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AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING THAT A PERSON CITED FOR NO VEHICLE REGISTRATION, INSURANCE OR DRIVER'S LICENSE SHALL NOT BE CONVICTED IF THE PERSON PRODUCES EVIDENCE OF COMPLIANCE IN COURT; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007.

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

SECTION 1. Section 66-3-1 NMSA 1978 (being Laws 1978, Chapter 35, Section 21, as amended by Laws 2007, Chapter 319, Section 13 and by Laws 2007, Chapter 320, Section 1) is amended to read:

"66-3-1. VEHICLES SUBJECT TO REGISTRATION--
EXCEPTIONS.--

A. With the exception of vehicles identified in Subsection B of this section, every motor vehicle, manufactured home, trailer, semitrailer and pole trailer when driven or moved upon a highway and every off-highway motor vehicle is subject to the registration and certificate of title provisions of the Motor Vehicle Code except:

(1) any such vehicle driven or moved upon a highway in conformance with the provisions of the Motor Vehicle Code relating to manufacturers, dealers, lien-holders or nonresidents;

(2) any such vehicle that is driven or moved

1 upon a highway only for the purpose of crossing the highway
2 from one property to another;

3 (3) an implement of husbandry that is only
4 incidentally operated or moved upon a highway;

5 (4) special mobile equipment;

6 (5) a vehicle that is propelled exclusively
7 by electric power obtained from overhead trolley wires though
8 not operated upon rails;

9 (6) a freight trailer if it is:

10 (a) properly registered in another
11 state;

12 (b) identified by a proper base
13 registration plate that is properly displayed; and

14 (c) identified by other registration
15 documents that are in the possession of the operator and
16 exhibited at the request of a police officer;

17 (7) a freight trailer or utility trailer
18 owned and used by:

19 (a) a nonresident solely for the
20 transportation of farm products purchased by the nonresident
21 from growers or producers of the farm products and
22 transported in the trailer out of the state;

23 (b) a farmer or a rancher who
24 transports to market only the produce, animals or fowl
25 produced by that farmer or rancher or who transports back to

1 the farm or ranch supplies for use thereon; or

2 (c) a person who transports animals to
3 and from fairs, rodeos or other places, except racetracks,
4 where the animals are exhibited or otherwise take part in
5 performances, in trailers drawn by a motor vehicle or truck
6 of less than ten thousand pounds gross vehicle weight rating
7 bearing a proper registration plate, but in no case shall the
8 owner of an unregistered trailer described in this paragraph
9 perform such uses for hire;

10 (8) a moped;

11 (9) an electric personal assistive mobility
12 device;

13 (10) a vehicle moved on a highway by a
14 towing service as defined in Section 59A-50-2 NMSA 1978; and

15 (11) an off-highway motor vehicle exempted
16 pursuant to Section 66-3-1005 NMSA 1978.

17 B. A certificate of title required pursuant to
18 Subsection A of this section is not required for a vehicle of
19 a type subject to registration owned by:

20 (1) the government of the United States; or

21 (2) a carrier that is from a jurisdiction
22 that is not a participant in the International Fuel Tax
23 Agreement, that is authorized by the United States government
24 or an agency of the United States government to conduct
25 cross-border operations beyond the commercial border zone

1 pursuant to the provisions of the North American Free Trade
2 Agreement and that identifies New Mexico as the carrier's
3 base jurisdiction.

4 C. A person who violates the provisions of this
5 section is guilty of a misdemeanor as provided in Section
6 66-8-7 NMSA 1978. A person charged with violating this
7 section shall not be convicted if the person produces, in
8 court, evidence of compliance valid at the time of issuance
9 of the citation."

10 SECTION 2. Section 66-3-13 NMSA 1978 (being Laws 1978,
11 Chapter 35, Section 33) is amended to read:

12 "66-3-13. EVIDENCE OF REGISTRATION TO BE SIGNED AND
13 EXHIBITED ON DEMAND.--

14 A. Every owner, upon receipt of registration
15 evidence, shall write that owner's signature thereon in a
16 space provided. Every such registration evidence or
17 duplicate of registration evidence validated by the division
18 shall be exhibited upon demand of any police officer.

19 B. A person charged with violating the provisions
20 of this section shall not be convicted if the person
21 produces, in court, evidence of a signed registration valid
22 at the time of issuance of the citation."

23 SECTION 3. Section 66-5-2 NMSA 1978 (being Laws 1978,
24 Chapter 35, Section 224, as amended) is amended to read:

25 "66-5-2. DRIVERS MUST BE LICENSED.--

1 A. Except those expressly exempted from the Motor
2 Vehicle Code, no person shall drive any motor vehicle,
3 neighborhood electric car or moped upon a highway in this
4 state unless the person:

5 (1) holds a valid license issued under the
6 provisions of the Motor Vehicle Code; and

7 (2) has surrendered to the division any
8 other license previously issued to the person by this state
9 or by another state or country or has filed an affidavit with
10 the division that the person does not possess such other
11 license; however, the applicant need not surrender a
12 motorcycle license duly obtained under Paragraph (4) of
13 Subsection A of Section 66-5-5 NMSA 1978.

14 B. Any person licensed under the provisions of the
15 Motor Vehicle Code or expressly exempted from licensure may
16 exercise the privilege granted upon all streets and highways
17 in this state and shall not be required to obtain any other
18 license to exercise the privilege by any county, municipality
19 or any other local body having authority to adopt local
20 police regulations.

21 C. A person charged with violating the provisions
22 of this section shall not be convicted if the person
23 produces, in court, a driver's license issued to the person
24 that was valid at the time of the person's arrest."

1 Chapter 318, Section 6, as amended) is amended to read:

2 "66-5-205. VEHICLE MUST BE INSURED OR OWNER MUST HAVE
3 EVIDENCE OF FINANCIAL RESPONSIBILITY--PENALTIES.--

4 A. No owner shall permit the operation of an
5 uninsured motor vehicle, or a motor vehicle for which
6 evidence of financial responsibility as was affirmed to the
7 department is not currently valid, upon the streets or
8 highways of New Mexico unless the vehicle is specifically
9 exempted from the provisions of the Mandatory Financial
10 Responsibility Act.

11 B. No person shall drive an uninsured motor
12 vehicle, or a motor vehicle for which evidence of financial
13 responsibility as was affirmed to the department is not
14 currently valid, upon the streets or highways of New Mexico
15 unless the person is specifically exempted from the
16 provisions of the Mandatory Financial Responsibility Act.

17 C. For the purposes of the Mandatory Financial
18 Responsibility Act, "uninsured motor vehicle" means a motor
19 vehicle for which a motor vehicle insurance policy meeting
20 the requirements of the laws of New Mexico and of the
21 secretary, or a surety bond or evidence of a sufficient cash
22 deposit with the state treasurer, is not in effect.

23 D. The provisions of the Mandatory Financial
24 Responsibility Act requiring the deposit of evidence of
25 financial responsibility as provided in Section 66-5-218

1 NMSA 1978, subject to certain exemptions, may apply with
2 respect to persons who have been convicted of or forfeited
3 bail for certain offenses under motor vehicle laws or who
4 have failed to pay judgments or written settlement agreements
5 upon causes of action arising out of ownership, maintenance
6 or use of vehicles of a type subject to registration under
7 the laws of New Mexico.

8 E. Any person who violates the provisions of this
9 section is guilty of a misdemeanor as provided in Section
10 66-8-7 NMSA 1978.

11 F. A person charged with violating the provisions
12 of this section shall not be convicted if the person
13 produces, in court, evidence of financial responsibility
14 valid at the time of issuance of the citation."

15 SECTION 5. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2013. _____

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