



The Legislature  
of the  
State of New Mexico

49th Legislature, Second Session

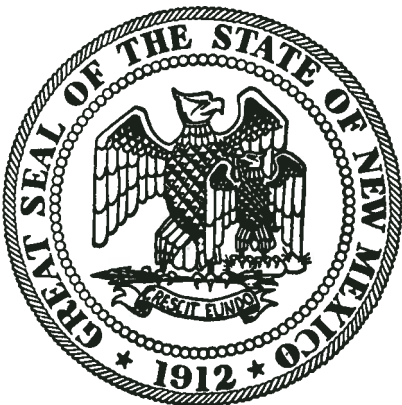
LAWS 2010

CHAPTER 70

SENATE BILL 137

Introduced by

SENATOR PHIL A. GRIEGO



# Chapter 70

## AN ACT

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

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

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

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

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

1 motor vehicle or motorcycle safely upon the highways.

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

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

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

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

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

1 year prior to the date of application if that driver's  
2 license was not revoked under any provision of the Motor  
3 Vehicle Code or suspended, canceled or revoked under the laws  
4 of any other jurisdiction for reasons similar to those for  
5 which revocation is authorized under the Motor Vehicle Code."

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

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

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

1 department that ensure adequate security measures to  
2 safeguard personal information that is obtained in the  
3 issuance of a driver's license. The department may require  
4 an examination upon renewal of the driver's license.

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

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

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

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

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

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

25 E. The director may adopt regulations providing

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

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

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

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

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

24 C. At the option of the applicant for an  
25 identification card, a card may be issued for a period of

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

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

SB 137  
Page 6

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*Diane D. Denish*

Diane D. Denish, President  
Senate

*Lenore M. Naranjo*  
Lenore M. Naranjo, Chief Clerk  
Senate

*Ben Lujan*

Ben Lujan, Speaker  
House of Representatives

*Stephen R. Arias*  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this 8<sup>th</sup> day of March, 2010

*Bill Richardson*

Governor Bill Richardson  
State of New Mexico

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