

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 2/09/18
LAST UPDATED 2/12/18 **HB** 182/aHJC/aHF1#1

SPONSOR Gallegos, DM

SHORT TITLE Commercial Driver's License Records **SB** _____

ANALYST Romero/Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of HF1#1 Amendment

House Floor Amendment #1 strikes the House Judiciary Committee amendment.

Synopsis of HJC Amendment

The House Judiciary Committee amendment to House Bill 182 modifies new language requiring TRD to keep record of a person holding a commercial driver's license for six years, except "A record of conviction shall be retained for fifty-five years for all major offenses per 49 CFR 383.51, Table 1, as amended or renumbered, or fifteen years for violating out-of-service order offenses per 49 CFR 383.51, Table 4, or as long as a withdrawal for the offense is still in effect, whichever is longer per 49 CFR 383.51, Table 4, as amended or renumbered."

Synopsis of Original Bill

House Bill 182 amends Section 66-8-135 NMSA 1978 to require the Taxation and Revenue Department (TRD) to retain records showing convictions received on a person with a commercial driver's license for six years, except for certain specified convictions, including those specified under federal law, homicide by vehicle and driving under the influence of intoxicating liquor or drugs.

TECHNICAL ISSUES

TRD notes the following technical issues as to the exceptions:

The Motor Vehicle Division (MVD) proposes changing the language on page 4 lines 22 through 25 and on page 5 line 1 from “for a record of conviction required to be retained for a longer period under federal law, which shall be retained as provided in federal law, or a record of conviction under Sections 66-8-10 through 66-8-112 NMSA 1978, which shall be retained for fifty-five years from the date of receipt.” to “fifty-five years for all major offenses per FMCSA Regulation 383.51, Table 1, or fifteen years for violating out-of-service order offenses or as long as a withdrawal for the offense is still in effect, whichever is longer per FMCSA Regulation 383.51, Table 4.”

IR/jle/al/jle