

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 25

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

INTRODUCED BY

Paul A. Pacheco and Jacob R. Candelaria

AN ACT

RELATING TO MOTOR VEHICLES; ALLOWING ORGANIZATIONS THAT OWN OR LEASE VEHICLES THAT PRIMARILY TRANSPORT PERSONS WITH A SIGNIFICANT MOBILITY LIMITATION TO ACQUIRE SPECIAL DISTINCTIVE REGISTRATION PLACARDS.

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

SECTION 1. Section 66-3-16 NMSA 1978 (being Laws 1978, Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH SIGNIFICANT MOBILITY LIMITATION--PARKING [~~PLACARD~~] PLACARDS.--

A. The division shall issue distinctive registration plates for use on motor vehicles and motorcycles owned or leased by a person with a significant mobility limitation who requests a distinctive registration plate and who proves satisfactorily to the division that the person

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 ~~[meets the standard provided in Subsection J of this section]~~
2 is a person with a significant mobility limitation.

3 B. The division shall issue a distinctive parking
4 placard to an organization that owns or leases a motor vehicle
5 that primarily transports a person or persons with a
6 significant mobility limitation and that requests a distinctive
7 parking placard. The organization, if qualified, may obtain a
8 distinctive parking placard for each vehicle used to transport
9 persons with a significant mobility limitation.

10 C. No fee in addition to the regular registration
11 fee, if any, applicable to the motor vehicle or motorcycle
12 shall be collected for issuance of distinctive registration
13 plates or parking placards pursuant to this section.

14 ~~[B-]~~ D. No person shall falsely claim to have a
15 significant mobility limitation so as to be eligible to be
16 issued a distinctive registration plate or a parking placard
17 pursuant to this section when the person does not in fact have
18 a significant mobility limitation. Upon notice and opportunity
19 to be heard, the division may revoke and demand return of any
20 placard when:

- 21 (1) it was issued in error or with false
22 information;
- 23 (2) the person receiving the placard is no
24 longer eligible; ~~[or]~~
- 25 (3) the placard is being used by ineligible

underscored material = new
[bracketed material] = delete

1 persons; or

2 (4) the organization to which the parking
3 placard was issued no longer exists.

4 [~~G.~~] E. Upon written application to the division
5 accompanied by a medical statement by a licensed physician or a
6 physician assistant, advanced practice registered nurse or
7 certified nurse-midwife working within that person's scope of
8 practice attesting to the permanent significant mobility
9 limitation, a resident of the state who has a significant
10 mobility limitation, as provided in this section, may apply for
11 and be issued no more than two parking placards for display
12 upon a motor vehicle registered to the person or motor vehicle
13 owned by another person who is transporting the person with a
14 significant mobility limitation. The physician or the
15 physician assistant, advanced practice registered nurse or
16 certified nurse-midwife working within that person's scope of
17 practice shall provide the division all information and records
18 necessary to issue a permanent parking placard. Once approved
19 for use of a permanent parking placard, a person with a
20 significant mobility limitation shall not be required to
21 furnish further medical information.

22 F. To obtain a distinctive parking placard pursuant
23 to this section, an organization shall submit, on a form
24 approved by the division, a signed statement by an authorized
25 officer of the organization affirming that the registered

.202545.1

underscored material = new
[bracketed material] = delete

1 vehicle is owned or leased by the organization and that the
2 vehicle will be primarily used to transport a person or persons
3 with a significant mobility limitation.

4 ~~[D.]~~ G. A parking placard issued pursuant to this
5 section shall expire four years from the date it was issued.

6 ~~[E.]~~ H. The division shall issue two-sided
7 hanger-style parking placards with the following
8 characteristics:

9 (1) a picture of the international symbol of
10 access;

11 (2) a hologram to make duplication difficult;

12 (3) an imprinted expiration date; and

13 (4) for a placard issued to:

14 (a) a person with a significant mobility
15 limitation, a full-face photograph of the holder on the inside
16 of the placard covered by a flap; or

17 (b) an organization, the number of the
18 registration plate issued to the vehicle that is registered or
19 leased to the organization on which the placard will be used.

20 ~~[F.]~~ I. The division shall consult with the
21 governor's commission on disability for continued issuance and
22 format of the placard.

23 ~~[G.]~~ J. The division may issue an identification
24 card containing a full-face photograph of the holder of the
25 registration plate or parking placard and the number of the

underscored material = new
[bracketed material] = delete

1 registration plate or parking placard issued to that person.

2 ~~[H.]~~ K. Upon written application to the division
3 accompanied by a medical statement from a licensed physician or
4 a physician assistant, advanced practice registered nurse or
5 certified nurse-midwife working within that person's scope of
6 practice attesting to a temporary significant mobility
7 limitation, a person may be issued a temporary placard for no
8 more than one year. The physician or the physician assistant,
9 advanced practice registered nurse or certified nurse-midwife
10 working within that person's scope of practice shall provide
11 the division all information and records necessary to issue a
12 temporary placard.

13 ~~[I.]~~ L. Registration plates or parking placards
14 issued to a person with a significant mobility limitation by
15 another state or foreign jurisdiction shall be honored until
16 the motor vehicle or motorcycle is registered or the parking
17 placard holder establishes residency in this state.

18 ~~[J.]~~ M. A "person with a significant mobility
19 limitation" means a person who:

20 (1) cannot walk one hundred feet without
21 stopping to rest;

22 (2) cannot walk without the use of a brace,
23 cane or crutch or without assistance from another person, a
24 prosthetic device, a wheelchair or other assistive device;

25 (3) is restricted by lung disease to such an

.202545.1

underscoring material = new
~~[bracketed material] = delete~~

1 extent that the person's forced respiratory volume, when
2 exhaling for one second, when measured by spirometry, is less
3 than one liter or the arterial oxygen tension is less than
4 sixty millimeters on room air at rest;

5 (4) uses portable oxygen;

6 (5) has a severe cardiac condition; or

7 (6) is so severely limited in the ability to
8 walk due to an arthritic, neurologic or orthopedic condition
9 that the person cannot ascend or descend more than ten stair
10 steps."

11 SECTION 2. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is January 1, 2017.