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FISCAL IMPACT REPORT

SPONSOR: Miera DATE TYPED: 2/13/01 HB 386
 SHORT TITLE: Clarify Use of Limited Driver's License SB _____
 ANALYST: Rael

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
See Narrative					

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)
 State Highway and Transportation Department (SHTD)
 Taxation and Revenue Department (TRD)
 23 U.S.C. §§ 408, 410

SUMMARY

Synopsis of Bill

The Clarify Use a Limited Driver's License bill amends Section 66-5-35 by allowing a person whose driver's license was suspended or revoked to apply to the Motor Vehicles Department for a limited use license to attend a court-ordered treatment program. This person must show proof that he is enrolled in a court-ordered treatment program and needs a limited license to travel to and from the treatment program.

Significant Issues

Federal law encourages states to adopt laws that would mandate a driver's license revocation for not less than one year for repeat offenders.

FISCAL IMPLICATIONS

This bill has no fiscal impact.

The State Highway and Transportation Department correctly notes that federal law encourages states to pass laws that mandate a one year driver's license revocation for repeat offenders. In the 1980s, the federal government required that states pass these laws in order to be eligible for certain federal highway

grants. While the federal law encouraging states to pass repeat DWI offender laws currently does not offer grants as incentives, it is possible that it will do so again in the future.

TECHNICAL ISSUES

In order to comply with federal recommendations, the SHTD recommends the following amendments:

1. Section 1.A.(3), delete “except that a person who is convicted a second or third time for driving under the influence of intoxicating liquor or drugs may apply for and shall receive a limited license if he complies with the requirements set forth in Subsections C and D of this section”
2. Section 1.B., delete “or for the second or third time pursuant to the provisions of Paragraph (3) of Subsection C of Section 66-8-111 NMSA 1978”
3. Section 1.B.(3), delete the entire subsection.
4. Section 1.C. and D., delete both subsections entirely.

FAR/njw