

HOUSE BILL 252

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

This document incorporates committee amendments adopted during standing committee(s) consideration of this measure. It is a tool to show the amendments in context and is not to be used for introduction, amendment or substitution.

Jim R. Trujillo and Nick L. Salazar and Roberto "Bobby" J. Gonzales

AN ACT

RELATING TO TRANSPORTATION; AMENDING THE MOTOR CARRIER ACT TO REMOVE A CONFLICT WITH FEDERAL LAW; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Motor Carrier Act is enacted to read:

"[NEW MATERIAL] FINDINGS.--The legislature finds that:

A. the federal Older Americans Act of 1965 was ~~in~~ enacted in part to allow older Americans to continue "meaningful activity within the widest range of civic, cultural, education and training and recreational opportunities";

B. federal funding through Title III B of the Older Americans Act of 1965 supplements, but does not supplant,

.203146.1 Amendments in Context

underscored material = new
[bracketed material] = delete
~~language~~ = deleted by amendment
New amended language = new by amendment

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New amended language

funding for transportation services for older Americans; and

C. the Older Americans Act of 1965 specifically authorizes the solicitation of voluntary contributions for services supplemented by Title III B funding as long as the solicitation is not coercive."

SECTION 2. Section 65-2A-7 NMSA 1978 (being Laws 2003, Chapter 359, Section 7, as amended by Laws 2013, Chapter 73, Section 6 and by Laws 2013, Chapter 77, Section 6) is amended to read:

"65-2A-7. OPERATING AUTHORITIES IN GENERAL.--

A. Other than an entity receiving funding to supplement transportation services through Title III B of the federal Older Americans Act of 1965, no person shall offer or provide a transportation service for hire within the state without first obtaining an appropriate operating authority from the commission. Every motor carrier providing a transportation service shall meet and comply with the requirements of the Motor Carrier Act and the lawfully adopted rules and orders of the commission.

B. A certificate, permit or warrant, or a change in a certificate or permit, shall be effective from the date issued by the commission and shall remain in effect until canceled, revoked, suspended or amended.

C. A motor carrier shall carry a copy of its operating authority in each motor vehicle it operates in New

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Mexico.

D. A certificated service carrier shall render reasonably continuous and adequate service as the commission may by rule prescribe."

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

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