SENATE FLOOR SUBSTITUTE FOR
SENATE BILL 299

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

AN ACT
RELATING TO SPECIAL REGISTRATION PLATES; REQUIRING THE TAXATION
AND REVENUE DEPARTMENT TO ESTABLISH A DESIGN ELEMENT THAT
DENOTES SIGNIFICANT MOBILITY LIMITATION AND TO ISSUE THAT
DESIGN ELEMENT ON ANOTHER SPECIAL REGISTRATION PLATE IF
REQUESTED BY A PERSON WHO QUALIFIES; CREATING A STANDARDIZED
REGISTRATION PLATE FOR WORTHY PUBLIC PURPOSES; PROVIDING FOR
SPECIALIZED REGISTRATION DECALS FOR SUPPORTERS OF WORTHY PUBLIC
PURPOSES; MAKING APPROPRIATIONS.

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

SECTION 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH
SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARDS.--

A. The division shall issue distinctive

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registration plates for use on motor vehicles and motorcycles owned or leased by a person with a significant mobility limitation who requests a distinctive registration plate and who proves satisfactorily to the division that the person is a person with a significant mobility limitation.

B. The division shall establish a design element that denotes significant mobility limitation and shall issue that design element on another special registration plate in lieu of issuing a special registration plate pursuant to Subsection A of this section if requested by a person who qualifies for a significant mobility limitation and the other requested special registration plate; provided that:

(1) all fees and qualifications required to obtain the other requested special registration plate are satisfied by the requester; and

(2) the special registration plate selected by the requester has been determined by the division to be able to accommodate an additional design element.

C. The division shall issue a distinctive parking placard to an organization that owns or leases a motor vehicle that primarily transports persons with significant mobility limitations and that requests a distinctive parking placard. The organization, if qualified, may obtain a distinctive parking placard for each vehicle used to transport persons with significant mobility limitations.
[D.] **D.** No fee in addition to the regular registration fee, if any, applicable to the motor vehicle or motorcycle shall be collected for issuance of distinctive registration plates or parking placards pursuant to this section.

[E.] **E.** No person shall falsely claim to have a significant mobility limitation so as to be eligible to be issued a distinctive registration plate or a parking placard pursuant to this section when the person does not in fact have a significant mobility limitation. Upon notice and opportunity to be heard, the division may revoke and demand return of any placard when:

1. it was issued in error or with false information;
2. the person receiving the placard is no longer eligible;
3. the placard is being used by ineligible persons; or
4. the organization to which the parking placard was issued no longer exists.

[F.] **F.** Upon written application to the division accompanied by a medical statement by a licensed physician or a physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice attesting to the permanent significant mobility limitation.
limitation, a resident of the state who has a significant
mobility limitation, as provided in this section, may apply for
and be issued no more than two parking placards for display
upon a motor vehicle registered to the person or motor vehicle
owned by another person who is transporting the person with a
significant mobility limitation. The licensed physician or the
physician assistant, advanced practice registered nurse or
certified nurse-midwife working within that person's scope of
practice shall provide the division all information and records
necessary to issue a permanent parking placard. Once approved
for use of a permanent parking placard, a person with a
significant mobility limitation shall not be required to
furnish further medical information.

[F. G.] To obtain a distinctive parking placard
pursuant to this section, an organization shall submit to the
division:

(1) on a form approved by the division, a
signed statement by an authorized officer of the organization
affirming that the vehicle will be primarily used to transport
persons with significant mobility limitations and that the
registered vehicle is owned or leased by the organization; and

(2) at least one contract that places the
organization under obligation to provide transportation
services to persons with significant mobility limitations.

[G. H.] A parking placard issued pursuant to this
section shall expire four years from the date it was issued.

[H] I. The division shall issue two-sided hanger-style parking placards with the following characteristics:

(1) a picture of the international symbol of access;

(2) a hologram to make duplication difficult;

(3) an imprinted expiration date; and

(4) for a placard issued to:

(a) a person with a significant mobility limitation, a full-face photograph of the holder on the inside of the placard covered by a flap; or

(b) an organization, the number of the registration plate issued to the vehicle that is registered or leased to the organization on which the placard will be used.

[J] The division shall consult with the governor's commission on disability for continued issuance and format of the placard.

[K] The division may issue an identification card containing a full-face photograph of the holder of the registration plate or parking placard and the number of the registration plate or parking placard issued to that person.

[L] Upon written application to the division accompanied by a medical statement from a licensed physician or a physician assistant, advanced practice registered nurse or
certified nurse-midwife working within that person's scope of practice attesting to a temporary significant mobility limitation, a person may be issued a temporary placard for no more than one year. The licensed physician or the physician assistant, advanced practice registered nurse or certified nurse-midwife working within that person's scope of practice shall provide the division all information and records necessary to issue a temporary placard.

Registration plates or parking placards issued to a person with a significant mobility limitation by another state or foreign jurisdiction shall be honored until the motor vehicle or motorcycle is registered or the parking placard holder establishes residency in this state.

A "person with a significant mobility limitation" means a person who:

1. cannot walk one hundred feet without stopping to rest;

2. cannot walk without the use of a brace, cane or crutch or without assistance from another person, a prosthetic device, a wheelchair or other assistive device;

3. is restricted by lung disease to such an extent that the person's forced respiratory volume, when exhaling for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than sixty millimeters on room air at rest;

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(4) uses portable oxygen;
(5) has a severe cardiac condition; or
(6) is so severely limited in the ability to walk due to an arthritic, neurologic or orthopedic condition that the person cannot ascend or descend more than ten stair steps."

SECTION 2. A new section of the Motor Vehicle Code is enacted to read:

"[NEW MATERIAL] STANDARDIZED REGISTRATION PLATES FOR WORTHY PUBLIC PURPOSES--SPECIAL REGISTRATION DECALS.--

A. For a fee of ten dollars ($10.00), which shall be in addition to the regular motor vehicle registration fee, the department shall issue standardized registration plates with space for a special registration decal as may be authorized by statute for worthy public purposes. The fee collected for each registration plate shall be retained by the department and is appropriated to the department for the manufacture and issuance of the registration plate. No two owners shall be issued identically lettered or numbered registration plates.

B. The authorizing statute for a special registration decal shall provide for the collection of fees that, at a minimum, shall cover the costs to the division of development, manufacture and issuance of the decal.

C. Worthy public purpose registration plates, on
the standardized areas, shall:

(1) display the colors of the state flag, with red lettering on a yellow background;

(2) display the phrases "New Mexico USA" and "Land of Enchantment";

(3) provide a space for applying a special registration decal, centered at the left edge of the plate between the attachment holes, beginning one-fourth inch in from the edge of the plate and having the following dimensions:

(a) four and one-eighth inches in height; and

(b) three and one-eighth inches in width; and

(4) provide a vehicle registration number, to be assigned by the division, that consists of five alphanumeric characters displayed to the right of the special decal area.

D. Special registration decals, except for the standard dimensions specified in Paragraph (3) of Subsection C of this section, shall be left to the design discretion of the division, in consultation with the worthy public purpose interest group that requests the special registration decal.

E. Special registration decals, when authorized by statute for a particular worthy public purpose interest group, shall meet the requirements specified in this subsection prior to issuance by the division. The worthy public purpose
interest group, no later than the effective date of the
authorizing statute, shall:

(1) provide evidence acceptable to the
division that it will generate a minimum number of prepaid
applications as determined by the division for the special
registration decal;

(2) provide a prepayment to the division in an
amount sufficient to cover the initial order for the special
registration decal;

(3) provide a sample of the requested artwork
design in a format specified by the manufacturer for the
specialized registration decal; and

(4) in cases where the authorizing statute
includes revenue sharing with distribution directed to a
particular group or fund, show that the recipient is a
governmental entity or a fund authorized for the use of a
governmental entity.

F. The division may promulgate rules for
implementation of the provisions of this section."

SECTION 3. A new section of the Motor Vehicle Code is
enacted to read:

"[NEW MATERIAL] SPECIAL REGISTRATION DECALS--ONE-TIME
FEE.--The department shall issue special registration decals
for use on standardized registration plates pursuant to Section
2 of this 2021 act for statutorily authorized purposes and

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fees, which fees shall be in addition to the regular motor
vehicle registration fees; provided that the fees established
in this section shall be waived for each registration period in
which a validating sticker is issued under the provisions of
Section 66-3-17 NMSA 1978 in lieu of the issuance of a
registration plate with a special registration decal."

SECTION 4. A new section of the Motor Vehicle Code is
enacted to read:

"[NEW MATERIAL] SPECIAL REGISTRATION DECALS--RECURRING
FEES.--A special registration decal may be authorized by
statute for use on the standardized registration plate pursuant
to Section 2 of this 2021 act with an annual renewal
requirement. The department shall issue special registration
decals for statutorily authorized purposes and fees pursuant to
this section, which fees shall be in addition to the regular
motor vehicle registration fees. The owner shall apply and pay
the specified fee each year to retain the special registration
decal."

SECTION 5. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2021.