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HOUSE BILL 77

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Paul A. Pacheco

AN ACT

RELATING TO MOTOR VEHICLES; ALLOWING ORGANIZATIONS THAT OWN OR LEASE VEHICLES THAT PRIMARILY TRANSPORT PERSONS WITH A SIGNIFICANT MOBILITY LIMITATION TO ACQUIRE SPECIAL DISTINCTIVE REGISTRATION PLATES.

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--ORGANIZATIONS THAT TRANSPORT PERSONS WITH SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARD.--

A. The division shall issue distinctive registration plates for use on motor vehicles and motorcycles ~~owned by~~ to:

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1 (1) a person with a significant mobility
2 limitation who requests a distinctive registration plate and
3 who proves satisfactorily to the division that the person owns
4 or leases the vehicle and meets the standard provided in
5 Subsection [F] L of this section; or

6 (2) an organization that owns or leases a
7 motor vehicle that primarily transports persons with a
8 significant mobility limitation and that requests a distinctive
9 registration plate. The organization, if qualified, may obtain
10 a distinctive registration plate for each vehicle used to
11 transport persons with a significant mobility limitation.

12 B. No fee in addition to the regular registration
13 fee, if any, applicable to the motor vehicle or motorcycle
14 shall be collected for issuance of distinctive registration
15 plates pursuant to this section.

16 [~~B-~~] C. No person shall falsely claim to have a
17 significant mobility limitation so as to be eligible to be
18 issued a distinctive registration plate or a parking placard
19 pursuant to this section when the person does not in fact have
20 a significant mobility limitation. Upon notice and opportunity
21 to be heard, the division may revoke and demand return of any
22 placard when:

23 (1) it was issued in error or with false
24 information;

25 (2) the person receiving the placard is no

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1 longer eligible; or

2 (3) the placard is being used by ineligible
3 persons.

4 [~~G-~~] D. Upon written application to the division,
5 accompanied by a medical statement by a licensed physician
6 attesting to the permanent significant mobility limitation, a
7 resident of the state who has a significant mobility
8 limitation, as provided in this section, may apply for and be
9 issued no more than two parking placards for display upon a
10 motor vehicle registered to the person or motor vehicle owned
11 by another person who is transporting the person with a
12 significant mobility limitation. The physician shall provide
13 the division all information and records necessary to issue a
14 permanent parking placard. Once approved for use of a
15 permanent parking placard, a person with a significant mobility
16 limitation shall not be required to furnish further medical
17 information.

18 E. To obtain a distinctive registration plate
19 pursuant to this section, an organization shall submit, on a
20 form approved by the division, a signed statement by an
21 authorized officer of the organization affirming that the
22 registered vehicle is owned or leased by the organization and
23 that the vehicle will be primarily used to transport persons
24 with a significant mobility limitation.

25 [~~D-~~] F. A parking placard issued pursuant to this

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1 section shall expire four years from the date it was issued.

2 [~~E-~~] G. The division shall issue two-sided
3 hanger-style parking placards with the following
4 characteristics:

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

7 (2) a hologram to make duplication difficult;

8 (3) an imprinted expiration date; and

9 (4) a full-face photograph of the holder on
10 the inside of the placard covered by a flap.

11 [~~F-~~] H. The division shall consult with the
12 governor's commission on disability for continued issuance and
13 format of the placard.

14 [~~G-~~] I. The division may issue an identification
15 card containing a full-face photograph of the holder of the
16 registration plate or parking placard and the number of the
17 registration plate or parking placard issued to that person.

18 [~~H-~~] J. Upon written application to the division
19 accompanied by a medical statement from a licensed physician
20 attesting to a temporary significant mobility limitation, a
21 person may be issued a temporary placard for no more than one
22 year. The physician shall provide the division all information
23 and records necessary to issue a temporary placard.

24 [~~I-~~] K. Registration plates or parking placards
25 issued to a person with a significant mobility limitation by

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1 another state or foreign jurisdiction shall be honored until
2 the motor vehicle or motorcycle is registered or the parking
3 placard holder establishes residency in this state.

4 ~~[J-]~~ L. A "person with a significant mobility
5 limitation" means a person who:

6 (1) cannot walk one hundred feet without
7 stopping to rest;

8 (2) cannot walk without the use of a brace,
9 cane or crutch or without assistance from another person, a
10 prosthetic device, a wheelchair or other assistive device;

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

16 (4) uses portable oxygen;

17 (5) has a severe cardiac condition; or

18 (6) is so severely limited in the ability to
19 walk due to an arthritic, neurologic or orthopedic condition
20 that the person cannot ascend or descend more than ten stair
21 steps."

22 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
23 provisions of this act is July 1, 2015.