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SENATE BILL 362

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING EDUCATIONAL TRAINING FOR
MOTOR VEHICLE DEALER LICENSURE; RECONCILING MULTIPLE AMENDMENTS
TO THE SAME SECTION OF LAW IN LAWS 2005.

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 by Laws 2005, Chapter 15,
Section 1 and by Laws 2005, Chapter 324, Section 14) 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 educational training as approved by the division and

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1 complies with the laws of this state with reference to the
2 registration of vehicles and certificates of title and the
3 provisions of the Motor Vehicle Code, shall issue to the
4 applicant a license that entitles the licensee to conduct the
5 business of a dealer, auto recycler or title service company.
6 The license may be renewed upon application and payment of the
7 fee required by law.

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

15 (1) the place of business is an established
16 place of business; or

17 (2) the majority of dealers, other than
18 dealers in motorcycles, in the county in which the proposed
19 additional place of business would be located have been offered
20 the opportunity, in documentation acceptable to the department,
21 to offer vehicles for sale at the proposed additional place of
22 business by the applicant; provided that the offer shall be for
23 sale of vehicles at all times at which the applicant proposes
24 to sell vehicles and shall not be conditioned upon the payment
25 of any fee by any dealer to whom it is addressed greater than a

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1 fair share of the actual expenses incurred.

2 C. A person to whom the department has issued a
3 license to conduct the business of a dealer in motorcycles is
4 also deemed a wrecker of motorcycles without additional
5 license.

6 D. The department is authorized to establish a
7 staggered system for licensing of dealers, wholesalers,
8 distributors and auto recyclers and of title service companies,
9 provided that any license issued shall expire on the last day
10 of a month. Licenses [~~issued~~] shall be issued for a period of
11 twelve months.

12 E. On or after July 1, 2005, the holder of a
13 wrecker of vehicles license desiring to renew the license shall
14 apply for an auto recycler license, pursuant to the provisions
15 of the Motor Vehicle Code, at the time the holder would have
16 otherwise applied to renew the wrecker of vehicles license."

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