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SENATE BILL 156

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO DRIVER'S LICENSES; RAISING THE AGE FOR ANNUAL RENEWALS OF DRIVER'S LICENSES; INCREASING THE AGE AT WHICH DRIVER'S LICENSE RENEWALS ARE FREE OF CHARGE.

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

SECTION 1. Section 66-5-19 NMSA 1978 (being Laws 1978, Chapter 35, Section 241, as amended) is amended to read:

"66-5-19. RESTRICTED LICENSES.--

A. The division, upon issuing a driver's license or a provisional license, may, whenever good cause appears, impose restrictions, including the shortening of the licensure period suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle that the licensee may operate or such other restrictions applicable to the licensee as the division

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1 determines to be appropriate to ensure the safe operation of a
2 motor vehicle by the licensee.

3 B. At age [~~seventy-five~~] seventy-nine and
4 thereafter, the applicant shall renew the applicant's license
5 on a yearly basis at no cost to the applicant.

6 C. The division may either issue a special
7 restricted license or may set forth such restrictions upon the
8 usual license form.

9 D. The division may issue a restricted license or a
10 restricted provisional license for driving during daylight
11 hours only to some visually impaired persons who fail the usual
12 eyesight test. The health standards advisory board created
13 pursuant to the provisions of Section 66-5-6 NMSA 1978 shall
14 evaluate the extent of the visual impairment and the
15 impairment's effect on the driving ability of the applicant
16 and, based on the board's recommendations, the director may
17 issue a restricted license under the following conditions:

18 (1) the applicant has no record of moving
19 violations;

20 (2) the necessity of the license is shown to
21 the satisfaction of the director; and

22 (3) the applicant satisfies the provisions of
23 Section 66-5-206 NMSA 1978 relating to proof of financial
24 responsibility.

25 E. The division may, upon receiving satisfactory

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1 evidence of any violation of the restrictions of the license,
2 suspend the license, but the licensee is entitled to a hearing
3 as upon a suspension under Sections 66-5-1.1 through 66-5-47
4 NMSA 1978 and as provided in the Administrative Hearings Office
5 Act.

6 F. It is a misdemeanor for any person to operate a
7 motor vehicle in any manner in violation of the restrictions
8 imposed in a restricted license issued to the person."

9 SECTION 2. Section 66-5-21 NMSA 1978 (being Laws 1978,
10 Chapter 35, Section 243, as amended by Laws 2010, Chapter 42,
11 Section 2 and by Laws 2010, Chapter 70, Section 2) is amended
12 to read:

13 "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE
14 PERIOD--EIGHT-YEAR ISSUANCE PERIOD--RENEWAL.--

15 A. Except as provided in Subsection B or D of this
16 section, Section 66-5-19 NMSA 1978 and Section 66-5-67 NMSA
17 1978, all driver's licenses shall be issued for a period of
18 four years, and each license shall expire thirty days after the
19 applicant's birthday in the fourth year after the effective
20 date of the license or shall expire thirty days after the
21 applicant's [~~seventy-fifth~~] seventy-ninth birthday. A license
22 issued pursuant to Section 66-5-19 NMSA 1978 shall expire
23 thirty days after the applicant's birthday in the year in which
24 the license expires. Each license is renewable within ninety
25 days prior to its expiration or at an earlier date approved by

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1 the department. The fee for the license shall be as provided
2 in Section 66-5-44 NMSA 1978. The department may provide for
3 renewal by mail or telephonic or electronic means of a driver's
4 license issued pursuant to the provisions of this subsection,
5 pursuant to regulations adopted by the department that ensure
6 adequate security measures to safeguard personal information
7 that is obtained in the issuance of a driver's license. The
8 department may require an examination upon renewal of the
9 driver's license.

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

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

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

17 (3) will not reach the age of [~~seventy-five~~]
18 seventy-nine during the last four years of the eight-year
19 license period or reach the age of twenty-one during any year
20 within the term of the license.

21 C. A driver's license issued pursuant to the
22 provisions of Subsection B of this section shall expire thirty
23 days after the applicant's birthday in the eighth year after
24 the effective date of the license.

25 D. A driver's license issued prior to an

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1 applicant's twenty-first birthday shall expire thirty days
2 after the applicant's twenty-first birthday. A driver's
3 license issued prior to an applicant's twenty-first birthday
4 may be issued for a period of up to five years.

5 E. The director may adopt regulations providing for
6 the proration of driver's license fees and commercial driver's
7 license fees due to shortened licensure periods permitted
8 pursuant to Subsection A of Section 66-5-19 NMSA 1978 or for
9 licensure periods authorized pursuant to the provisions of this
10 section."

11 SECTION 3. Section 66-5-67 NMSA 1978 (being Laws 1989,
12 Chapter 14, Section 16, as amended) is amended to read:

13 "66-5-67. EXPIRATION AND RENEWAL--STAGGERED LICENSING
14 DURING IMPLEMENTATION PERIOD.--

15 A. Except as provided in Subsections C and E of
16 this section, a commercial driver's license issued pursuant to
17 the provisions of the New Mexico Commercial Driver's License
18 Act shall expire thirty days after the applicant's birthday in
19 the fourth year after the effective date of the license.

20 B. The license is renewable within ninety days
21 prior to its expiration or at an earlier date as approved by
22 the secretary.

23 C. At the option of an applicant, a commercial
24 driver's license may be issued for a period of eight years,
25 provided that the applicant:

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

3 (2) otherwise qualifies for a four-year
4 commercial driver's license; and

5 (3) will not reach the age of [~~seventy-five~~]
6 seventy-nine during the last four years of the eight-year
7 license period.

8 D. A driver's license issued pursuant to the
9 provisions of Subsection C of this section shall expire thirty
10 days after the applicant's birthday in the eighth year after
11 the effective date of the license.

12 E. A commercial driver's license with a hazardous
13 material endorsement shall expire:

14 (1) for an applicant transferring a commercial
15 driver's license with the hazardous material endorsement, four
16 years from the date of the last background check and testing
17 for the hazardous material endorsement; or

18 (2) for an applicant adding endorsements or
19 other changes to the commercial driver's license, no later than
20 the expiration date of the commercial driver's license
21 originally issued with the hazardous material endorsement."

22 SECTION 4. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is July 1, 2016.