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SENATE BILL 507

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO MOTOR VEHICLES; ELIMINATING THE USE OF TAX  
IDENTIFICATION NUMBERS FOR DRIVER'S LICENSE APPLICATIONS.

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

Section 1. Section 66-5-9 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE,  
PROVISIONAL LICENSE OR INSTRUCTION PERMIT.--

A. An application for an instruction permit,  
provisional license or driver's license shall be made upon a  
form furnished by the department. An application shall be  
accompanied by the proper fee. For permits, provisional  
licenses or driver's licenses other than those issued pursuant  
to the New Mexico Commercial Driver's License Act, submission  
of a complete application with payment of the fee entitles the

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1 applicant to not more than three attempts to pass the  
2 examination within a period of six months from the date of  
3 application.

4 B. An application shall contain the full name,  
5 social security number [~~or individual tax identification~~  
6 ~~number~~], date of birth, sex and New Mexico residence address of  
7 the applicant and briefly describe the applicant and indicate  
8 whether the applicant has previously been licensed as a driver  
9 and, if so, when and by what state or country and whether [~~any~~  
10 ~~such~~] that previous license has ever been suspended or revoked  
11 or whether an application has ever been refused and, if so, the  
12 date of and reason for the suspension, revocation or refusal.  
13 [~~For foreign nationals applying for driver's licenses the~~  
14 ~~secretary shall accept the individual taxpayer identification~~  
15 ~~number as a substitute for a social security number regardless~~  
16 ~~of immigration status.~~] The secretary is authorized to  
17 establish by regulation other documents that may be accepted as  
18 a substitute for a social security number [~~or an individual tax~~  
19 ~~identification number~~].

20 C. An applicant shall indicate whether [~~he~~] the  
21 applicant has been convicted of driving while under the  
22 influence of intoxicating liquor or drugs in this state or in  
23 any other jurisdiction. Failure to disclose any such  
24 conviction prevents the issuance of a driver's license,  
25 provisional license, temporary license or instruction permit

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1 for a period of one year if the failure to disclose is  
2 discovered by the department prior to issuance. If the  
3 nondisclosure is discovered by the department subsequent to  
4 issuance, the department shall revoke the driver's license,  
5 provisional license, temporary license or instruction permit  
6 for a period of one year. Intentional and willful failure to  
7 disclose, as required in this subsection, is a misdemeanor.

8 D. An applicant [~~less than~~] who is under eighteen  
9 years of age and who is making an application to be granted  
10 [~~his~~] a first New Mexico driver's license shall submit evidence  
11 that [~~he~~] the applicant has:

12 (1) successfully completed a driver education  
13 course that included a DWI prevention and education program  
14 approved by the bureau or offered by a public school. The  
15 bureau may accept verification of driver education course  
16 completion from another state if the driver education course  
17 substantially meets the requirements of the bureau for a course  
18 offered in New Mexico;

19 (2) had a provisional license for the twelve-  
20 month period immediately preceding the date of the application  
21 for the driver's license;

22 (3) complied with restrictions on that  
23 license;

24 (4) not been convicted of a traffic violation  
25 committed during the ninety days prior to applying for a

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1 driver's license;

2 (5) not been cited for a traffic violation  
3 that is pending at the time of [~~his~~] the application; and

4 (6) not been adjudicated for an offense  
5 involving the use of alcohol or drugs during the twelve-month  
6 period immediately preceding the date of the application for  
7 the driver's license and that there are no pending  
8 adjudications alleging an offense involving the use of alcohol  
9 or drugs at the time of [~~his~~] the application.

10 E. An applicant eighteen years of age and over, but  
11 [~~less than~~] under twenty-five years of age, who is making an  
12 application to be granted [~~his~~] a first New Mexico driver's  
13 license shall submit evidence with [~~his~~] the application that  
14 [~~he~~] the applicant has successfully completed a bureau-approved  
15 DWI prevention and education program.

16 F. An applicant twenty-five years of age [~~and~~] or  
17 over who has been convicted of driving under the influence of  
18 intoxicating liquor or drugs, and who is making an application  
19 to be granted [~~his~~] a first New Mexico driver's license, shall  
20 submit evidence with [~~his~~] the application that [~~he~~] the  
21 applicant has successfully completed a bureau-approved DWI  
22 prevention and education program.

23 G. Whenever application is received from a person  
24 previously licensed in another jurisdiction, the department may  
25 request a copy of the driver's record from the other

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1 jurisdiction. When received, the driver's record may become a  
2 part of the driver's record in this state with the same effect  
3 as though entered on the driver's record in this state in the  
4 original instance.

5 H. Whenever the department receives a request for a  
6 driver's record from another licensing jurisdiction, the record  
7 shall be forwarded without charge.

8 I. This section does not apply to driver's licenses  
9 issued pursuant to the New Mexico Commercial Driver's License  
10 Act."