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HOUSE BILL 101

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Sarah Maestas Barnes

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.

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 PLACARD.--

A. The division shall issue distinctive registration plates for use on motor vehicles and motorcycles owned by a person with a significant mobility limitation who requests a distinctive registration plate and who proves

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1 satisfactorily to the division that the person meets the
2 standard provided in Subsection [J] K of this section. No fee
3 in addition to the regular registration fee, if any, applicable
4 to the motor vehicle or motorcycle shall be collected for
5 issuance of distinctive registration plates pursuant to this
6 section.

7 B. No person shall falsely claim to have a
8 significant mobility limitation so as to be eligible to be
9 issued a distinctive registration plate or a parking placard
10 pursuant to this section when the person does not in fact have
11 a significant mobility limitation. Upon notice and opportunity
12 to be heard, the division may revoke and demand return of any
13 placard when:

14 (1) it was issued in error or with false
15 information;

16 (2) the person receiving the placard is no
17 longer eligible; or

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

20 C. Upon written application to the division
21 accompanied by a medical statement by a licensed physician or a
22 physician assistant, advanced practice registered nurse or
23 certified nurse-midwife working within that person's scope of
24 practice attesting to the permanent significant mobility
25 limitation, a resident of the state who has a significant

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1 mobility limitation, as provided in this section, may apply for
2 and be issued no more than two parking placards for display
3 upon a motor vehicle registered to the person or motor vehicle
4 owned by another person who is transporting the person with a
5 significant mobility limitation. The physician or the
6 physician assistant, advanced practice registered nurse or
7 certified nurse-midwife working within that person's scope of
8 practice shall provide the division all information and records
9 necessary to issue a permanent parking placard. Once approved
10 for use of a permanent parking placard, a person with a
11 significant mobility limitation shall not be required to
12 furnish further medical information.

13 D. A parking placard issued pursuant to this
14 section shall expire four years from the date it was issued.

15 E. The division shall issue two-sided hanger-style
16 parking placards with the following characteristics:

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

19 (2) a hologram to make duplication difficult;

20 (3) an imprinted expiration date; and

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

23 F. The division shall consult with the governor's
24 commission on disability for continued issuance and format of
25 the placard.

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1 G. The division may issue an identification card
2 containing a full-face photograph of the holder of the
3 registration plate or parking placard and the number of the
4 registration plate or parking placard issued to that person.

5 H. Upon written application to the division
6 accompanied by a medical statement from a licensed physician or
7 a physician assistant, advanced practice registered nurse or
8 certified nurse-midwife working within that person's scope of
9 practice attesting to a temporary significant mobility
10 limitation, a person may be issued a temporary placard for no
11 more than one year. The physician or the physician assistant,
12 advanced practice registered nurse or certified nurse-midwife
13 working within that person's scope of practice shall provide
14 the division all information and records necessary to issue a
15 temporary placard.

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

21 J. The division shall establish a design element
22 that denotes significant mobility limitation and shall issue
23 that design element on another special registration plate if
24 requested by a person who has a significant mobility limitation
25 and who qualifies for the other requested special registration

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1 plate; provided that all fees and qualifications required to
2 obtain the other requested special registration plate are
3 satisfied by the requester.

4 [J.] K. 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, 2018.