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HOUSE BILL 181

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Danice Picraux

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR ACCESS TO MOTOR
VEHICLE RECORDS BY SELF-STORAGE FACILITIES.

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

Section 1. Section 66-2-7.1 NMSA 1978 (being Laws 1995,
Chapter 135, Section 4, as amended) is amended to read:

"66-2-7.1. MOTOR VEHICLE-RELATED RECORDS--
CONFIDENTIAL.--

A. It is unlawful for any department employee or
contractor or for any former department employee or
contractor to disclose to any person other than another
employee of the department any personal information about an
individual obtained by the department in connection with a
driver's license or permit, the titling or registration of a
vehicle or an identification card issued by the department
pursuant to the Motor Vehicle Code except:

.130682.1

underscored material = new
~~[bracketed material] = delete~~

1 (1) to the individual or the individual's
2 authorized representative;

3 (2) for use by any governmental agency,
4 including any court, in carrying out its functions or by any
5 private person acting on behalf of the government;

6 (3) for use in connection with matters of
7 motor vehicle and driver safety or theft; motor vehicle
8 emissions; performance monitoring of motor vehicles, motor
9 vehicle parts and dealers; motor vehicle market research
10 activities, including survey research; motor vehicle
11 production alterations, recalls or advisories; and removal of
12 non-owner records from original owner records of motor
13 vehicle manufacturers;

14 (4) for use in research activities and for
15 use in producing statistical reports, so long as the personal
16 information is not published, redisclosed or used to contact
17 individuals;

18 (5) for use by any insurer or insurance
19 support organization or by a self-insured entity or its
20 agents, employees or contractors in connection with claims
21 investigation activities, antifraud activities, rating or
22 underwriting;

23 (6) for providing notice to owners of towed
24 or impounded vehicles;

25 (7) for use by an employer or its agent or
insurer in obtaining or verifying information relating to a
holder of a commercial driver's license;

.130682.1

underscoring material = new
~~[bracketed material] = delete~~

1 (8) for use by any requester if the
2 requester demonstrates that it has obtained the written
3 consent of the individual to whom the information pertains;

4 (9) for use by an insured state-chartered or
5 federally chartered credit union; an insured state or
6 national bank; an insured state or federal savings and loan
7 association; or an insured savings bank, but only:

8 (a) to verify the accuracy of personal
9 information submitted by an individual to the credit union,
10 bank, savings and loan association or savings bank; and

11 (b) if the information as submitted is
12 not correct or is no longer correct, to obtain the correct
13 information, but only for the purpose of preventing fraud by
14 pursuing legal remedies against or recovering on a debt or
15 security interest from the individual; ~~[or]~~

16 (10) for providing organ donor
17 information as provided in the Uniform Anatomical Gift Act or
18 Section 66-5-10 NMSA 1978; or

19 (11) for providing notice to owners of
20 abandoned vehicles in self-storage facilities.

21 B. Any person who violates the provisions of this
22 section is guilty of a misdemeanor and upon conviction shall
23 be ~~[punished]~~ sentenced in accordance with the provisions of
24 Section 31-19-1 NMSA 1978."
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