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AN ACT
RELATING TO IDENTIFICATION CARDS; REMOVING THE FEE
REQUIREMENT FOR ISSUANCE OF AN IDENTIFICATION CARD TO A
HOMELESS INDIVIDUAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
SECTION 1. Section 66-5-408 NMSA 1978 (being Laws 1978,
Chapter 35, Section 335, as amended) is amended to read:

"66-5-408. FEES.--

A. Upon application for an identification card
with a four-year term, there shall be paid to the department
a fee of five dollars (\$5.00). Upon application for an
identification card with an eight-year term, there shall be
paid to the department a fee of ten dollars (\$10.00). A fee
shall not be charged to an applicant for an identification
card if the applicant is at least seventy-five years of age
or a homeless individual.

B. The department with the approval of the
governor may increase the amount of the identification card
fee by an amount not to exceed three dollars (\$3.00) for the
purpose of implementing an enhanced licensing system;
provided that for an identification card issued for an eight-
year period, the amount of the fee shall be twice the amount
charged for other identification cards. The additional
amounts collected pursuant to this subsection are

1 appropriated to the department to defray the expense of the
2 new system of licensing and for use as set forth in the
3 provisions of Subsection F of Section 66-6-13 NMSA 1978.
4 Unexpended and unencumbered balances from fees collected
5 pursuant to the provisions of this subsection at the end of
6 any fiscal year shall not revert to the general fund but
7 shall be expended by the department in fiscal year 2010 and
8 subsequent fiscal years.

9 C. As used in this section, "homeless individual"
10 means an individual:

11 (1) who lacks a fixed, regular and adequate
12 nighttime residence, including an individual who:

13 (a) lives in the housing of another
14 person due to that individual's loss of housing, economic
15 hardship or other reason related to that individual's lack of
16 a fixed residence;

17 (b) lives in a motel, hotel, trailer
18 park or camping ground due to the lack of alternative
19 adequate accommodations;

20 (c) lives in an emergency or
21 transitional shelter;

22 (d) sleeps in a public or private place
23 not designed for or ordinarily used as a regular sleeping
24 accommodation for human beings; or

25 (e) lives in an automobile, a park, a

