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HOUSE BILL 297

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

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO DRIVER'S EDUCATION; AMENDING THE DRIVING SCHOOL LICENSING ACT TO AUTHORIZE THE TRAFFIC SAFETY BUREAU OF THE DEPARTMENT OF TRANSPORTATION TO CERTIFY MOTOR VEHICLE ACCIDENT PREVENTION AND DRIVER SAFETY COURSES.

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

**SECTION 1.** Section 66-10-6 NMSA 1978 (being Laws 1967, Chapter 185, Section 6, as amended) is amended to read:

"66-10-6. POWERS OF BUREAU.--The traffic safety bureau of the department of transportation shall:

A. prescribe the forms and procedures necessary for the making of applications and the licensing of driver education schools and driver education instructors pursuant to the provisions of the Driving School Licensing Act;

B. certify motor vehicle accident prevention and

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1 driver safety courses;

2           ~~[B-]~~ C. require periodic and annual reports from  
3 the licensed schools on the number and types of pupils enrolled  
4 and trained and such other matters as it deems necessary;

5           ~~[G-]~~ D. require the licensed schools to keep and  
6 maintain certain records;

7           ~~[D-]~~ E. prescribe forms for and supply serially  
8 numbered uniform certificates of course completion to owners,  
9 primary consignees or operators of courses approved by the  
10 bureau and charge a fee not to exceed one dollar (\$1.00) per  
11 certificate. The uniform certificates of course completion  
12 shall be printed on copy resistant paper in not less than two  
13 self-copying parts so as to provide a control copy of the  
14 certificate that shall be retained by the course provider.

15 Each certificate shall include an identifying number that will  
16 allow the court or bureau to verify its authenticity with the  
17 course provider. Upon successful completion of a course,  
18 licensed schools shall issue to each pupil a certificate of  
19 completion;

20           ~~[E-]~~ F. require each driver education school to  
21 post a surety bond with the bureau in the amount of five  
22 thousand dollars (\$5,000);

23           ~~[F-]~~ G. suspend or revoke, subject to the  
24 procedures prescribed in the Uniform Licensing Act, any license  
25 issued to a driver education school or to a driver education

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1 instructor when it is found that the licensee has failed to  
2 maintain the qualifications or standards required by the  
3 Driving School Licensing Act for the issuance of the initial  
4 license;

5 ~~[G.]~~ H. develop and adopt rules and regulations  
6 needed to administer the Driving School Licensing Act and to  
7 license driver education schools and instructors;

8 ~~[H.]~~ I. set annual licensure fees for:

9 (1) driver education schools, not to exceed  
10 five hundred dollars (\$500) per year;

11 (2) driver education instructors, not to  
12 exceed one hundred dollars (\$100) per year; and

13 (3) driver education school extension  
14 locations, not to exceed thirty-five dollars (\$35.00) per year;  
15 and

16 ~~[I.]~~ J. set by regulation the enrollment fees that  
17 may be charged to a student by a private driver education  
18 school."

19 **SECTION 2.** Section 66-10-12 NMSA 1978 (being Laws 1993,  
20 Chapter 68, Section 55, as amended) is amended to read:

21 "66-10-12. EXEMPT PROVIDERS.--The Driving School  
22 Licensing Act shall not apply to nonprofit corporations that  
23 provide the same number of classroom motor vehicle accident  
24 prevention ~~[courses approved]~~ instruction hours as required for  
25 for-profit courses certified by the traffic safety bureau of

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1 the department of transportation and that are engaged in  
2 providing courses exclusively for drivers who are fifty years  
3 of age or older."

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