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HOUSE BILL 149

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Elias Barela

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO THE MOTOR VEHICLE CODE; AMENDING THE RENEWAL OF A DRIVER'S LICENSE OR IDENTIFICATION CARD BY ALTERNATIVE MEANS; PROVIDING FOR THE EXPIRATION OF DRIVER'S LICENSES OR IDENTIFICATION CARDS THIRTY DAYS FOLLOWING THE HOLDER'S TWENTY-FIRST BIRTHDAY; AUTHORIZING PRORATION OF FEES.

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

Section 1. Section 66-5-21 NMSA 1978 (being Laws 1978, Chapter 35, Section 243, as amended) is amended to read:

"66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE PERIOD--EIGHT-YEAR ISSUANCE PERIOD--ELECTRONIC RENEWAL---

A. Except as provided in Subsection B of this section, Section 66-5-19 NMSA 1978 and Section 66-5-67 NMSA 1978, all driver's licenses shall be issued for a period of four years, and each license shall expire thirty days after the

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1 applicant's birthday in the fourth year after the effective  
2 date of the license. A license issued pursuant to Section  
3 66-5-19 NMSA 1978 shall expire thirty days after the  
4 applicant's birthday in the year in which the license expires.  
5 Each license is renewable within ninety days prior to its  
6 expiration or at an earlier date approved by the department.  
7 The fee for the license shall be as provided in Section 66-5-44  
8 NMSA 1978. The department may provide for renewal by mail or  
9 by electronic means of a driver's license issued pursuant to  
10 the provisions of this subsection, pursuant to regulations  
11 adopted by the department [~~and~~] that ensure adequate security  
12 measures to safeguard personal information that is obtained in  
13 the issuance of a driver's license. The department may require  
14 an examination upon renewal of the driver's license.

15 B. At the option of an applicant, a driver's  
16 license may be issued for a period of eight years, provided  
17 that the applicant:

18 (1) pays the amount required for a driver's  
19 license issued for a term of eight years;

20 (2) otherwise qualifies for a four-year  
21 driver's license; and

22 (3) will not reach the age of seventy-five  
23 during the last four years of the eight-year license period or  
24 reach the age of twenty-one during any year within the term of  
25 the license.

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1 C. A driver's license issued pursuant to the  
2 provisions of Subsection B of this section shall expire thirty  
3 days after the applicant's birthday in the eighth year after  
4 the effective date of the license.

5 D. A driver's license or permit issued prior to an  
6 applicant's twenty-first birthday shall expire thirty days  
7 after the applicant's twenty-first birthday.

8 [~~D.~~] E. The director may adopt regulations  
9 providing for the proration of driver's license fees and  
10 commercial driver's license fees due to shortened licensure  
11 periods permitted pursuant to Subsection A of Section 66-5-19  
12 NMSA 1978 or for shortened licensure periods required pursuant  
13 to the provisions of this section."

14 Section 2. Section 66-5-403 NMSA 1978 (being Laws 1973,  
15 Chapter 269, Section 3, as amended) is amended to read:

16 "66-5-403. EXPIRATION OF IDENTIFICATION CARDS--DURATION--  
17 ELECTRONIC RENEWAL.--

18 A. Except as provided in Subsection B or C of this  
19 section, every identification card shall be issued for a period  
20 not to exceed four years and shall expire on the last day of  
21 the month of the identified person's birth in the fourth year  
22 after the effective date of the identification card. [~~The~~]

23 B. An identification card may be renewed within  
24 ninety days prior to its expiration or at an earlier date  
25 approved by the department. An identification card may be

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1 renewed by mail or electronic means pursuant to regulations  
2 adopted by the department. The regulations shall ensure  
3 adequate security measures to safeguard personal information  
4 that is obtained in the issuance of an identification card.

5 ~~[B-]~~ C. Except as set forth in Subsection D of this  
6 section, at the option of the applicant for an identification  
7 card, a card may be issued for a period of eight years,  
8 provided that the applicant pays the amount required for an  
9 identification card issued for a term of eight years. An  
10 identification card issued pursuant to the provisions of this  
11 subsection shall expire on the last day of the month of the  
12 applicant's birth in the eighth year after the effective date  
13 of the identification card. The identification card may be  
14 renewed within ninety days prior to its expiration.

15 D. An identification card issued prior to an  
16 applicant's twenty-first birthday shall expire thirty days  
17 after the applicant's twenty-first birthday."

18 Section 3. Section 66-5-408 NMSA 1978 (being Laws 1978,  
19 Chapter 35, Section 335, as amended) is amended to read:

20 "66-5-408. FEES.--

21 A. Upon application for an identification card with  
22 a four-year term, there shall be paid to the department a fee  
23 of five dollars (\$5.00). Upon application for an  
24 identification card with an eight-year term, there shall be  
25 paid to the department a fee of ten dollars (\$10.00). A fee

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1 shall not be charged to an applicant for an identification card  
2 if the applicant is at least seventy-five years of age.

3 B. The department with the approval of the governor  
4 may increase the amount of the identification card fee by an  
5 amount not to exceed three dollars (\$3.00) for the purpose of  
6 implementing an enhanced licensing system; provided that for an  
7 identification card issued for an eight-year period, the amount  
8 of the fee shall be twice the amount charged for other  
9 identification cards. The additional amounts collected  
10 pursuant to this subsection are appropriated to the department  
11 to defray the expense of the new system of licensing.

12 C. The department by rule may prorate the fees for  
13 identification cards issued to an individual applying for an  
14 identification card if the individual's twenty-first birthday  
15 causes the expiration of the identification card more than one  
16 year before the end of the four- or eight-year term of the  
17 identification card."

18 Section 4. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2009.