 trailers of a type required to be registered under the Motor
13 Vehicle Code are in the service of the state, a county or a
14 municipality. Each state agency, each county and each
15 municipality shall apply to the department for a registration
16 plate for each vehicle or trailer in its service and shall
17 provide identifying information concerning each vehicle or
18 trailer for which a registration plate is applied. Applications
19 by state agencies must be approved by the motor pool division of
20 the general services department. Upon approval of the
21 application, the department shall issue registration plates for
22 vehicles and trailers in the service of the state or of any
23 county or municipality and keep a record of registration plates
24 issued and returned. The registration plates shall be permanent
25 and need not be renewed from year to year. The registration

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1 plates shall be numbered to identify the state agency, the
2 county or the municipality to which the registration plates are
3 issued.

4 C. As used in this section, "state agency" means a
5 state department, agency, board or commission, except the
6 legislative and judicial branches, public schools and post-
7 secondary educational institutions."

8 Section 39. Section 66-3-405 NMSA 1978 (being Laws 1978,
9 Chapter 35, Section 84) is recompiled as Section 66-3B-3 NMSA
10 1978 and is amended to read:

11 "66-3B-3. SPECIAL REGISTRATION PLATES [FOR]-- MEMBERS OF
12 CONGRESS.-- [A-] Upon compliance with all laws of this state
13 relating to registration [~~and licensing~~] of motor vehicles and
14 upon application, any delegate from New Mexico to the congress
15 of the United States shall be furnished with [~~license~~] special
16 registration plates [~~for such passenger cars as are required to~~
17 ~~be registered in this state. Upon each plate in lieu of]~~
18 pursuant to this section. No fee in addition to the regular
19 registration fee shall be charged. The registration number [~~of~~
20 ~~the vehicle owner~~] to be placed on the special registration
21 plates shall be the name of the house of the United States
22 congress in which [~~he~~] the delegate serves, followed by the
23 number which indicates [~~his~~]:

24 A. for members of the house of representatives, the
25 delegate's district; and

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1 B. for members of the senate, the delegate's
2 seniority as compared with the other member [~~or members of the~~
3 ~~same house of congress~~] from New Mexico.

4 [~~B. At the time of delivery of a special plate, the~~
5 ~~applicant shall surrender the current license plate issued for~~
6 ~~such motor vehicle if any have been issued.~~

7 ~~C. When the ownership of the motor vehicle for which~~
8 ~~a special plate has been furnished by the director changes from~~
9 ~~one person to another or the owner ceases to be a member of~~
10 ~~congress, the special license plate herein authorized shall be~~
11 ~~promptly removed from the vehicle by the holder of the special~~
12 ~~plate and returned to the director, at which time the person so~~
13 ~~removing the special plate is entitled to receive a regular~~
14 ~~license plate for such motor vehicle.~~

15 ~~D. The holder of a special plate is entitled to~~
16 ~~transfer such a special plate from one automobile to another~~
17 ~~during the year in which the plate is valid upon application to~~
18 ~~the director for the transfer. In the event such a transfer is~~
19 ~~made, the owner of the vehicle from which the special plate is~~
20 ~~removed is not entitled to receive a regular license plate~~
21 ~~except upon payment of the fees established by law]"~~

22 Section 40. Section 66-3-406 NMSA 1978 (being Laws 1978,
23 Chapter 35, Section 85, as amended) is recompiled as Section
24 66-3B-4 NMSA 1978 and is amended to read:

25 "66-3B-4. SPECIAL REGISTRATION PLATES [~~FOR PRIVATE~~

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1 ~~VEHICLES]~~ -- STATE OFFICIALS. --

2 A. Upon compliance with all laws relating to
3 registration [~~and licensing~~] of motor vehicles and upon
4 application to the [~~division~~] department, special registration
5 plates shall be furnished pursuant to the provisions of this
6 section for vehicles owned by:

- 7 (1) elected state officials;
8 (2) members of the legislature;
9 (3) the chief clerks of the house of
10 representatives and of the senate; and
11 (4) the sergeants at arms of the house of
12 representatives and of the senate [~~and~~
13 (5) ~~disabled persons, pursuant to Section~~
14 ~~66-3-16 NMSA 1978~~].

15 B. Special registration plates furnished [~~under~~]
16 pursuant to the provisions of this section shall identify the
17 officials and members [~~and disabled persons~~] as such. [~~If~~] For
18 legislators, the special registration plates shall indicate
19 whether they are members of the house of representatives or of
20 the senate. No fee in addition to the regular registration fee
21 shall be charged.

22 ~~[C. When the ownership of the vehicle for which a~~
23 ~~special registration plate has been furnished by the division~~
24 ~~changes or the holder ceases to qualify, the special~~
25 ~~registration plate shall immediately be removed from the vehicle~~

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1 ~~by the holder of the special registration plate and returned to~~
2 ~~the director, at which time the person removing the special~~
3 ~~registration plate shall receive a regular registration plate~~
4 ~~for the vehicle.~~

5 ~~D. The holder of a special registration plate may~~
6 ~~transfer his special registration plate from one vehicle to~~
7 ~~another during the year in which the plate is valid upon~~
8 ~~application to the director for the transfer. If a transfer is~~
9 ~~made, the owner of the vehicle from which the special~~
10 ~~registration plate is removed may receive a regular registration~~
11 ~~plate upon payment of the fees established by law.~~

12 ~~E.]~~ C. The holder of a special registration plate
13 pursuant to Paragraph (2) of Subsection A of this section may
14 simultaneously hold a regular registration for the same vehicle.
15 The ~~[division shall]~~ department, by rule, shall provide for
16 maintenance of simultaneous registration records. "

17 Section 41. Section 66-3-16 NMSA 1978 (being Laws 1978,
18 Chapter 35, Section 36, as amended) is recompiled as Section
19 66-3B-5 NMSA 1978 and is amended to read:

20 "66-3B-5. SPECIAL REGISTRATION PLATES--DISABLED
21 ~~[PERSONS--DISPLAY DEVICE]~~ INDIVIDUALS--PLACARDS. --

22 A. The ~~[division]~~ department shall issue,
23 ~~[distinctive]~~ pursuant to the provisions of this section,
24 special registration plates to any disabled ~~[person]~~ individual
25 who so requests and who proves satisfactorily to the ~~[division]~~

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1 department that he has suffered the loss, or the complete and
2 total loss of use of, one or both legs at or above the ankle or
3 of one or both arms at or above the wrist for use on motor
4 vehicles owned by the [person] individual. No fee in addition
5 to the regular registration fee, if any, applicable to the motor
6 vehicle shall be collected for issuance of special registration
7 plates pursuant to this section.

8 B. No [person] individual shall falsely represent
9 himself to be disabled so as to be eligible to be issued special
10 registration plates or [~~display devices~~] placards pursuant to
11 this section when he is in fact not disabled. Upon notice and
12 opportunity to be heard, the [~~division~~] department may revoke
13 and demand return of any placard when:

14 (1) it was issued in error or with false
15 information;

16 (2) the person receiving the placard is no
17 longer eligible; or

18 (3) the placard is being used by ineligible
19 persons.

20 C. Upon written application to the [~~division~~]
21 department accompanied by a medical statement by a licensed
22 physician attesting to the disability, a resident [~~of the state~~]
23 who has a disability that limits or impairs the ability to walk,
24 as provided in Subsection G of this section, may apply for and
25 be granted the issuance of a placard for display upon a motor

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1 vehicle registered to him or motor vehicle owned by another
2 person who is transporting him. The ~~[director]~~ department may
3 charge a reasonable fee to cover the cost of the placard and of
4 its issuance. The fee shall be retained by the ~~[division]~~
5 department and ~~[shall be]~~ is appropriated to the ~~[division]~~
6 department for expenditures incurred in the implementation of
7 the placard replacement program.

8 D. A placard issued pursuant to this section shall
9 expire in no more than two years.

10 E. The ~~[division]~~ department shall issue two-sided
11 hanger-style placards with the following characteristics:

12 (1) the international symbol of access shall be
13 displayed on both sides of the placard and shall be at least
14 three inches in height, centered on the placard and white on a
15 blue shield;

16 (2) an identification number enabling the
17 ~~[division]~~ department to identify the holder of each placard.
18 The ~~[division]~~ department shall maintain this information in a
19 readily retrievable format and make it available on demand to
20 any law enforcement agency;

21 (3) the date of expiration; and

22 (4) the ~~[division]~~ department seal or other
23 identification of the issuing authority.

24 F. Upon written application to the ~~[division]~~
25 department accompanied by a medical statement from a licensed

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1 physician attesting to a temporary disability, [~~a person~~] an
2 individual who has a temporary disability that limits or impairs
3 the ability to walk may be issued a temporary placard, which
4 shall be distinguishable in appearance from placards valid for
5 two years. The medical statement shall include the period of
6 time that the physician determines the applicant will have the
7 disability. A temporary placard issued pursuant to this section
8 shall be valid no more than six months.

9 G. For the purpose of obtaining a placard, [~~a~~
10 ~~person~~] an individual with a "disability that limits or impairs
11 the ability to walk" means the [~~person~~] individual:

12 (1) cannot walk one hundred feet without
13 stopping to rest;

14 (2) cannot walk without the use of a brace, a
15 cane, a crutch, another person, a prosthetic device, a
16 wheelchair or another assistive device;

17 (3) is restricted by lung disease to such an
18 extent that the person's forced respiratory volume, when
19 exhaling for one second, when measured by spirometry, is less
20 than one liter or the arterial oxygen tension is less than sixty
21 millimeters on room air at rest;

22 (4) uses portable oxygen;

23 (5) has a severe cardiac condition; or

24 (6) is so severely limited in his ability to
25 walk due to an arthritic, neurologic or orthopedic condition

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1 that the person cannot ascend or descend more than ten stair
2 steps.

3 H. Special registration plates or placards issued to
4 the disabled ~~[person]~~ individual by another state or foreign
5 jurisdiction shall be granted reciprocity while the vehicle and
6 disabled operator are in this state for a period not to exceed
7 thirty days.

8 I. All placards shall be issued in accordance with
9 this section beginning on July 1, 1995. All placards issued
10 prior to July 1, 1995 shall expire on July 1, 1996.

11 J. Any person who provides false information in
12 order to acquire, or who assists an unqualified individual in
13 acquiring, a special registration plate or special placard as
14 provided in this section is guilty of a misdemeanor and shall be
15 sentenced pursuant to the provisions of Section 31-19-1 NMSA
16 1978. "

17 Section 42. A new section of the Motor Vehicle Code,
18 Section 66-3B-6 NMSA 1978, is enacted to read:

19 "66-3B-6. [NEW MATERIAL] SPECIAL REGISTRATION PLATES--
20 PRIVATE NONPROFIT ORGANIZATIONS.--

21 A. Any private nonprofit organization with a
22 statewide membership of one thousand or more individuals may
23 request the department to design a special registration plate
24 pursuant to the provisions of this section for issuance to the
25 organization's member individuals. On the request of an

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1 authorized representative of the organization's New Mexico
2 governing body, the department shall develop the design of the
3 special registration plate in consultation with the governing
4 body.

5 B. Special registration plates authorized by this
6 section shall not be manufactured until the requesting
7 organization has deposited with the department an amount equal
8 to four thousand five hundred dollars (\$4,500) together with
9 applications for three hundred of the special registration
10 plates designed for the organization. The department shall
11 credit fifteen dollars (\$15.00) of the deposit against the
12 issuance of the first three hundred of the organization's
13 special registration plates.

14 C. Upon compliance with all laws relating to
15 registration of motor vehicles and upon application to the
16 department, each individual member of an organization may apply
17 for the special registration plate designed for the organization
18 pursuant to the provisions of this section. The department may
19 require proof that the applicant is a member of the organization
20 before issuing the special registration plate.

21 D. A fee of fifteen dollars (\$15.00), which is in
22 addition to the regular registration fee, applies to the
23 issuance of any special registration plate pursuant to the
24 provisions of this section. All fees collected pursuant to the
25 provisions of this section shall be distributed as follows:

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1 (1) ten dollars (\$10.00) of the fee collected
2 with respect to the original issuance of the special
3 registration plate shall be retained by the department and is
4 appropriated to the department to defray the costs of making and
5 issuing special registration plates; and

6 (2) the amount of the fee collected pursuant to
7 this section less any amount distributed pursuant to Paragraph
8 (1) of this section shall be deposited in the motor vehicle
9 suspense fund for distribution in accordance with Section
10 66-6-23 NMSA 1978. "

11 Section 43. Section 66-3-15 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 35, as amended) is recompiled as Section
13 66-3B-7 NMSA 1978 and is amended to read:

14 "66-3B-7. SPECIAL REGISTRATION PLATES-- [PROCEDURES]
15 PRESTIGE PLATES-- FEE. --

16 A. The [~~division~~] department shall establish and
17 issue special registration plates [~~including motorcycle prestige~~
18 ~~registration plates, and shall establish and promulgate~~
19 ~~procedures for applications for and issuance of special~~
20 ~~registration plates.] pursuant to the provisions of this section
21 that allow the applicant, within the limits established by the
22 department, to select the symbols, letters and numbers to be
23 displayed on the plate.~~

24 B. [~~For~~] Upon compliance with all laws relating to
25 registration of motor vehicles and upon application to the

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1 department and payment of a fee of fifteen dollars (\$15.00),
2 which fee shall be in addition to the regular motor vehicle
3 registration fees, any owner of a motor vehicle may apply for
4 the issuance of a special registration plate [~~as defined in~~
5 ~~Subsection A of~~] pursuant to the provisions of this section. No
6 two owners will be issued identically lettered or numbered
7 plates.

8 C. An owner [~~must~~] shall make a new application and
9 pay a new fee each year he desires to obtain a special
10 registration plate [~~however, he will have first priority on that~~
11 ~~plate for each subsequent year that he makes timely and~~
12 ~~appropriate application~~] pursuant to the provisions of this
13 section.

14 D. All fees collected shall be [~~paid to the state~~
15 ~~treasurer to the credit of the motor vehicle suspense fund with~~
16 ~~distribution in accordance with Section 66-6-23 NMSA 1978~~]
17 distributed as follows:

18 (1) ten dollars (\$10.00) of the fee collected
19 for the original issuance of the special registration plate
20 shall be retained by the department and is appropriated to the
21 department to defray the cost of making and issuing special
22 registration plates; and

23 (2) the amount of the fee collected pursuant to
24 this section less any amount distributed pursuant to Paragraph
25 (1) of this subsection shall be deposited in the motor vehicle

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1 suspense fund for distribution in accordance with Section
2 66-6-23 NMSA 1978. "

3 Section 44. A new section of the Motor Vehicle Code,
4 Section 66-3B-8 NMSA 1978, is enacted to read:

5 "Section 66-3B-8. [NEW MATERIAL] SPECIAL REGISTRATION
6 PLATE--HISTORIC VEHICLES. --Upon compliance with all laws
7 regarding registration of historic vehicles, the department
8 shall issue special registration plates for historic vehicles.
9 The special registration plate shall display the registration
10 number and the words "Historic Vehicle", "Land of Enchantment"
11 and "New Mexico", but no date. The fee shall be as specified in
12 Section 66-6-1.1 NMSA 1978. All fees collected shall be
13 distributed as follows:

14 A. ten dollars (\$10.00) of the fee collected for the
15 original issuance of the special registration plate shall be
16 retained by the department and is appropriated to the department
17 to defray the costs of making and issuing special registration
18 plates; and

19 B. the amount of the fee collected pursuant to this
20 section less any amount distributed pursuant to Subsection A of
21 this section shall be deposited in the motor vehicle suspense
22 fund for distribution in accordance with Section 66-6-23 NMSA
23 1978. "

24 Section 45. Section 66-3-420 NMSA 1978 (being Laws 1993,
25 Chapter 80, Section 1) is recompiled as Section 66-3B-9 NMSA

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1 1978 and is amended to read:

2 "66-3B-9. SPECIAL CHILDREN'S ARTWORK REGISTRATION
3 PLATE-- PROCEDURES-- FEE. --

4 A. The ~~[division]~~ department shall establish and
5 issue special registration plates featuring artwork of the
6 children of New Mexico in accordance with the provisions of this
7 section ~~[and shall adopt procedures for application for and~~
8 ~~issuance of the special children's artwork registration plates]~~.

9 B. The department shall consult with the children's
10 trust fund board of trustees ~~[shall determine]~~ about the color
11 and design of the special children's artwork registration plate
12 ~~[and shall request that the division provide for its issuance]~~.

13 C. ~~[For a fee of forty dollars (\$40.00), which shall~~
14 ~~be in addition to the regular motor vehicle registration fees]~~
15 Upon compliance with all laws relating to registration of motor
16 vehicles, any owner of a motor vehicle may apply for the
17 issuance of a special children's artwork registration plate.
18 The fee for a special registration plate issued under this
19 section is forty dollars (\$40.00), which shall be in addition to
20 the regular registration fee. The owner of a motor vehicle
21 shall apply and pay a fee each year that he wishes to retain and
22 renew his special children's artwork registration plate.

23 D. The revenue from the special children's artwork
24 registration plates shall be distributed as follows:

25 (1) ~~[fifteen dollars (\$15.00)]~~ ten dollars

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1 (\$10.00) of the fee collected for the original issuance of each
2 registration plate shall be [~~retained by the division in the~~
3 ~~eighty-second and eighty-third fiscal years and is appropriated~~
4 ~~to the division for the manufacture and issuance of the~~
5 ~~registration plates. Thereafter, that amount of each fee shall~~
6 ~~be paid to the state treasurer for credit to the motor vehicle~~
7 ~~suspense fund for distribution in accordance with Section 66-6-~~
8 ~~23 NMSA 1978] retained by the department and is appropriated to
9 the department to defray the cost of making and issuing special
10 registration plates; and~~

11 (2) [~~twenty-five dollars (\$25.00) of the fee~~
12 ~~collected for each registration plate] the amount of the fee
13 collected less any amount distributed in accordance with
14 Paragraph (1) of this subsection shall be distributed to the
15 children's trust fund for use in accordance with the provisions
16 of Section 24-19-2 NMSA 1978. "~~

17 Section 46. Section 66-3-416 NMSA 1978 (being Laws 1989,
18 Chapter 360, Section 1) is recompiled as Section 66-3B-10 NMSA
19 1978 and is amended to read:

20 "66-3B-10. SPECIAL [~~COLLEGIATE~~] REGISTRATION PLATE--
21 COLLEGIATE PLATES-- PROCEDURES-- FEE. --

22 A. The [~~division~~] department shall establish and
23 issue special collegiate registration plates in accordance with
24 the provisions of this section [~~and shall adopt and promulgate~~
25 ~~procedures for application for and issuance of such special~~

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1 ~~collegiate registration plates~~].

2 B. Any state-supported higher educational
3 institution in New Mexico may request that the ~~[division]~~
4 department issue a special collegiate registration plate for
5 that institution. Upon that request, the ~~[division]~~ department,
6 with the advice and consultation of the higher educational
7 institution, shall determine the color and design of the
8 registration plate and provide for its issuance.

9 C. ~~[For a fee of thirty-five dollars (\$35.00), which~~
10 ~~fee shall be in addition to the regular motor vehicle~~
11 ~~registration fees]~~ Upon compliance with all laws relating to
12 registration of motor vehicles, any owner of a motor vehicle may
13 apply for the issuance of a special collegiate registration
14 plate. The owner of a motor vehicle shall apply and pay a fee
15 of thirty-five dollars (\$35.00), which shall be in addition to
16 the regular registration fees, for each year that he wishes to
17 retain and renew his special collegiate registration plate.

18 D. The revenue from the special collegiate
19 registration plates shall be distributed as follows:

20 (1) ten dollars (\$10.00) of the fee collected
21 for the original issuance of each registration plate shall be
22 ~~[retained by the division in the seventy-eighth and seventy-~~
23 ~~ninth fiscal years and is appropriated to the division for the~~
24 ~~manufacture and issuance of the registration plates.~~
25 ~~Thereafter, that amount of each fee shall be paid to the state~~

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1 ~~treasurer for credit to the motor vehicle suspense fund for~~
2 ~~distribution in accordance with Section 66-6-23 NMSA 1978]~~
3 retained by the department and is appropriated to the department
4 to defray the costs of making and issuing special registration
5 plates; and

6 (2) [~~twenty five dollars (\$25.00) of the fee~~
7 ~~collected for each registration plate]~~ the amount of the fee
8 collected less any amount distributed in accordance with
9 Paragraph (1) of this subsection shall be distributed to the
10 higher educational institution for which the registration plate
11 is issued.

12 E. Revenues received by each higher educational
13 institution from special collegiate registration plate fees are
14 appropriated to the higher educational institutions to carry out
15 any purpose of that institution."

16 Section 47. Section 66-3-417 NMSA 1978 (being Laws 1986,
17 Chapter 45, Section 2, as amended) is recompiled as Section
18 66-3B-11 NMSA 1978 and is amended to read:

19 "66-3B-11. RADIO STATION LICENSEES--SPECIAL REGISTRATION
20 PLATES--FEE.--

21 A. Upon compliance with all laws relating to
22 registration of motor vehicles and upon application, the
23 department shall issue to any applicant [~~who is a resident of~~
24 ~~this state]~~ who holds an official commercial or amateur radio
25 station license in good standing issued by the federal

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1 communications commission or who is a bona fide employee of
2 [~~such~~] a license holder [~~shall, upon compliance with all laws of~~
3 ~~this state relating to registration and the licensing of motor~~
4 ~~vehicles and drivers, be furnished with~~] a special registration
5 plate for the motor vehicle [~~as prescribed by law~~], upon which
6 special registration plate:

7 (1) in lieu of the numbers required for
8 identification, shall be inscribed the official call letters of
9 the applicant as assigned by the federal communications
10 commission;

11 (2) the official call letters shall be
12 inscribed as internationally recognized call letters, including
13 the number zero with a diagonal line drawn across the number
14 from the upper right of the number down to the lower left of the
15 number; and

16 (3) the words "amateur radio operator" shall be
17 inscribed [~~on the registration plate~~] upon request of [~~the~~] an
18 applicant who holds an amateur radio station license.

19 B. The licensee of the commercial or amateur radio
20 station shall certify to the [~~director~~] department the names of
21 bona fide personnel eligible to receive [~~such~~] the special
22 registration plates. The applicant shall pay, in addition to
23 the registration tax required by law, [~~the sum of three dollars~~
24 ~~(\$3.00)~~] ten dollars (\$10.00) for the original issuance of each
25 special registration plate, which additional sum shall be

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1 ~~[deposited by the director with the state treasurer to be~~
2 ~~credited to the state road fund. At the time of delivery of the~~
3 ~~special registration plate, the applicant shall surrender the~~
4 ~~current registration plate issued for the motor vehicle. This~~
5 ~~provision for the issuance of a special registration plate shall~~
6 ~~apply only if the applicant's motor vehicle is already~~
7 ~~registered in New Mexico so that the applicant has a valid~~
8 ~~regular New Mexico registration plate issued for that motor~~
9 ~~vehicle under which to operate during the time it will take to~~
10 ~~have the necessary special registration plate made. The~~
11 ~~director may make such reasonable regulations governing the use~~
12 ~~of the special registration plate as will assure the full~~
13 ~~compliance by the owner and holder of the special plate with all~~
14 ~~existing laws governing the registration, transfer and use of~~
15 ~~motor vehicles. When the ownership of the motor vehicle for~~
16 ~~which the special registration plate has been furnished by the~~
17 ~~director changes from one person to another, the special~~
18 ~~registration plate authorized in this section shall be promptly~~
19 ~~removed from the motor vehicle by the seller and returned to the~~
20 ~~director, at which time the seller or the buyer of the motor~~
21 ~~vehicle is entitled to receive a registration plate for the~~
22 ~~motor vehicle. The purpose for the issuance of the special~~
23 ~~registration plate is to readily identify personnel in aid of~~
24 ~~the performance of necessary duties for civil defense in the~~
25 ~~communications field] retained by the department and is~~

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1 appropriated to the department to defray the cost of making and
2 issuing special registration plates. "

3 Section 48. Section 66-3-421 NMSA 1978 (being Laws 1993,
4 Chapter 180, Section 8) is recompiled as Section 66-3B-12 NMSA
5 1978 and is amended to read:

6 "66-3B-12. SPECIAL REGISTRATION PLATES--NEW MEXICO RANGERS
7 AND NEW MEXICO MOUNTED PATROL--SUBMISSION OF PROOF--PENALTY. --

8 A. The [~~division~~] department shall issue special
9 registration plates to any [~~person~~] individual who is in
10 compliance with all laws relating to registration of motor
11 vehicles and who is a New Mexico ranger or a member of the New
12 Mexico mounted patrol upon the submission by the [~~person~~]
13 individual of proof satisfactory to the [~~division that he~~]
14 department that the individual is currently a New Mexico ranger
15 or a member of the New Mexico mounted patrol. No fee, including
16 the regular registration fee applicable to the passenger motor
17 vehicle, if any, shall be collected for the issuance of the
18 special registration plates pursuant to this section.

19 B. No [~~person~~] individual shall falsely represent
20 himself to be a New Mexico ranger or a member of the New Mexico
21 mounted patrol so as to be eligible to be issued special
22 registration plates pursuant to this section when he in fact is
23 not a New Mexico ranger or a member of the New Mexico mounted
24 patrol.

25 C. Any [~~person~~] individual who is eligible for [a]

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1 issuance of special registration [plate under] plates pursuant
2 to the provisions of this section shall [only] be eligible [for
3 one such plate] to apply for a special registration plate
4 pursuant to the provisions of this section for one vehicle only.

5 D. Any person who violates the provisions of
6 Subsection B of this section is guilty of a misdemeanor."

7 Section 49. Section 66-3-413 NMSA 1978 (being Laws 1980,
8 Chapter 45, Section 1, as amended) is recompiled as Section
9 66-3B-13 NMSA 1978 and is amended to read:

10 "66-3B-13. SPECIAL REGISTRATION PLATES--NATIONAL GUARD. --

11 A. The [~~division~~] department shall issue distinctive
12 special registration plates to any [person] individual who is in
13 compliance with all laws relating to registration of motor
14 vehicles and who is a member of the New Mexico national guard,
15 upon the submission by the [person] individual of proof
16 satisfactory to the [~~division~~] department that he is currently a
17 member of the guard. No fee in addition to the regular
18 registration fee shall be collected for issuance of a
19 special registration plate pursuant to this section.

20 B. Any individual who is eligible for special
21 registration plates authorized by this section is eligible for a
22 special registration plate pursuant to the provisions of this
23 section for one vehicle only.

24 [~~B-~~] C. No [person] individual shall falsely represent
25 himself to be an active member of the New Mexico national guard

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1 so as to be eligible to be issued special registration plates
2 pursuant to this section when he in fact is not a current member
3 of the New Mexico national guard.

4 [C-] D. Any person who violates the provisions of
5 Subsection B or C of this section is guilty of a misdemeanor."

6 Section 50. Section 66-3-419 NMSA 1978 (being Laws 1990,
7 Chapter 46, Section 2, as amended) is recompiled as Section
8 66-3B-14 NMSA 1978 and is amended to read:

9 "66-3B-14. SPECIAL REGISTRATION PLATES [~~FOR~~]- - ARMED FORCES
10 VETERANS. - -

11 A. The [~~division~~] department shall issue distinctive
12 special registration plates indicating that the recipient is a
13 veteran of the armed forces of the United States, as defined in
14 Section 28-13-7 NMSA 1978, if that [~~person~~] veteran is in
15 compliance with all laws relating to registration of motor
16 vehicles and submits proof satisfactory to the [~~division~~]
17 department of honorable discharge from the armed forces.

18 B. For a fee of fifteen dollars (\$15.00), which shall
19 be in addition to the regular motor vehicle registration fees,
20 any motor vehicle owner who is a veteran of the armed forces of
21 the United States may apply for the issuance of a special
22 registration plate as defined in Subsection A of this section.
23 No two owners shall be issued identically lettered or numbered
24 plates.

25 C. The fifteen dollar (\$15.00) fee provided in

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1 Subsection B of this section shall be waived for each
2 registration period in which a validating sticker is issued
3 ~~[under]~~ pursuant to the provisions of Section ~~[66-3-17]~~ 66-3A-16
4 NMSA 1978, in lieu of the issuance of a special armed forces
5 veteran registration plate.

6 D. Each armed forces veteran may elect to receive a
7 veteran-designation decal to be placed across the top of the
8 plate, centered above the registration number ~~[in lieu of the~~
9 ~~county-designation decal specified in Subsection H of Section~~
10 ~~66-3-14 NMSA 1978]~~. Replacement or different veteran-designation
11 decals shall be available for purchase from the ~~[division]~~
12 department at a reasonable charge to be set by the ~~[director]~~
13 department. The department shall furnish the following
14 veteran-designation decals with the armed forces veteran plate to
15 a:

- 16 (1) medal of honor recipient;
- 17 (2) silver star recipient;
- 18 (3) bronze star recipient;
- 19 (4) navy cross recipient;
- 20 (5) distinguished service cross recipient;
- 21 (6) air force cross recipient;
- 22 (7) ex-prisoner of war;
- 23 (8) disabled veteran;
- 24 (9) purple heart veteran;
- 25 (10) atomic veteran;

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- 1 (11) Pearl Harbor survivor;
- 2 (12) Navajo code talker;
- 3 (13) Vietnam veteran;
- 4 (14) Korean veteran;
- 5 (15) disabled Korean veteran;
- 6 (16) World War II veteran;
- 7 (17) World War I veteran;
- 8 (18) Grenada veteran;
- 9 (19) Panama veteran; [~~and~~] or
- 10 (20) Desert Storm veteran.

11 E. The revenue from the [~~special registration plates~~
12 ~~for the armed forces veterans~~] fee imposed by Subsection B of
13 this section shall be distributed as follows:

14 (1) [~~seven dollars (\$7.00)~~] ten dollars (\$10.00)
15 of the fee collected for the original issuance of each
16 registration plate shall be retained by the [~~division~~] department
17 and is appropriated to the [~~division~~] department for the
18 manufacture and issuance of [~~the~~] special registration plates;
19 and

20 (2) [~~eight dollars (\$8.00) of the fee collected~~
21 ~~for each registration plate~~] the revenue collected less any
22 amount distributed in accordance with Paragraph (1) of this
23 subsection shall be transferred [~~under the provisions of~~
24 ~~Subsection F of this section~~] to the armed forces veterans
25 license fund.

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1 F. ~~[There is created in the state treasury the "armed~~
2 ~~forces veterans license fund". A portion of the fee collected~~
3 ~~for each special registration plate for armed forces veterans, as~~
4 ~~provided in Subsection E of this section, shall be transferred to~~
5 ~~the state treasurer for the credit of the fund. Expenditures~~
6 ~~from the fund shall be made on vouchers issued and signed by the~~
7 ~~director of veterans' affairs upon warrants drawn by the~~
8 ~~department of finance and administration for the purpose of~~
9 ~~expanding services to rural areas of the state, including Native~~
10 ~~American communities and senior citizen centers. Any unexpended~~
11 ~~or unencumbered balance remaining at the end of any fiscal year~~
12 ~~in the armed forces veterans license fund shall not revert to the~~
13 ~~general fund]~~ The purpose of providing special registration
14 plates for veterans of the armed forces is to allow veterans to
15 be publicly recognized and to enable veterans to support the
16 activities of the New Mexico veterans' service commission by
17 annually purchasing the license plates in addition to paying the
18 regular motor vehicle registration fees. "

19 Section 51. Section 66-3-409 NMSA 1978 (being Laws 1978,
20 Chapter 199, Section 1, as amended) is recompiled as Section
21 66-3B-15 NMSA 1978 and is amended to read:

22 "66-3B-15. SPECIAL REGISTRATION PLATES--MEDAL OF HONOR
23 RECIPIENTS. --

24 A. Except as provided otherwise in Subsection C of this
25 section, the [division] department shall issue distinctive pale

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1 blue, white and gold special registration plates to any [person]
2 individual who has been awarded the medal of honor and who so
3 requests and submits proof satisfactory to the [division]
4 department that he has been awarded that medal. The plates shall
5 each bear the inscription "Medal of Honor Recipient". No fee,
6 including the regular registration fee applicable to the
7 passenger motor vehicle, if any, shall be collected for the
8 issuance of a special registration plate pursuant to this
9 section.

10 B. Any individual who is eligible for a special
11 registration plate authorized by this section is eligible for a
12 special registration plate pursuant to the provisions of this
13 section for one vehicle only.

14 [~~B.~~] C. No [person] individual shall falsely represent
15 himself to be a medal of honor recipient in order to be eligible
16 to be issued special registration plates pursuant to this section
17 when he is in fact not [~~such~~] a medal of honor recipient. Any
18 person who violates the provisions of this subsection is guilty
19 of a petty misdemeanor."

20 Section 52. Section 66-3-411 NMSA 1978 (being Laws 1978,
21 Chapter 99, Section 2, as amended) is recompiled as Section
22 66-3B-16 NMSA 1978 and is amended to read:

23 "66-3B-16. SPECIAL REGISTRATION PLATES--PRISONERS OF WAR
24 AND SURVIVING SPOUSES--SUBMISSION OF PROOF--PENALTY.--

25 A. Except as provided otherwise by Subsection D of this

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1 section, the [~~division~~] department shall issue distinctive
2 special registration plates to any [~~person~~] individual, or to the
3 surviving spouse of any deceased [~~person~~] individual, who was
4 held as a prisoner of war by an enemy of the United States during
5 any armed conflict, upon the submission by the [~~person~~]
6 individual or surviving spouse of proof satisfactory to the
7 [~~division~~] department that he was held as a prisoner of war by an
8 enemy of the United States during a period of armed conflict or
9 that he is the surviving spouse of such [~~a person~~] an individual.
10 No fee, including the regular registration fee applicable to the
11 passenger motor vehicle, if any, shall be collected for issuance
12 of a special registration plate pursuant to this section.

13 B. No [~~person~~] individual shall falsely represent
14 himself to have been held as a prisoner of war or to be the
15 surviving spouse of a prisoner of war so as to be eligible to be
16 issued special registration plates pursuant to this section when
17 he in fact was not held as a prisoner of war or when he in fact
18 is not the surviving spouse of a prisoner of war.

19 C. An individual who is eligible for a special
20 registration plate authorized by this section is eligible for a
21 special registration plate pursuant to the provisions of this
22 section for one vehicle only.

23 [~~C.~~] D. Any person who violates the provisions of
24 Subsection B of this section is guilty of a misdemeanor."

25 Section 53. Section 66-3-412 NMSA 1978 (being Laws 1979,

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1 Chapter 299, Section 2, as amended) is recompiled as Section
2 66-3B-17 NMSA 1978 and is amended to read:

3 "66-3B-17. SPECIAL REGISTRATION PLATES--ONE HUNDRED PERCENT
4 DISABLED VETERANS--SUBMISSION OF PROOF--PENALTY.--

5 A. Except as provided otherwise by Subsection D of this
6 section, the [~~division~~] department shall issue distinctive
7 special registration plates to any [~~person~~] individual who is a
8 veteran of the armed forces of the United States, as defined in
9 Section 28-13-7 NMSA 1978, and was one hundred percent disabled
10 while serving in the armed forces of the United States, upon the
11 submission by the [~~person~~] individual of proof satisfactory to
12 the [~~division~~] department that he was one hundred percent
13 disabled while serving in the armed forces of the United States.
14 No fee, including the regular registration fee applicable to the
15 passenger motor vehicle, if any, shall be collected for issuance
16 of a special registration plate pursuant to this section. [~~Any~~
17 ~~person eligible for a special registration plate pursuant to this~~
18 ~~section and also eligible for one or more special registration~~
19 ~~plates pursuant to Sections 66-3-406, 66-3-409 and 66-3-411 NMSA~~
20 ~~1978 shall be issued only one special registration plate of his~~
21 ~~choice.~~]

22 B. No [~~person~~] individual shall falsely represent
23 himself to have been one hundred percent disabled while serving
24 in the armed forces of the United States so as to be eligible to
25 be issued special registration plates pursuant to this section

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[bracketed material] = delete

1 when he in fact was not one hundred percent disabled while
2 serving in the armed forces of the United States.

3 C. Any ~~[person]~~ individual eligible for a special
4 registration plate under this section shall only be eligible for
5 one ~~[such]~~ plate.

6 D. Any person who violates the provisions of Subsection
7 B of this section is guilty of a misdemeanor."

8 Section 54. Section 66-3-414 NMSA 1978 (being Laws 1987,
9 Chapter 23, Section 1, as amended) is recompiled as Section
10 66-3B-18 NMSA 1978 and is amended to read:

11 "66-3B-18. SPECIAL REGISTRATION PLATES FOR PURPLE HEART
12 VETERANS. --

13 A. Except as provided otherwise by Subsection D of this
14 section, the ~~[division]~~ department shall issue special
15 registration plates to any ~~[person]~~ individual who is a veteran
16 and a bona fide purple heart medal recipient and who submits
17 proof satisfactory to the ~~[division]~~ department that he has been
18 awarded that medal. No fee, including the regular registration
19 fee applicable to the passenger motor vehicle, if any, shall be
20 collected for the issuance of the special registration plates
21 pursuant to this section. ~~[Any person eligible for a special~~
22 ~~registration plate pursuant to this section and also eligible for~~
23 ~~one or more special registration plates pursuant to Sections~~
24 ~~66-3-406, 66-3-409, 66-3-411 and 66-3-412 NMSA 1978 shall be~~
25 ~~issued only one special registration plate of his choice.]~~

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1 B. No ~~[person]~~ individual shall falsely represent
2 himself to be a purple heart veteran so as to be eligible to be
3 issued special plates pursuant to this section when he in fact is
4 not a purple heart veteran.

5 C. Any individual who is eligible for a special
6 registration plate authorized by this section is eligible for a
7 special registration plate pursuant to the provisions of this
8 section for one vehicle only.

9 ~~[C.]~~ D. Any person who violates the provisions of
10 Subsection B of this section is guilty of a misdemeanor."

11 Section 55. Section 66-3-415 NMSA 1978 (being Laws 1989,
12 Chapter 162, Section 1, as amended) is recompiled as Section
13 66-3B-19 NMSA 1978 and is amended to read:

14 "66-3B-19. SPECIAL REGISTRATION PLATES FOR PEARL HARBOR
15 SURVIVORS. --

16 A. Except as provided otherwise in Subsection G of this
17 section, the ~~[division]~~ department shall issue ~~[distinctive]~~
18 special registration plates indicating that the recipient is a
19 survivor of the attack on Pearl Harbor if that ~~[person]~~
20 individual submits satisfactory proof to the ~~[division]~~
21 department indicating that the ~~[person]~~ individual:

22 (1) was a member of the United States armed forces
23 on December 7, 1941;

24 (2) received an honorable discharge from the
25 United States armed forces; and

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1 (3) was on station on December 7, 1941 during the
2 hours of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the
3 island of Oahu, or offshore at a distance not exceeding three
4 miles.

5 B. The ~~[division]~~ department shall confirm satisfactory
6 proof with the New Mexico chapter of the Pearl Harbor survivors
7 association.

8 C. No fee other than the registration fee applicable to
9 the passenger motor vehicle, if any, shall be collected for the
10 issuance of the ~~[distinctive]~~ special registration plate pursuant
11 to this section.

12 D. The recipient of a ~~[distinctive]~~ special
13 registration plate issued pursuant to this section shall be
14 issued a replacement ~~[plates]~~ plate upon request and without
15 charge if the registration plate is lost, stolen or mutilated.

16 E. Any ~~[person]~~ individual eligible for a ~~[distinctive]~~
17 special registration plate pursuant to this section ~~[and also~~
18 ~~eligible for one or more special or distinctive registration~~
19 ~~plates pursuant to Sections 66-3-406, 66-3-409, 66-3-411,~~
20 ~~66-3-412 and 66-3-414 NMSA 1978 shall be issued only one special~~
21 ~~or distinctive registration plate of the person's choice] is~~
22 eligible for a special registration plate pursuant to the
23 provisions of this section for one vehicle only.

24 F. No ~~[person]~~ individual shall falsely represent
25 himself to be a survivor of the attack on Pearl Harbor so as to

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1 be eligible to be issued [~~distinctive~~] special registration
2 plates pursuant to this section when that [~~person~~] individual in
3 fact is not a survivor of the attack on Pearl Harbor.

4 G. Any person who violates the provisions of Subsection
5 F of this section is guilty of a misdemeanor and shall be
6 punished by a fine of not less than one hundred dollars (\$100) or
7 more than one thousand dollars (\$1,000) or by imprisonment for a
8 definite term less than one year or both. "

9 Section 56. A new section of the Motor Vehicle Code,
10 Section 66-3C-1 NMSA 1978, is enacted to read:

11 "66-3C-1. [NEW MATERIAL] VEHICLES REQUIRED TO BE TITLED. --
12 Every vehicle of a type required to be registered in this state
13 is also required to be titled in this state, except for
14 commercial motor vehicles based and titled in another state the
15 owners of which report and pay registration fees to this state
16 under the provisions of the international registration plan. "

17 Section 57. A new Section of the Motor Vehicle Code,
18 Section 66-3C-2 NMSA 1978, is enacted to read:

19 "66-3C-2. [NEW MATERIAL] APPLICATION FOR CERTIFICATE OF
20 TITLE. --

21 A. The owner of a vehicle required to be titled in this
22 state shall apply to the department for issuance of a certificate
23 of title upon sale, assignment or other transfer of the vehicle
24 to the owner or upon importation by the owner of the vehicle into
25 New Mexico from another nation. Application shall be made in the

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1 manner and on the forms prescribed by the department.

2 B. The information and documentation required under
3 Section 66-3A-4 NMSA 1978 for registration of the vehicle applies
4 to the application for a certificate of title for the vehicle.
5 In addition, the owner of a specially constructed, reconstructed
6 or foreign vehicle must provide satisfactory evidence of
7 ownership. "

8 Section 58. A new section of the Motor Vehicle Code,
9 Section 66-3C-3 NMSA 1978, is enacted to read:

10 "66-3C-3. [NEW MATERIAL] FORM OF CERTIFICATE OF
11 TITLE. --

12 A. The certificate of title shall contain the identical
13 information required on the registration evidence and in addition
14 a statement of the owner's title and of all liens and
15 encumbrances upon the vehicle.

16 B. The certificate of title shall contain a space for
17 the release of any lien, space for assignment of title or
18 interest and warranty by the owner and space for notation of
19 liens and encumbrances upon the vehicle at the time of transfer. "

20 Section 59. A new section of the Motor Vehicle Code,
21 Section 66-3C-4 NMSA 1978, is enacted to read:

22 "66-3C-4. [NEW MATERIAL] DEPARTMENT TO ISSUE CERTIFICATE
23 OF TITLE. --

24 A. When satisfied as to the genuineness and regularity
25 of the transaction and the entitlement of the applicant for a

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1 certificate of title to the vehicle, the department shall issue a
2 certificate of title in the name of the applicant and all liens
3 existing against the vehicle. An odometer statement may appear
4 on the title.

5 B. The certificate of title shall be delivered to the
6 owner in the event no lien or encumbrances appear thereon.
7 Otherwise the certificate of title shall be delivered to the
8 person named to receive it in the application for certificate.

9 C. Whenever the owner of a vehicle of a type required
10 to be registered in this state transfers his title or interest in
11 the vehicle to a nonresident who desires to register and title
12 the vehicle in another state, the department upon receiving
13 application and the payment of the proper fee shall issue a
14 certificate of title only and record on the certificate all liens
15 and encumbrances.

16 D. If a vehicle has been damaged by collision or other
17 occurrence and if the cost of repair exceeds the fair market
18 value of the vehicle or the vehicle has been declared a total
19 loss by an insurance company, the certificate of title shall
20 indicate clearly on its face "SALVAGE". "

21 Section 60. Section 66-3-109 NMSA 1978 (being Laws 1978,
22 Chapter 35, Section 56) is recompiled as Section 66-3C-6 NMSA
23 1978 and is amended to read:

24 "66-3C-6. DEALER'S GUARANTEE OF TITLE. -- A dealer licensed
25 [~~under~~] pursuant to the provisions of the Motor Vehicle Code may

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1 guarantee the title to a specially constructed or reconstructed
2 vehicle for which no title exists and may guarantee the title of
3 any vehicle for which the certificate of title cannot be
4 obtained. [~~Such~~] The guarantee shall be in the form of an
5 affidavit filed with the [~~division~~] department. Upon receipt of
6 [~~such~~] the affidavit together with such other information as the
7 [~~division~~] department may require and upon payment of the proper
8 fees, the [~~division~~] department in its discretion may issue a
9 certificate of title for the vehicle named in the affidavit. "

10 Section 61. Section 66-3-12 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 32) is recompiled as Section 66-3C-8 NMSA
12 1978 and is amended to read:

13 "66-3C-8. EVIDENTIAL VALUE OF CERTIFICATE. --A certificate
14 of title issued by the [~~division~~] department shall be received in
15 evidence as prima facie evidence of the ownership of the vehicle
16 named in the certificate and as prima facie evidence of all liens
17 and encumbrances against [~~said~~] the vehicle appearing on the
18 certificate. "

19 Section 62. Section 66-3-118 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 65) is recompiled as Section 66-3C-9 NMSA
21 1978 and is amended to read:

22 "66-3C-9. MANUFACTURER'S CERTIFICATE OF ORIGIN--TRANSFER OF
23 VEHICLE NOT PREVIOUSLY REGISTERED. --

24 A. Whenever a manufacturer or the agent or distributor
25 of [~~such~~] a manufacturer [~~shall transfer~~] transfers a vehicle,

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1 not previously registered, to a dealer in this state, the
2 manufacturer, agent or distributor at the time of transfer of the
3 vehicle shall deliver to the dealer a manufacturer's certificate
4 of origin. [~~Such~~] The certificate shall be signed by the
5 manufacturer and shall specify that the vehicle described
6 [~~therein~~] has been transferred to the dealer named [~~therein~~] and
7 that [~~such~~] the transfer is the first transfer of the vehicle in
8 ordinary trade and commerce.

9 B. Any dealer when transferring a vehicle, not
10 previously registered, to another dealer shall, at the time of
11 transfer, give the transferee the proper manufacturer's
12 certificate of origin fully assigned to the transferee.

13 C. When a vehicle not previously registered is
14 transferred to a dealer who does not hold a franchise granted by
15 the manufacturer of the vehicle to sell that type or model of
16 vehicle, the transferee must obtain a registration of the vehicle
17 and certificate of title but shall not be required to pay the
18 motor vehicle excise tax [~~imposed by Section 64-6-27 NMSA 1953~~]. "

19 Section 63. Section 66-3-201 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 73, as amended) is recompiled as Section
21 66-3D-1 NMSA 1978 and is amended to read:

22 "66-3D-1. FILING SECURITY INTERESTS. --

23 A. A security interest in a vehicle of a type required
24 to be [~~titled and~~] registered [~~in New Mexico~~] pursuant to the
25 Motor Vehicle Code is not valid against attaching creditors,

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1 subsequent transferees or lienholders unless perfected as
2 provided by this section. This provision does not apply to liens
3 dependent upon possession nor to property tax liens on
4 manufactured homes perfected under Section [~~66-3-204~~] 66-3D-3
5 NMSA 1978.

6 B. Title applications may be submitted electronically
7 to the department, but all title applications shall be
8 accompanied by the certificate of title last issued for the
9 vehicle and shall contain the name and address of any lienholder,
10 the date the security agreement was executed and the maturity
11 date of the agreement.

12 C. Upon receipt of a title application, the department
13 shall record the date it was received. [~~When satisfied as to the~~
14 ~~genuineness of the application, the department shall file it and~~
15 ~~issue a new certificate of title showing the owner's name and all~~
16 ~~liens existing against the vehicle]~~

17 D. No security interest filed in any state which does
18 not show all liens on the certificate of title shall be valid
19 against any person in this state other than the parties to the
20 security agreement or those persons who take with actual notice
21 of the agreement. "

22 Section 64. Section 66-3-202 NMSA 1978 (being Laws 1978,
23 Chapter 35, Section 74) is recompiled as Section 66-3D-2 NMSA
24 1978 and is amended to read:

25 "66-3D-2. FILING EFFECTIVE TO GIVE NOTICE. --

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1 A. The filing of an application with the [~~division~~]
2 department and the issuance of a new certificate of title by the
3 [~~division~~] department as provided in Section [~~64-3-201 NMSA 1953~~
4 ~~constitutes~~] 66-3C-4 NMSA 1978 constitute constructive notice of
5 all security interests in the vehicle described in the
6 application. If the application is received by the [~~division~~]
7 department within ten days after the date the security agreement
8 was executed, constructive notice [~~shall date~~] dates from the
9 time of the execution of the security agreement. [~~otherwise~~]
10 Otherwise, constructive notice [~~shall date~~] dates from the time
11 of receipt noted on the title application.

12 B. The method provided in this article for perfecting a
13 security interest shall be exclusive except as to liens dependent
14 upon possession and property tax liens on [~~mobile~~] manufactured
15 ~~homes~~ perfected under Section [~~64-3-204 NMSA 1953~~] 66-3D-3 NMSA
16 1978.

17 C. The constructive notice [~~herein~~] provided for [~~shall~~
18 ~~terminate~~] in this section terminates twelve months after the
19 maturity date of the debt. Unless refiled in a manner prescribed
20 by the [~~division~~] department within twelve months after the
21 maturity date, the [~~division~~] department may ignore the security
22 interest in the issuance of all subsequent certificates of
23 title."

24 Section 65. Section 66-3-204 NMSA 1978 (being Laws 1978,
25 Chapter 35, Section 76, as amended) is recompiled as Section

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1 66-3D-3 NMSA 1978 and is amended to read:

2 "66-3D-3. PROPERTY TAX LIENS ON MANUFACTURED HOMES--
3 FILING--EFFECT. --

4 A. Upon receipt of a notification of unpaid taxes on a
5 manufactured home required by Section 7-38-52 NMSA 1978, the
6 [~~division~~] department shall file the notification and indicate on
7 it the date and time of receipt. It shall maintain an index and
8 file of the notifications by vehicle registration number.

9 B. From the date and time of receipt of a notification,
10 the unpaid taxes, penalty and interest certified by the county
11 treasurer constitute a lien on and a security interest in the
12 manufactured home on behalf of the state until paid. The lien is
13 valid against holders of prior perfected security interests,
14 attaching creditors and subsequent transferees and when perfected
15 by filing in accordance with this section constitutes
16 constructive notice of the lien claimed. When a lien is
17 perfected under this section, the [~~division~~] department shall
18 send written notification of the lien to all holders of prior
19 perfected security interests as shown on the vehicle's
20 certificate of title. The notice shall be sent no later than ten
21 days after the filing of the lien.

22 C. Upon receipt of a certified notice from a county
23 treasurer showing that the taxes, penalty and interest for which
24 a lien is claimed have been paid, the [~~division~~] department shall
25 indicate in writing on the filed notification the fact of

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1 payment, shall attach the notice of payment to the original
2 notification, shall remove both documents from its lien file to a
3 separate file and shall make a written entry in its index
4 indicating the satisfaction of the lien. At the same time, it
5 shall send written notification to the registered owner of the
6 manufactured home of the action it has taken."

7 Section 66. Section 66-3-111 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 58) is recompiled as Section 66-3D-4 NMSA
9 1978 and is amended to read:

10 "66-3D-4. ASSIGNMENT BY PERSON HOLDING LIEN. -- Any person
11 holding a lien or encumbrance upon a vehicle other than a lien
12 dependent solely upon possession may assign his title or interest
13 in or to [~~such~~] the vehicle to a person other than the owner
14 without the consent of and without affecting the interest of
15 [~~such~~] the owner or the registration of [~~such~~] the vehicle, but
16 in such event, he shall give to the owner a written notice of
17 [~~such~~] the assignment. The [~~division~~] department upon receiving
18 a certificate of title assigned by the holder of the lien or
19 encumbrance shown [~~thereon~~] on the certificate of title and
20 showing the name and address of the assignee shall issue a new
21 certificate of title as upon an original application."

22 Section 67. Section 66-3-112 NMSA 1978 (being Laws 1978,
23 Chapter 35, Section 59) is recompiled as Section 66-3D-5 NMSA
24 1978 and is amended to read:

25 "66-3D-5. RELEASE BY LIENHOLDER TO OWNER. -- A person holding

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1 a lien or encumbrance as shown upon a certificate of title for a
2 vehicle may release [~~such~~] the lien or encumbrance or assign his
3 interest to the owner without affecting the registration of
4 [~~said~~] the vehicle. The [~~division~~] department upon receiving a
5 certificate of title upon which a lienholder has released or
6 assigned his interest to the owner or upon receipt of a
7 certificate of title not so endorsed but accompanied by a legal
8 release from a lienholder of interest in or to a vehicle shall
9 issue a new certificate of title as upon an original
10 application. "

11 Section 68. A new section of the Motor Vehicle Code,
12 Section 66-3E-1 NMSA 1978, is enacted to read:

13 "66-3E-1. [NEW MATERIAL] VEHICLE TO BE DISMANTLED-- OWNER
14 TO ASSIGN TITLE. -- Except as provided in Chapter 66, Article 3E
15 NMSA 1978, any person who sells, gives away, trades or disposes
16 of any vehicle of a type required to be registered under the
17 Motor Vehicle Code as scrap or to be dismantled or destroyed by
18 any person required to be licensed under the Motor Vehicle Dealer
19 and Dismantler Licensing Act shall assign the certificate of
20 title of the vehicle to the recipient and shall deliver the
21 certificate of title to the recipient. A licensed dismantler
22 receiving any registration plates shall either return them to the
23 owner upon demand or surrender them within five days of receiving
24 the plates to the department. "

25 Section 69. A new section of the Motor Vehicle Code,

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1 Section 66-3E-2 NMSA 1978, is enacted to read:

2 "66-3E-2. [NEW MATERIAL] WHEN VEHICLE MAY BE DISMANTLED OR
3 DESTROYED. -- Except as provided in Chapter 66, Article 3E NMSA
4 1978, no person shall dismantle or destroy a vehicle of a type
5 required to be registered under the Motor Vehicle Code unless the
6 person possesses a certificate of title or other proof of
7 ownership of the vehicle and completes and sends in the
8 dismantler's notification form to the department and any law
9 enforcement agency designated by the department for that
10 purpose. "

11 Section 70. Section 66-3-115 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 62) is recompiled as Section 66-3E-3 NMSA
13 1978 and is amended to read:

14 "66-3E-3. NOTIFICATION FORMS-- COPIES-- RESALE OF SALVAGED
15 VEHICLE OR MOTOR VEHICLE. --

16 A. No person licensed ~~[under Section 64-4-1 NMSA 1953]~~
17 pursuant to the Motor Vehicle Dealer and Dismantler Licensing Act
18 shall sell, give away or otherwise dispose of any vehicle ~~[or~~
19 ~~motor vehicle]~~ of a type required to be registered pursuant to
20 the Motor Vehicle Code obtained in the course of business unless
21 ~~[he]~~ the person has properly filled out a dismantler's
22 notification form and mailed ~~[one copy of that]~~ the form to the
23 ~~[division of motor vehicles]~~ department and one copy of the form
24 to the law enforcement agency designated by the ~~[division of~~
25 ~~motor vehicles]~~ department for that purpose. If the licensee has

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1 a certificate of title for the vehicle [~~or motor vehicle~~], it
2 must be mailed to the [~~division of motor vehicles together~~
3 department] with [~~one copy of~~] the dismantler's notification form.

4 B. The licensee shall furnish the new purchaser or
5 recipient of [~~any such~~] the salvaged vehicle [~~or motor vehicle~~]
6 with a bill of sale and [~~one~~] a copy of the dismantler's
7 notification form, which shall serve as proof of ownership only
8 for dismantling, transporting or rebuilding purposes.

9 C. The purchaser of [~~such~~] the vehicle [~~or motor~~
10 ~~vehicle~~] may obtain a new certificate of title authorizing him to
11 use the vehicle [~~or motor vehicle~~] for transportation purposes,
12 provided:

13 (1) [~~he~~] the purchaser furnishes the [~~division of~~
14 ~~motor vehicles~~] department with a bill of sale and a copy of the
15 dismantler's notification form for the vehicle [~~or motor vehicle~~]
16 to be retitled;

17 (2) the vehicle [~~or motor vehicle~~] is in
18 satisfactory repair and is fully roadworthy; and

19 (3) the vehicle identification number can be
20 verified and corresponds to the vehicle identification number
21 stated on the dismantler's notification form.

22 D. The [~~division of motor vehicles~~] department shall
23 make or cause to be made all necessary inspections and
24 verifications pursuant to this section and if satisfied that all
25 conditions have been met, shall issue a title. [~~Such~~] The title

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1 shall indicate the vehicle identification number and the assigned
2 New Mexico numbers if any. "

3 Section 71. Section 66-3-120 NMSA 1978 (being Laws 1978,
4 Chapter 35, Section 67) is recompiled as Section 66-3E-4 NMSA
5 1978 and is amended to read:

6 "66-3E-4. TRANSPORTATION OF CERTAIN VEHICLES-- PROOF OF
7 OWNERSHIP. --

8 A. Any person transporting [~~any~~] a crushed or
9 inoperable vehicle [~~or motor vehicle~~] of a type required to be
10 registered pursuant to the Motor Vehicle Code on [~~any~~] a public
11 way, street or highway in any manner [~~whatsoever~~] shall have in
12 his possession proof of ownership of [~~such~~] the vehicle or:

13 (1) an affidavit from the property owner upon
14 whose property the vehicle [~~or motor vehicle~~] was abandoned
15 authorizing the vehicle's removal from the property owner's land;
16 and

17 (2) a police clearance indicating the vehicle has
18 not been reported stolen.

19 B. Any person who possesses either a New Mexico
20 dismantler's or wrecker's license, a New Mexico auto dealer's
21 license, a state corporation commission license or a vehicle
22 contract or common carrier license issued by the federal
23 interstate commerce commission shall be exempt from the
24 provisions of this section while transporting vehicles which are
25 not abandoned, provided he prominently displays a dealer's

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1 license plate or a dismantler's plate on the vehicle in tow or
2 has a New Mexico state corporation commission vehicle contract or
3 common carrier permit number or a federal interstate commerce
4 commission vehicle contract or common carrier permit number
5 prominently displayed on the towing vehicle.

6 C. Any person failing to have such documentation in his
7 possession while transporting such a vehicle [~~or motor vehicle~~]
8 is subject to the penalties [~~produced in Section 64-4-9 NMSA~~
9 ~~1953~~] provided in the Motor Vehicle Dealer and Dismantler
10 Licensing Act, and any vehicle [~~or motor vehicle~~] being
11 transported by [~~such a~~] the person [~~shall be~~] is subject to
12 immediate confiscation. [~~Said~~] The vehicle [~~or motor vehicle~~]
13 shall be towed to an authorized police impound lot until proof of
14 ownership is presented or until the documentation described in
15 this section is provided by either the owner of the vehicle or
16 the person in possession. Failure to provide [~~such~~]
17 documentation within thirty days shall result in the vehicle [~~or~~
18 ~~motor vehicle~~] being deemed unclaimed and thus subject to claim
19 by the person or firm in possession. "

20 Section 72. Section 66-3-121 NMSA 1978 (being Laws 1978,
21 Chapter 35, Section 68, as amended) is recompiled as Section
22 66-3E-5 NMSA 1978 and is amended to read:

23 "66-3E-5. DISPOSAL OF ABANDONED VEHICLE [~~OR MOTOR~~
24 ~~VEHICLE~~]. --

25 A. Any person upon whose property or in whose

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1 possession is found an abandoned vehicle [~~or motor vehicle~~] of a
2 type required to be registered pursuant to the Motor Vehicle Code
3 shall have authority to sell, retain, give away or dispose of the
4 abandoned vehicle [~~or motor vehicle~~] to any person licensed
5 [~~under Sections 66-4-1 through 66-4-9 NMSA 1978~~] pursuant to the
6 Motor Vehicle Dealer and Dismantler Licensing Act provided that
7 he notifies a law enforcement agency prior to the disposal and
8 obtains from that agency a written clearance stating that neither
9 the agency's records nor the computerized records of the national
10 crime information center indicate that the abandoned vehicle [~~or~~
11 ~~motor vehicle~~] has been reported as stolen and either:

12 (1) the vehicle [~~or motor vehicle~~] in question
13 regardless of its age is either totally wrecked or in such a
14 state of disrepair that it is suitable only for dismantling
15 purposes;

16 (2) the vehicle [~~or motor vehicle~~] in question is
17 at least eight years of age or older; or

18 (3) the vehicle [~~or motor vehicle~~] in question has
19 been placed in any storage or wrecker yard at the request of a
20 law enforcement agency or a property owner upon whose property
21 the vehicle [~~or motor vehicle~~] was abandoned and has remained
22 unclaimed in that yard for a period of thirty days, in which case
23 the owner of the storage yard may proceed to make a claim against
24 the [~~motor vehicle or~~] vehicle, as specified in [~~Subsection C of~~]
25 Section [~~66-3-119~~] 66-3E-6 NMSA 1978, as though it were

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1 abandoned. Any person wishing to obtain the vehicle may not
2 charge more than fifty cents (\$.50) per day for storage unless he
3 is licensed as a vehicle storage yard, and he ~~[must]~~ shall notify
4 owners and lienholders within thirty days or lose all rights to
5 claim the vehicle.

6 B. In the case of any vehicle ~~[or motor vehicle which]~~
7 that is less than eight years of age or in such a state of repair
8 that it will be placed back into service or ~~[which]~~ that is not
9 to be used for dismantling purposes or ~~[which]~~ that a property
10 owner wishes to retain for his own use or to sell to anyone other
11 than a licensed dismantler, the person shall proceed to make
12 claim for the vehicle ~~[or motor vehicle]~~ through a lien process
13 and obtain a new certificate of title prior to disposal."

14 Section 73. Section 66-3-119 NMSA 1978 (being Laws 1978,
15 Chapter 35, Section 66) is recompiled as Section 66-3E-6 NMSA
16 1978 and is amended to read:

17 "66-3E-6. VEHICLE ~~[OR MOTOR VEHICLE]~~ TO BE DISMANTLED. --

18 ~~[A. Except as provided in Sections 64-3-114 through~~
19 ~~64-3-121 NMSA 1953, any person who sells, gives away, trades or~~
20 ~~disposes of any vehicle or motor vehicle as scrap or to be~~
21 ~~dismantled or destroyed by any person required to be licensed~~
22 ~~under Section 64-4-1 NMSA 1953 shall assign the certificate of~~
23 ~~title of such vehicle or motor vehicle to the recipient and shall~~
24 ~~deliver the same to the recipient. A licensed dismantler~~
25 ~~receiving any registration plates shall either return them to the~~

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1 ~~owner upon demand or surrender them within five days of receiving~~
2 ~~the plates to the division.~~

3 B. ~~Except as provided in Sections 64-3-114 through~~
4 ~~64-3-121 NMSA 1953, no person shall dismantle or destroy a~~
5 ~~vehicle or motor vehicle unless he possesses a certificate of~~
6 ~~title or other proof of ownership of the vehicle or motor vehicle~~
7 ~~and completes and sends in the dismantler's notification form to~~
8 ~~the motor vehicle division and any law enforcement agency~~
9 ~~designated by the motor vehicle division for that purpose.~~

10 C. A. Any person licensed [~~under Section 64-4-1 NMSA~~
11 ~~1953~~] pursuant to the Motor Vehicle Dealer and Dismantler
12 Licensing Act may take possession of an abandoned [~~motor~~] vehicle
13 of a type required to be registered pursuant to the Motor Vehicle
14 Code, provided:

15 (1) [~~he~~] the person obtains at the time of
16 acquisition a written clearance form from a law enforcement
17 agency mentioned in Section [~~64-3-121 NMSA 1953~~] 66-3E-5 NMSA
18 1978;

19 (2) [~~he~~] within five days after acquisition of
20 [~~said~~] the abandoned vehicle [~~or motor vehicle~~], the person
21 requests from the [~~motor vehicle division~~] department an official
22 printout indicating the names and addresses of all lienholders
23 and owners of record. If the abandoned vehicle or motor vehicle
24 has out-of-state license plates or the licensee has some other
25 reason to believe that the abandoned vehicle [~~or motor vehicle~~]

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[bracketed material] = delete

1 is registered in a state other than New Mexico, [~~he~~] the person
2 must request the same information from the appropriate agency of
3 that state;

4 (3) [~~he~~] within five days after receiving the
5 names and addresses of all lienholders and owners of record, the
6 person informs them by certified mail, return receipt requested,
7 of his possession of the abandoned vehicle [~~or motor vehicle~~] and
8 all charges, if any, against the abandoned vehicle [~~or motor~~
9 ~~vehicle if any~~] and of his intent to dispose of [~~said~~] the
10 vehicle if no claim [~~be~~] is made within thirty days after the
11 delivery of the letter;

12 (4) in those cases where neither the [~~motor~~
13 ~~vehicle division~~] department nor the appropriate state agency
14 specified in this section is able to furnish the names of any
15 lienholders or owners of record, the vehicle shall then be deemed
16 as abandoned, and a licensed dismantler may dispose of the
17 abandoned vehicle [~~or motor vehicle~~] once he has properly
18 completed a dismantler's notification form for the abandoned
19 vehicle [~~or motor vehicle~~] and has mailed [~~one copy of~~] the form
20 to the [~~motor vehicle division~~] department and [~~one~~] a copy of
21 the form to the law enforcement agency designated by the [~~motor~~
22 ~~vehicle division~~] department for that purpose together with a
23 copy of the correspondence with either the [~~motor vehicle~~
24 ~~division~~] department or the state agency specified in this
25 section indicating that there are no lienholders or owners of

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1 record; and

2 (5) when a lienholder or owner of record is known
3 and the required notice has been sent and the dismantler has
4 waited the required thirty days and has not received a valid
5 claim, [he] the person shall properly complete a dismantler's
6 notification form for the abandoned vehicle [~~or motor vehicle~~]
7 and send [~~one copy of~~] the form together with any correspondence
8 with the [~~motor vehicle division~~] department or appropriate state
9 agency specified in this subsection indicating the names and
10 addresses of lienholders and owners of record plus proof of
11 notification together with an affidavit signed by the dismantler
12 stating under oath or affirmation that he has complied with
13 provisions of this section and he has not received during the
14 thirty-day period following notification any valid claim against
15 the abandoned vehicle [~~or motor vehicle~~] in question or, while a
16 valid claim has been made, he has not received within sixty days
17 following [~~such~~] the notification payment for fees connected with
18 towing and storage of the abandoned vehicle [~~or motor vehicle~~] in
19 question. One copy of the dismantler's notification form shall
20 be sent to the law enforcement agency designated by the [~~motor~~
21 ~~vehicle division~~] department for that purpose.

22 [(6)] B. Any person who fails to give notice required
23 in this [~~subsection~~] section within the time limit specified
24 shall forfeit all liens, interest and claims to the abandoned
25 vehicle [~~or motor vehicle~~] in question if claimed by an owner or

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1 lienholder.

2 ~~[(7)]~~ C. Failure of an owner or lienholder to assert a
3 claim or to pay all legal storage or towing fees if any within
4 the specified period of time shall result in that person's
5 forfeiture of liens, interest or claims to the abandoned vehicle.
6 ~~[or motor vehicle; and~~

7 ~~(8)]~~ D. Upon complying with the ~~[above]~~ conditions of
8 this section and waiting the required period of time, such ~~[a]~~ an
9 abandoned vehicle ~~[or motor vehicle shall be deemed]~~ is the
10 property of the dismantler for dismantling or salvage purposes,
11 and he shall not be required to take further action under the
12 lien laws of this state unless the abandoned vehicle ~~[or motor~~
13 ~~vehicle]~~ is used for other than dismantling or salvage purposes,
14 and any person licensed under Section ~~[64-4-1 NMSA 1953]~~ the
15 Motor Vehicle Dealer and Dismantler Licensing Act may dismantle
16 or destroy such ~~[a]~~ an abandoned vehicle ~~[or motor vehicle]. "~~

17 Section 74. Section 66-3-123 NMSA 1978 (being Laws 1978,
18 Chapter 35, Section 70, as amended) is recompiled as Section
19 66-3E-7 NMSA 1978 and is amended to read:

20 "66-3E-7. REQUIREMENTS OF PURCHASER--FORMS--DISTRIBUTION.--

21 A. Purchasers licensed ~~[under]~~ pursuant to the
22 provisions of ~~[Section 66-4-1 NMSA 1978 shall]~~ the Motor Vehicle
23 Dealer and Dismantler Licensing Act, upon purchase of a vehicle
24 of a type required to be registered pursuant to the Motor Vehicle
25 Code to be dismantled, crushed or otherwise destroyed, shall send

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1 ~~[copies of]~~ prior to the dismantling, crushing or destruction the
2 dismantler's notification form ~~[as provided for in Section~~
3 ~~66-3-124 NMSA 1978 to the following persons:~~

4 A. ~~one copy]~~ to the department ~~[as required by Section~~
5 ~~66-3-121 NMSA 1978]~~, along with the actual title or proof of
6 ownership required in the state in which the vehicle is
7 registered or licensed. ~~[provided that]~~ With the prior approval
8 of the department, the required information may be transmitted
9 electronically to the department in lieu of submitting a copy of
10 the form.

11 B. ~~[one]~~ A copy of the dismantler's form sent to the
12 department pursuant to Subsection A of this section shall be sent
13 by certified mail within thirty days of acquisition to the local
14 law enforcement agency designated by the department. The agency
15 ~~[must]~~ shall process the form through the files of stolen or
16 embezzled vehicles within five days of receipt of the form.

17 C. ~~[one]~~ A copy of the dismantler's notification form
18 sent to the department pursuant to Subsection A of this section
19 is to be retained by the purchaser for as long as the vehicle
20 remains in the purchaser's possession or until the vehicle is
21 destroyed. ~~[and]~~

22 D. ~~[one]~~ A copy of the dismantler's notification form
23 sent to the department pursuant to Subsection A of this section
24 is to be ~~[retained and]~~ provided to any subsequent purchaser of
25 the vehicle. The purchaser shall retain the copy for as long as

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1 the vehicle remains in his possession or until the vehicle is
2 destroyed. "

3 Section 75. Section 66-3-125 NMSA 1978 (being Laws 1978,
4 Chapter 35, Section 72, as amended) is recompiled as Section
5 66-3E-8 NMSA 1978 and is amended to read:

6 "66-3E-8. RESTRICTIONS UPON LICENSEES. -- A person licensed
7 [~~under~~] pursuant to the provisions of [~~Sections 66-4-1 through~~
8 ~~66-4-9 NMSA 1978 may~~] the Motor Vehicle Dealer and Dismantler
9 Licensing Act, no earlier than thirty days after mailing the
10 dismantler's notification form as required by Section [~~66-3-123~~]
11 66-3E-7 NMSA 1978, may proceed with the business of shredding,
12 compacting, crushing or otherwise disposing of a vehicle [~~or~~
13 ~~motor vehicle~~] purchased in accordance with the provisions of
14 [~~Sections 66-4-1 through 66-4-9~~] Section 66-3E-7 NMSA 1978;
15 provided, however, dismantling of the vehicle [~~or motor vehicle~~]
16 may proceed immediately upon the mailing of the dismantler's
17 notification form. "

18 Section 76. Section 66-3-116 NMSA 1978 (being Laws 1978,
19 Chapter 35, Section 63) is recompiled as Section 66-3E-10 NMSA
20 1978 and is amended to read:

21 "66-3E-10. TITLE CANCELLATION. -- The [~~division of motor~~
22 ~~vehicles shall~~] department upon receipt of a properly completed
23 dismantler's notification form and any additional required
24 documentation from a person licensed [~~under Section 64-4-1 NMSA~~
25 ~~4953~~] pursuant to the Motor Vehicle Dealer and Dismantler

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1 Licensing Act shall cancel the title of the vehicle in [~~their~~]
2 its records. "

3 Section 77. A new section of the Motor Vehicle Code,
4 Section 66-4-10 NMSA 1978, is enacted to read:

5 "66-4-10. [NEW MATERIAL] SHORT TITLE. -- Sections 66-4-1
6 through 66-4-10 NMSA 1978 may be cited as the "Motor Vehicle
7 Dealer and Dismantler Licensing Act". "

8 Section 78. A new section of the Motor Vehicle Code,
9 Section 66-6-1.1 NMSA 1978, is enacted to read:

10 "66-6-1.1. [NEW MATERIAL] HISTORIC VEHICLES--REGISTRATION
11 FEE. --The fee for registration of a historic vehicle is fifty
12 dollars (\$50.00). "

13 Section 79. A new section of the Motor Vehicle Code,
14 Section 66-6-1.2 NMSA 1978, is enacted to read:

15 "66-6-1.2. [NEW MATERIAL] OFF-HIGHWAY MOTOR VEHICLES--
16 REGISTRATION FEES. --

17 A. The fee for registration or renewal of the
18 registration of an off-highway motor vehicle is fifteen dollars
19 (\$15.00) for each off-highway motor vehicle. The registration or
20 renewal of registration shall be valid for a period of three
21 years.

22 B. Upon a change of ownership, the new owner shall make
23 application and pay a registration fee of fifteen dollars
24 (\$15.00) in the same manner as provided for original
25 registration. "

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1 Section 80. Section 66-6-2 NMSA 1978 (being Laws 1978,
2 Chapter 35, Section 337, as amended) is amended to read:

3 "66-6-2. PASSENGER VEHICLES--REGISTRATION FEES. -- For
4 registration of each motor vehicle other than motorcycles,
5 historic vehicles, trucks, buses and tractors, the [~~division~~]
6 department shall collect the following fees for a twelve-month
7 registration period:

8 A. for a vehicle whose gross factory shipping weight is
9 not more than two thousand pounds, twenty dollars (\$20.00);
10 provided, however, that after five years of registration,
11 calculated from the date when the vehicle was first registered in
12 this or another state, the fee is sixteen dollars (\$16.00);

13 B. for a vehicle whose gross factory shipping weight is
14 more than two thousand but not more than three thousand pounds,
15 twenty-nine dollars (\$29.00); provided, however, that after five
16 years of registration, calculated from the date when the vehicle
17 was first registered in this or another state, the fee is
18 twenty-three dollars (\$23.00);

19 C. for a vehicle whose gross factory shipping weight is
20 more than three thousand pounds, forty-two dollars (\$42.00);
21 provided, however, that after five years of registration,
22 calculated from the date when the vehicle was first registered in
23 this or another state, the fee is thirty-four dollars (\$34.00);
24 and

25 D. beginning July 1, 1994, for each vehicle registered

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1 pursuant to the provisions of this section, a tire recycling fee
2 of one dollar (\$1.00) for a twelve-month registration period."

3 Section 81. Section 66-6-4 NMSA 1978 (being Laws 1978,
4 Chapter 35, Section 339, as amended by Laws 1994, Chapter 117,
5 Section 20 and also by Laws 1994, Chapter 126, Section 20) is
6 amended to read:

7 "66-6-4. REGISTRATION FEES--TRUCKS, TRUCK TRACTORS, ROAD
8 TRACTORS AND BUSES. --

9 A. [~~Within their respective jurisdictions, the motor~~
10 ~~vehicle and motor transportation divisions shall charge]~~
11 Registration fees for trucks, truck tractors, road tractors and
12 buses, except as otherwise provided by law, [~~according to~~] are as
13 provided by the schedule of Subsection B of this section.

14 B. [~~Declared~~] Gross Vehicle Weight Fee

15	001 to 4,000	\$ 30
16	4,001 to 6,000	41
17	6,001 to 8,000	52
18	8,001 to 10,000	63
19	10,001 to 12,000	74
20	12,001 to 14,000	85
21	14,001 to 16,000	96
22	16,001 to 18,000	107
23	18,001 to 20,000	118
24	20,001 to 22,000	129
25	22,001 to 24,000	140

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1	24,001 to 26,000	151
2	26,001 to 48,000	88.50
3	48,001 and over	129.50.

4 C. After five years of registration calculated from
5 the date when the vehicle was first registered in this or
6 another state, all trucks [~~whose declared gross weight or~~]
7 whose gross vehicle weight is [~~less than~~] twenty-six thousand
8 pounds [~~after five years of registration, calculated from the~~
9 ~~date when the vehicle was first registered in this or another~~
10 ~~state~~] or less shall be charged registration fees at eighty
11 percent of the rate set out in Subsection B of this section.

12 D. All trucks with a gross vehicle weight rating of
13 more than twenty-six thousand pounds and all truck tractors and
14 road tractors used to tow freight trailers shall be registered
15 on the basis of combination gross vehicle weight.

16 E. All trucks with a gross vehicle weight rating of
17 twenty-six thousand pounds or less shall be registered on the
18 basis of gross vehicle weight. Any trailer, semitrailer or
19 pole trailer towed by a truck of such gross vehicle weight
20 shall be classified as a utility trailer for registration
21 purposes unless otherwise provided by law.

22 F. All farm vehicles having a [~~declared~~] gross
23 vehicle weight of more than six thousand pounds shall be
24 charged registration fees of two-thirds of the rate of the
25 respective fees provided in Subsection B of this section [~~and~~

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1 ~~shall be issued distinctive registration plates. "Farm~~
2 ~~vehicle" means any vehicle owned by a person whose principal~~
3 ~~occupation is farming or ranching and which vehicle is used~~
4 ~~principally in the transportation of farm and ranch products to~~
5 ~~market and farm and ranch supplies and livestock from the place~~
6 ~~of purchase to farms and ranches in this state; provided that~~
7 ~~the vehicle is not used for hire].~~

8 G. In addition to other registration fees imposed by
9 this section [~~beginning July 1, 1994~~], there is imposed at the
10 time of registration an annual tire recycling fee of one dollar
11 (\$1.00) on each vehicle subject to a registration fee pursuant
12 to this section, except for vehicles with a [~~declared~~] gross
13 vehicle weight of greater than twenty-six thousand pounds upon
14 which registration fees are imposed by Subsection B of this
15 section.

16 H. Four percent of registration fees of trucks having
17 a [~~declared~~] gross vehicle weight from twenty-six thousand one
18 pounds to forty-eight thousand pounds [~~declared~~] gross vehicle
19 weight is to be transferred to the tire recycling fund pursuant
20 to the provisions of Section 66-6-23 NMSA 1978.

21 I. Five percent of registration fees of trucks in
22 excess of forty-eight thousand pounds [~~declared~~] gross vehicle
23 weight is to be transferred to the tire recycling fund pursuant
24 to the provisions of Section 66-6-23 NMSA 1978. "

25 Section 82. Section 66-6-11 NMSA 1978 (being Laws 1978,

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1 Chapter 35, Section 346) is amended to read:

2 "66-6-11. COMPUTATION OF WEIGHT. --The weight for
3 determining registration fees shall be as follows:

4 A. for trucks, truck tractors, road tractors and
5 buses, the ~~[declared]~~ gross vehicle weight;

6 B. for freight trailers, irrespective of their
7 weight, a flat fee for permanent registration shall be charged
8 as provided by law;

9 C. for utility trailers, the actual empty weight
10 except that in the case of travel trailers, the weights to be
11 used are those specified in Section ~~[64-6-3 NMSA 1953]~~ 66-6-3
12 NMSA 1978; and

13 D. for all other vehicles except as otherwise
14 provided by law, the gross factory shipping weight. "

15 Section 83. Section 66-3-113 NMSA 1978 (being Laws 1978,
16 Chapter 35, Section 60) is recompiled as Section 66-8-11 NMSA
17 1978 and is amended to read:

18 "66-8-11. FAILURE TO DELIVER CERTIFICATE--PENALTY. --

19 A. Except as provided in ~~[Section 64-3-24B NMSA 1953]~~
20 Subsection B of Section 66-3A-25 NMSA 1978, it is a misdemeanor
21 for any person to fail or neglect to properly endorse and
22 deliver a certificate of title to a transferee or owner
23 lawfully entitled thereto.

24 B. Upon conviction of a second ~~[such]~~ offense, the
25 offender is guilty of a misdemeanor but shall be punished by a

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1 fine of not more than one thousand dollars (\$1,000) or by
2 imprisonment for not more than three hundred sixty-four days or
3 both. "

4 Section 84. Section 66-3-1001 NMSA 1978 (being Laws 1978,
5 Chapter 35, Section 197, as amended) is recompiled as Section
6 66-8-A.1 NMSA 1978 and is amended to read:

7 "66-3-1001. SHORT TITLE. -- Sections [~~66-3-1001 through~~
8 ~~66-3-1016~~] 66-8A-1 through 66-8A-8 NMSA 1978 may be cited as
9 the "Off-Highway Motor Vehicle Act". "

10 Section 85. Section 66-3-1012 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 208, as amended) is recompiled as Section
12 66-8A-4 NMSA 1978 and is amended to read:

13 "66-8A-4. MOVEMENT OF OFF-HIGHWAY MOTOR VEHICLES ADJACENT
14 TO HIGHWAY. -- Off-highway motor vehicles issued a registration
15 plate [~~pursuant to Subsection C of Section 66-3-1003 NMSA 1978~~]
16 by the department may be moved, by nonmechanical means only,
17 adjacent to a highway, in a manner so as not to interfere with
18 traffic upon the highway, only for the purpose of gaining
19 access to or returning from areas designed for the operation of
20 off-highway motor vehicles when no other route is available. "

21 Section 86. Section 66-12-5.2 NMSA 1978 (being Laws 1987,
22 Chapter 247, Section 7) is amended to read:

23 "66-12-5.2. OWNER'S CERTIFICATE OF TITLE--FEES--
24 DUPLICATES. --

25 A. Except as provided in Subsection C of this

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[bracketed material] = delete

1 section, every owner of a boat subject to titling under the
2 provisions of the Boat Act shall apply to the [~~division~~
3 department] for issuance of a certificate of title for the boat
4 within thirty days after acquisition. The application shall be
5 on forms the [~~division~~] department prescribes and accompanied
6 by the required fee. The application shall be signed and sworn
7 to before a notary public or other [~~person~~] individual who
8 administers oaths, or include a certification signed in writing
9 containing substantially the representation that statements
10 made are true and correct to the best of the applicant's
11 knowledge, information and belief, under penalty of perjury.
12 The application shall contain the date of sale and gross price
13 of the boat or the fair market value if no sale immediately
14 preceded the transfer and any additional information the
15 [~~division~~] department requires. If the application is made for
16 a boat last previously registered or titled in another state or
17 foreign country, it shall contain this information and any
18 other information the [~~division~~] department requires.

19 B. The [~~division~~] department shall not issue or renew
20 a certificate of number to any boat required to be registered
21 and numbered in the state unless the [~~division~~] department has
22 issued a certificate of title to the owner, if the boat is
23 required to be titled.

24 C. Any person who, on July 1, 1987, is the owner of a
25 boat with a valid certificate of number issued by the state is

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[bracketed material] = delete

1 not required to file an application for a certificate of title
2 for the boat until he transfers any part of his interest in the
3 boat or he renews the certificate of number for the boat.

4 D. If a dealer buys or acquires a used boat for
5 resale, he shall report the acquisition to the [~~division~~]
6 department on forms the [~~division~~] department provides, or he
7 may apply for and obtain a certificate of title as provided in
8 this section. If a dealer buys or acquires a used unnumbered
9 boat, he shall apply for a certificate of title in his name
10 within thirty days. If a dealer buys or acquires a new boat
11 for resale, he may apply for a certificate of title in his
12 name.

13 E. Every dealer transferring a boat requiring titling
14 under this section shall assign the title to the new owner or,
15 in the case of a new boat, assign the certificate of origin.
16 Within thirty days, the dealer or purchaser, as applicable,
17 shall file with the [~~division~~] department the necessary
18 application and fee required under this section.

19 F. The [~~division~~] department shall maintain a record
20 of any certificate of title it issues.

21 G. No person shall sell, assign or transfer a boat
22 titled by the state without delivering to the purchaser or
23 transferee a certificate of title with an assignment on it
24 showing title in the purchaser or transferee and with a
25 statement of all liens upon the title. No person may purchase

Underscored material = new
[bracketed material] = delete

1 or otherwise acquire a boat required to be titled by the state
2 without obtaining a certificate of title for it in his name.

3 The transferee before operating or permitting the operation of
4 the boat on a waterway shall present to the department the
5 certificate of registration and the properly assigned
6 certificate of title and shall apply for and obtain a new
7 certificate of title and a new registration for the vehicle.

8 H. The ~~[division]~~ department shall charge a ten
9 dollar (\$10.00) fee to issue a certificate of title, a transfer
10 of title, a duplicate or corrected certificate of title.

11 I. If a certificate of title is lost, stolen,
12 mutilated, destroyed or becomes illegible, ~~[the first~~
13 ~~lienholder or, if there is none]~~ the owner named in the
14 certificate, as shown by the ~~[division's]~~ department's records,
15 shall within thirty days obtain a duplicate by applying to the
16 [division] department, or the owner's representative or
17 successor in interest shall apply immediately to the department
18 for issuance of a duplicate certificate of title. The
19 applicant shall furnish information concerning the original
20 certificate and the circumstances of its loss, mutilation or
21 destruction as the ~~[division]~~ department requires. Mutilated
22 or illegible certificates shall be returned to the ~~[division]~~
23 department with the application for a duplicate. In the event
24 a lien or encumbrance is filed of record, the department shall
25 require the application for the duplicate certificate of title

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1 to be signed by the holder of the lien or encumbrance.

2 Issuance of a duplicate certificate of title is not subject to
3 the excise tax imposed under Section 66-12-6.1 NMSA 1978. Upon
4 issuance of any duplicate certificate of title, the previous
5 certificate last issued is void.

6 J. The duplicate certificate of title shall be
7 plainly marked "duplicate" across its face and mailed or
8 delivered to the applicant.

9 K. If a lost or stolen original certificate of title
10 for which a duplicate has been issued is recovered, the
11 original shall be surrendered promptly to the [~~division~~]
12 department for cancellation.

13 L. In the absence of the regularly required
14 supporting evidence of ownership upon application for
15 certificate of title, registration or transfer of a boat
16 required to be titled under the provisions of the Boat Act, the
17 department may accept an undertaking or surety bond, in an
18 amount double the value of the boat, which shall be conditioned
19 to protect the department and all officers and employees of the
20 department and any subsequent purchaser of the boat or vehicle,
21 any person holding or acquiring a lien or security interest on
22 the boat or vehicle or the successor in interest of the
23 purchaser or person against any loss or damage on account of
24 any defect in or undisclosed claim upon the right, title and
25 interest of the applicant or other person in and to the boat.

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[bracketed material] = delete

1 The bond shall run to the true owner or the lienholder. The
2 bond shall expire three years after the date it becomes
3 effective. "

4 Section 87. RECOMPILATION. --

5 A. Section 66-3-10.1 NMSA 1978 (being Laws 1990,
6 Chapter 120, Section 24) is recompiled as Section 66-3C-5 NMSA
7 1978.

8 B. Sections 66-3-106 and 66-3-124 NMSA 1978 (being
9 Laws 1978, Chapter 35, Sections 53 and 71, as amended) are
10 recompiled as Sections 66-3C-7 and 66-3E-9 NMSA 1978.

11 C. Section 66-3-203 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 75) is recompiled as Section 66-3-509 NMSA
13 1978.

14 D. Sections 66-3-1010, 66-3-1011 and 66-3-1013
15 through 66-3-1016 NMSA 1978 (being Laws 1978, Chapter 35,
16 Section 206, Laws 1975, Chapter 240, Sections 11, 13 and 14,
17 Laws 1978, Chapter 35, Sections 211 and 212, as amended) are
18 recompiled as Sections 66-8A-2, 66-8A-3 and 66-8A-5 through
19 66-8A-8 NMSA 1978.

20 Section 88. REPEAL. --

21 A. Sections 66-3-3, 66-3-5, 66-3-10, 66-3-11,
22 66-3-16.1, 66-3-21, 66-3-22, 66-3-27 and 66-3-28 NMSA 1978
23 (being Laws 1978, Chapter 35, Sections 23, 25, 30 and 31, Laws
24 1995, Chapter 129, Section 2, Laws 1978, Chapter 35, Sections
25 41, 42 and 47 and Laws 1994, Chapter 119, Section 14, as

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1 amended) are repealed.

2 B. Sections 66-3-102 through 66-3-104, 66-3-108 and
3 66-3-110 NMSA 1978 (being Laws 1978, Chapter 35, Sections 49
4 through 51, 55 and 57, as amended) are repealed.

5 C. Section 66-3-303 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 79) is repealed.

7 D. Sections 66-3-401 through 66-3-404, 66-3-407,
8 66-3-407.1, 66-3-408 and 66-3-418 NMSA 1978 (being Laws 1978,
9 Chapter 35, Sections 80 through 83 and 86, Laws 1989, Chapter
10 87, Section 1, Laws 1978, Chapter 35, Section 87 and Laws 1990,
11 Chapter 46, Section 1, as amended) are repealed.

12 E. Section 66-3-901 NMSA 1978 (being Laws 1978,
13 Chapter 35, Section 194, as amended) is repealed.

14 F. Sections 66-3-1003 through 66-3-1008 NMSA 1978
15 (being Laws 1978, Chapter 35, Sections 199 through 204, as
16 amended) are repealed.

17 Section 89. EFFECTIVE DATE. -- The effective date of the
18 provisions of this act is January 1, 1997.

1 FORTY-SECOND LEGISLATURE
2 SECOND SESSION, 1996
3
4

5 JANUARY 22, 1996
6

7 Mr. President:
8

9 Your COMMITTEES' COMMITTEE, to whom has been referred
10

11 SENATE BILL 77
12

13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the WAYS AND
15 MEANS COMMITTEE.
16

17 Respectfully submitted,
18
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22 _____
23 SENATOR MANNY M. ARAGON, Chairman
24
25

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

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

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FORTY- SECOND LEGISLATURE

SECOND SESSION

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~~[bracketed material] = delete~~

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1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSION, 1996

SB 77/a

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4
5 February 9, 1996

6
7 Mr. President:

8
9 Your WAYS AND MEANS COMMITTEE, to whom has been
10 referred

11
12 SENATE BILL 77

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

16
17 1. On page 8, line 9, strike "driveway-towaway" and insert in
18 lieu thereof "driveaway-towaway".

19
20 2. On page 16, line 12, strike "specially-constructed" and
21 insert in lieu thereof "specially constructed".

22
23 3. On page 18, line 4, strike "single axle" and insert in
24 lieu thereof "single-axle".

25
4. On page 18, line 11, strike the comma.

Underscored material = new
[bracketed material] = delete

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

SWMC/SB 77

Page 133

5. On page 20, between lines 19 and 20, insert the following new paragraph:

"(9) a vehicle for which title has been transferred to an authorized insurance company, as that term is defined in the New Mexico Insurance Code, as a result of damage to or theft of the vehicle for which the insurance company has compensated the owner;".

6. Renumber the succeeding paragraphs accordingly.

7. On page 27, line 19, after "country" insert "and has not been registered or titled in another state".

8. On page 28, line 2, after "company" insert "as a result of damage to the vehicle".

Underscored material = new
[bracketed material] = delete

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

SWMC/SB 77

Page 134

9. On page 32, line 14, before the period insert "unless a lien on the vehicle has been recorded and not released, in which case the certificate of title shall be delivered to the first lienholder of record".

10. On page 34, lines 18 through 23, remove the brackets and line through, and on line 23, strike "notice" and insert in lieu thereof "Notice".

11. Reletter the succeeding subsections accordingly.

12. On page 37, lines 15 through 20, strike the brackets and line-through.

13. On page 45, line 4, after "DEPARTMENT" insert dashes and remove the brackets and line-through.

14. On page 45, lines 10 and 11, remove the brackets and line-through and strike the underscored language.

15. On page 46, line 15, strike the closing quotation marks and between lines 15 and 16 insert the following new subsection:

"G. Souvenir sample registration plates of any type,

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SECOND SESSION, 1996**

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Page 135

whether regular or special, may be issued by the department upon request and payment of a fee of ten dollars (\$10.00). "".

16. On page 48, line 6, strike "state name, state motto,".

17. On page 50, line 18, after "HOMES" strike "AND" and insert in lieu thereof a comma and on line 19, after "TRAILERS" insert "AND HISTORIC VEHICLES".

18. On page 56, line 10, before the period insert "or a valid temporary permit in accordance with Section 66-3A-10 NMSA 1978".

19. On page 57, line 21, strike "ten" and insert in lieu thereof "twenty".

Underscored material = new
[bracketed material] = delete

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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20. On pages 71 through 73, strike Section 42 in its entirety.

21. Renumber the succeeding sections accordingly.

22. On page 78, line 2, after "state-supported" insert "four-year".

23. On page 82, line 8, strike "The" and insert in lieu thereof "Except as provided otherwise in Subsection C of this section, the".

24. On page 83, line 11, strike "The" and insert in lieu thereof "Except as provided otherwise in Subsection B of this section, the".

25. On page 83, lines 17 and 18, strike "in addition to the regular registration fee".

26. On page 84, line 5, strike "B or".

27. On page 86, line 14, strike the brackets and line-through and strike "ten dollars (\$10.00)".

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28. On page 87, line 24, strike "C" and insert in lieu thereof "B".

29. On page 88, line 25, strike "D" and insert in lieu thereof "C".

30. On page 90, line 5, strike "D" and insert in lieu thereof "C".

31. On page 91, line 13, strike "D" and insert in lieu thereof "C".

32. On page 92, line 16, strike "G" and insert in lieu thereof "E".

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

**FORTY-SECOND LEGISLATURE
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33. On page 93, line 17, after "special", strike the semi colon.

34. On page 96, line 17, strike "if" and insert in lieu thereof "either".

35. On page 98, line 14, after "dealer" insert "for resale".

36. On page 113, line 14, strike "Section".

37. On page 114, line 11, before "form" insert "notification".

38. On page 121, line 22, strike "or owner" and insert in lieu thereof ", owner or lienholder".

39. On page 122, line 6, strike "66-8-A.1" and insert in lieu thereof "66-8A-1. ".

40. On page 122, line 7, strike "66-3-1001" and insert in lieu thereof "66-8A-1".

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41. On page 125, line 10, after the first occurrence of "title" strike the comma and insert "or".

42. On page 127, line 16, after "14" strike the comma and insert "and".

43. On page 127, between lines 19 and 20, insert the following new subsection:

"E. Section 66-3B-6 NMSA 1978 is reserved."

Respectfully submitted,

TITO D. CHAVEZ, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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Date _____

The roll call vote was 6 For 1 Against

Yes: 6

No: Riley

Excused: Campos

Absent: None

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Underscored material = new
[bracketed material] = delete