

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 248

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO MOTOR VEHICLE DEALERS; ESTABLISHING STANDARDS FOR
REQUIRED DEALER EDUCATION.

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

SECTION 1. Section 66-4-2 NMSA 1978 (being Laws 1978,
Chapter 35, Section 215, as amended) is amended to read:

"66-4-2. DEPARTMENT TO ISSUE LICENSE.--

A. Except for recreational vehicles, the
department, upon receiving an initial nonfranchise dealership
application accompanied by the required fee and when satisfied
that the applicant is of good character, has completed eight
hours of education [~~training~~] as approved by the department and
complies with the laws of this state with reference to the
registration of vehicles and certificates of title and the
provisions of the Motor Vehicle Code, shall issue to the

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1 applicant a license that entitles the licensee to conduct the
2 business of a dealer, auto recycler or title service company.
3 The license may be renewed upon application, payment of the fee
4 required by law and completion every ~~[two years]~~ year of four
5 hours of continuing education as approved by the department. A
6 licensee shall not lease, loan, transfer or sell its license to
7 another person, and no person shall use the license of another
8 person for any purpose.

9 B. A dealer or auto recycler licensee, before
10 moving any of the licensee's places of business or opening any
11 additional place of business, shall apply to the department for
12 and obtain a supplemental license for which no fee shall be
13 charged. No supplemental license shall be issued to a dealer,
14 other than a dealer in motorcycles only, for an additional
15 place of business unless the business already has an
16 established place of business.

17 C. A person to whom the department has issued a
18 license to conduct the business of a dealer in motorcycles only
19 is also deemed a recycler of motorcycles without additional
20 license.

21 D. For purposes of this section, "education" means
22 training provided at a physical location in the state:

23 (1) through a regionally accredited New Mexico
24 post-secondary educational institution or an organization that
25 has been granted exemption from the federal income tax as an

1 organization described in Section 501(c)(3) or 501(c)(6) of the
2 Internal Revenue Code of 1986, as amended or renumbered;

3 (2) in which the student and the person
4 providing the training appear in person; and

5 (3) that is taught by a person who has held a
6 New Mexico license as a dealer for not less than seven years."

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