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SENATE BILL 275

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

INTRODUCED BY

Kent L. Cravens

AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR
OR DRUGS; REQUIRING A MINIMUM OF SIX MONTHS OF ALCOHOL-FREE
DRIVING WITH AN IGNITION INTERLOCK DEVICE BEFORE REINSTATEMENT
OF A DRIVER'S LICENSE.

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

Section 1. Section 66-5-33.1 NMSA 1978 (being Laws 1985,
Chapter 47, Section 1, as amended) is amended to read:

"66-5-33.1. REINSTATEMENT OF DRIVER'S LICENSE OR
REGISTRATION--ALCOHOL-FREE DRIVING--FEE.--

A. Whenever a driver's license or registration is
suspended or revoked and an application has been made for its
reinstatement, compliance with all appropriate provisions of
the Motor Vehicle Code and the payment of a fee of twenty-five
dollars (\$25.00) is a prerequisite to the reinstatement of any

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1 license or registration.

2 B. If a driver's license was [~~suspended or~~] revoked
3 for driving while under the influence of intoxicating liquor or
4 drugs, for aggravated driving while under the influence of
5 intoxicating liquor or drugs or [~~for a violation of~~] pursuant
6 to the Implied Consent Act, [an additional fee of seventy-five
7 dollars (\$75.00) is] the following are required [to be paid] to
8 reinstate the driver's license:

9 (1) an additional fee of seventy-five dollars
10 (\$75.00); and

11 (2) a minimum of six months of alcohol-free
12 driving with an ignition interlock device.

13 C. Fees collected pursuant to [~~this~~] Subsection B
14 of this section are appropriated to the local governments road
15 fund. The department shall maintain an accounting of the fees
16 collected [~~pursuant to this subsection~~] and shall report that
17 amount upon request to the legislature.

18 D. As used in this section, "six months of alcohol-
19 free driving" means driving a vehicle that is equipped with an
20 ignition interlock device on at least one hundred fifty days
21 out of a one-hundred-eighty-two-day period, during which time
22 the ignition interlock device does not record an alcohol
23 concentration of more than five one hundredths in the driver's
24 breath."

25 Section 2. EFFECTIVE DATE.--The effective date of the

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1 provisions of this act is July 1, 2009.

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