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AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING A RESTRICTED COMMERCIAL
DRIVER'S LICENSE FOR CERTAIN FARM-RELATED SERVICE INDUSTRIES.

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

SECTION 1. A new section of the Motor Vehicle Code is
enacted to read:

"RESTRICTED COMMERCIAL DRIVER'S LICENSE FOR CERTAIN
FARM-RELATED SERVICE INDUSTRIES.--

A. The division shall waive the required knowledge
and skills tests pursuant to Section 66-5-60 NMSA 1978 and
issue a restricted commercial driver's license to an employee
of the following farm-related service industries:

- (1) agriculture-chemical businesses;
- (2) custom harvesters;
- (3) farm retail outlets and suppliers; and
- (4) livestock feeders.

B. A restricted commercial driver's license issued
pursuant to this section shall meet all the requirements of
the New Mexico Commercial Driver's License Act, except for a
knowledge and skills test. A restricted commercial driver's
license issued pursuant to this section shall be accorded the
same reciprocity as a commercial driver's license meeting all
of the requirements of the New Mexico Commercial Driver's
License Act. The restrictions imposed upon the issuance of

1 the restricted commercial driver's license shall not limit a
2 person's use of the restricted commercial driver's license in
3 a noncommercial motor vehicle, nor shall the restricted
4 commercial driver's license affect the division's authority
5 to administer its driver licensing program for operators of
6 vehicles other than commercial motor vehicles.

7 C. The division shall restrict a commercial
8 driver's license issued pursuant to this section as follows:

9 (1) an applicant shall have a good driving
10 record, as defined in this paragraph. Drivers who have not
11 held a motor vehicle driver's license for at least one year
12 shall not be eligible for the restricted commercial driver's
13 license. Drivers who have been licensed between one and two
14 years shall have a good driving record for their entire
15 driving history. Drivers who have been licensed for more
16 than two years shall have a good driving record for the two
17 most recent years. For the purposes of this paragraph, "good
18 driving record" means that an applicant:

19 (a) has not had more than one type of
20 driver's license;

21 (b) has not had a license suspended,
22 revoked or canceled;

23 (c) has not had a conviction, for any
24 type of motor vehicle, for the disqualifying offenses
25 contained in Section 66-5-68 NMSA 1978;

1 (d) has not had a conviction, for any
2 type of motor vehicle, for a serious traffic violation; and

3 (e) has not had a conviction for a
4 violation of state or local law relating to motor vehicle
5 traffic control, other than a parking violation, arising in
6 connection with any traffic accident and has no record of an
7 accident in which the applicant was at fault;

8 (2) a restricted commercial driver's license
9 shall have the same renewal cycle as an unrestricted
10 commercial driver's license and shall be limited to a
11 seasonal period or periods as determined by the division;
12 provided that the total number of calendar days in any
13 twelve-month period for which the restricted commercial
14 driver's license is valid does not exceed one hundred eighty
15 days. If the division elects to provide for more than one
16 seasonal period, the restricted commercial driver's license
17 is valid for commercial motor vehicle operation only during
18 the currently approved season and must be revalidated for
19 each successive season. Only one seasonal period of validity
20 may appear on the license document at a time. The good
21 driving record must be confirmed prior to any renewal or
22 revalidation;

23 (3) the holder of a restricted commercial
24 driver's license is limited to operating class B and class C
25 vehicles, as described in Section 66-5-65 NMSA 1978;

1 (4) a restricted commercial driver's license
2 shall not be issued with any endorsements on the license
3 document. Only the limited tank vehicle and hazardous
4 materials endorsement privileges that the restricted
5 commercial driver's license automatically confers and that
6 are described in Paragraph (5) of this subsection are
7 permitted;

8 (5) a restricted commercial driver's license
9 holder shall not drive a vehicle carrying any quantity of
10 hazardous materials that require a placard on the vehicle,
11 except for:

12 (a) diesel fuel in quantities of one
13 thousand gallons or less;

14 (b) liquid fertilizers, such as plant
15 nutrients, in vehicles or implements of husbandry in total
16 quantities of three thousand gallons or less; and

17 (c) solid fertilizers, such as solid
18 plant nutrients, that are not transported with any organic
19 substance;

20 (6) a restricted commercial driver's license
21 holder shall not hold an unrestricted commercial driver's
22 license at the same time; and

23 (7) a restricted commercial driver's license
24 holder shall not operate a commercial motor vehicle beyond
25 one hundred fifty miles from the place of business or the

1 farm currently being served.

2 D. The department, by rule, may provide for the
3 means of designating the commercial driver's license allowed
4 by this section as a restricted commercial driver's license."=

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