



The Legislature
of the
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 42

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE

SUBSTITUTE FOR HOUSE BILL 25

Introduced by



Chapter 42

AN ACT

1
2 RELATING TO THE MOTOR VEHICLE CODE; PROVIDING FOR THE RENEWAL
3 OF DRIVER'S LICENSES OR IDENTIFICATION CARDS BY ALTERNATIVE
4 MEANS; PROVIDING FOR THE EXPIRATION OF DRIVER'S LICENSES
5 THIRTY DAYS FOLLOWING THE HOLDER'S TWENTY-FIRST OR SEVENTY-
6 FIFTH BIRTHDAY; PROVIDING FOR FLEXIBILITY IN THE EXPIRATION
7 DATES OF IDENTIFICATION CARDS; AUTHORIZING PRORATION OF FEES.

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

10 Section 1. Section 66-5-14 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 236, as amended) is amended to read:

12 "66-5-14. EXAMINATION OF APPLICANTS.--

13 A. The department shall examine every first-time
14 applicant for a driver's license or a motorcycle endorsement
15 and may examine other applicants for a driver's license or
16 motorcycle endorsement. The examination shall include a test
17 of the applicant's ability to read and understand highway
18 signs regulating, warning and directing traffic, the
19 applicant's knowledge of the traffic laws of this state and an
20 actual demonstration of ability to exercise ordinary and
21 reasonable control in the operation of a motor vehicle except
22 as provided in Section 66-5-7 NMSA 1978 and any further
23 physical and mental examination as the department finds
24 necessary to determine the applicant's fitness to operate a
25 motor vehicle or motorcycle safely upon the highways.

1 B. Regardless of whether an applicant is examined
2 under Subsection A of this section, the department shall test
3 the eyesight of every applicant for a driver's license or
4 motorcycle endorsement unless the application is for renewal
5 of a license or endorsement and is made by mail or telephonic
6 or electronic means.

7 C. The department is authorized to contract with
8 other persons for conduct of tests of the applicant's ability
9 to exercise ordinary and reasonable control of a motor
10 vehicle. Any such contract may be terminated by the secretary
11 upon written notice for failure of the contractor to perform
12 the contractor's duties to the secretary's satisfaction.
13 Contracts under this subsection may provide for the form of
14 notice and the length of the period, if any, between the
15 notice and the effective date of the termination.

16 D. For purposes of this section, a "first-time
17 applicant" means an applicant other than a person who:

18 (1) holds a currently valid driver's license
19 issued by New Mexico or any other jurisdiction at the time of
20 application; or

21 (2) does not hold a currently valid driver's
22 license issued by New Mexico or any other jurisdiction at the
23 time of application but who held a valid driver's license
24 issued by New Mexico or any other jurisdiction within one year
25 prior to the date of application if that driver's license was

1 not revoked under any provision of the Motor Vehicle Code or
2 suspended, canceled or revoked under the laws of any other
3 jurisdiction for reasons similar to those for which revocation
4 is authorized under the Motor Vehicle Code."

5 Section 2. Section 66-5-21 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 243, as amended) is amended to read:

7 "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE
8 PERIOD--EIGHT-YEAR ISSUANCE PERIOD--RENEWAL.--

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

1 personal information that is obtained in the issuance of a
2 driver's license. The department may require an examination
3 upon renewal of the driver's license.

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

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

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

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

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

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

24 E. The director may adopt regulations providing
25 for the proration of driver's license fees and commercial

1 driver's license fees due to shortened licensure periods
2 permitted pursuant to Subsection A of Section 66-5-19 NMSA
3 1978 or for licensure periods authorized pursuant to the
4 provisions of this section."

5 Section 3. Section 66-5-403 NMSA 1978 (being Laws 1973,
6 Chapter 269, Section 3, as amended) is amended to read:

7 "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--
8 DURATION--RENEWAL.--

9 A. Except as provided in Subsection B or C of this
10 section, every identification card shall be issued for a
11 period not to exceed four years and shall expire on the last
12 day of the month of the identified person's birth in the
13 fourth year after the effective date of the identification
14 card.

15 B. An identification card may be renewed within
16 ninety days prior to its expiration or at an earlier date
17 approved by the department. An identification card may be
18 renewed by mail or telephonic or electronic means pursuant to
19 regulations adopted by the department. The regulations shall
20 ensure adequate security measures to safeguard personal
21 information that is obtained in the issuance of an
22 identification card.

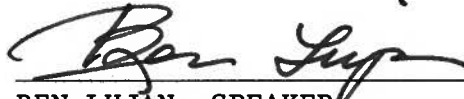
23 C. At the option of the applicant for an
24 identification card, a card may be issued for a period of
25 eight years, provided that the applicant pays the amount

1 required for an identification card issued for a term of eight
2 years. An identification card issued pursuant to the
3 provisions of this subsection shall expire on the last day of
4 the month of the applicant's birth in the eighth year after
5 the effective date of the identification card. The
6 identification card may be renewed within ninety days prior to
7 its expiration."

8 Section 4. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2010. _____

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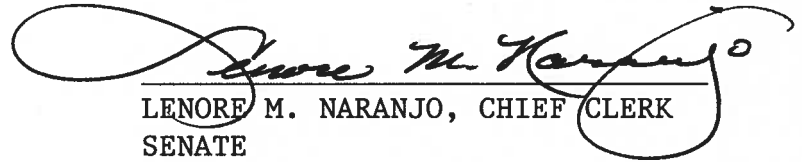
BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



DIANE D. DENISH, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of March, 2010



BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO

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SECRETARY OF STATE
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