

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 305

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Cathrynn N. Brown

AN ACT

RELATING TO MOTOR VEHICLES; ALLOWING DISCLOSURE OF MOTOR  
VEHICLE RECORDS TO LICENSED AUTO RECYCLERS TO ALLOW COMPLIANCE  
WITH NOTICE REQUIREMENTS.

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

SECTION 1. Section 66-2-7.1 NMSA 1978 (being Laws 1995,  
Chapter 135, Section 4, as amended by Laws 2007, Chapter 323,  
Section 31 and by Laws 2007, Chapter 324, Section 1) is amended  
to read:

"66-2-7.1. MOTOR VEHICLE-RELATED RECORDS--  
CONFIDENTIAL.--

A. It is unlawful for any department or bureau  
employee or contractor or for any former department or bureau  
employee or contractor to disclose to any person other than  
another employee of the department or bureau any personal

.195527.1

underscoring material = new  
[bracketed material] = delete

1 information about an individual obtained by the department or  
2 bureau in connection with a driver's license or permit, the  
3 titling or registration of a vehicle, the administration of the  
4 Ignition Interlock Licensing Act and the interlock device fund  
5 or an identification card issued by the department pursuant to  
6 the Motor Vehicle Code except:

7 (1) to the individual or the individual's  
8 authorized representative;

9 (2) for use by any governmental agency,  
10 including any court, in carrying out its functions or by any  
11 private person acting on behalf of the government;

12 (3) for use in connection with matters of  
13 motor vehicle and driver safety or theft; motor vehicle  
14 emissions; performance monitoring of motor vehicles, motor  
15 vehicle parts and dealers; motor vehicle market research  
16 activities, including survey research; motor vehicle production  
17 alterations, recalls or advisories; and removal of non-owner  
18 records from original owner records of motor vehicle  
19 manufacturers;

20 (4) for use in research activities and for use  
21 in producing statistical reports, so long as the personal  
22 information is not published, redisclosed or used to contact  
23 individuals;

24 (5) for use by any insurer or insurance  
25 support organization or by a self-insured entity or its agents,

.195527.1

underscored material = new  
[bracketed material] = delete

1 employees or contractors in connection with claims  
2 investigation activities, antifraud activities, rating or  
3 underwriting;

4 (6) for providing notice to owners of towed or  
5 impounded vehicles;

6 (7) for use by a licensed auto recycler to  
7 provide notice as required by law;

8 [~~(7)~~] (8) for use by an employer or its agent  
9 or insurer in obtaining or verifying information relating to a  
10 holder of a commercial driver's license;

11 [~~(8)~~] (9) for use by any requester if the  
12 requester demonstrates that it has obtained the written consent  
13 of the individual to whom the information pertains;

14 [~~(9)~~] (10) for use by an insured state-  
15 chartered or federally chartered credit union; an insured state  
16 or national bank; an insured state or federal savings and loan  
17 association; or an insured savings bank, but only:

18 (a) to verify the accuracy of personal  
19 information submitted by an individual to the credit union,  
20 bank, savings and loan association or savings bank; and

21 (b) if the information as submitted is  
22 not correct or is no longer correct, to obtain the correct  
23 information, but only for the purpose of preventing fraud by  
24 pursuing legal remedies against or recovering on a debt or  
25 security interest from the individual;

.195527.1

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

1                    [~~(10)~~] (11) for providing organ donor  
2 information as provided in the Jonathan Spradling Revised  
3 Uniform Anatomical Gift Act or Section 66-5-10 NMSA 1978; or

4                    [~~(11)~~] (12) for providing the names and  
5 addresses of all lienholders and owners of record of abandoned  
6 vehicles to storage facilities or wrecker yards for the purpose  
7 of providing notice as required in Section 66-3-121 NMSA 1978.

8                    B. Any person who violates the provisions of this  
9 section is guilty of a misdemeanor and upon conviction shall be  
10 sentenced in accordance with the provisions of Section 31-19-1  
11 NMSA 1978."

12                    SECTION 2. EFFECTIVE DATE.--The effective date of the  
13 provisions of this act is July 1, 2014.