

1 HOUSE BILL 320

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING DEMONSTRATION AND
12 TEMPORARY REGISTRATION PERMITS TO BE LAMINATED AND PLACED IN
13 THE SAME LOCATION ON A MOTOR VEHICLE AS THE NON-TEMPORARY
14 REGISTRATION PLATE.
15

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

17 **SECTION 1.** Section 66-3-6 NMSA 1978 (being Laws 1978,
18 Chapter 35, Section 26, as amended) is amended to read:

19 "66-3-6. TEMPORARY REGISTRATION PERMITS, DEMONSTRATION
20 PERMITS AND TRANSPORT PERMITS.--

21 A. The department may issue a temporary
22 registration permit to individuals to operate a vehicle pending
23 action by the department upon an application for registration
24 and certificate of title or renewal of registration when the
25 application is accompanied by the proper fees and taxes. The

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1 temporary registration permit shall be valid for a period not
2 to exceed thirty business days from the day it is validated by
3 the department. Temporary registration permits shall not be
4 extended nor another issued except for good cause shown. All
5 demonstration and temporary registration permits shall be
6 laminated.

7 B. The department may issue a demonstration permit
8 to individuals and financing institutions to operate a vehicle
9 for the purpose of demonstrating the vehicle for resale. The
10 demonstration permit shall be valid for a period not to exceed
11 five business days from the day it is validated by the
12 department. Demonstration permits shall not be extended nor
13 another issued except for good cause shown.

14 C. The department may issue a transport permit to a
15 manufacturer of vehicles or transporter of manufactured homes
16 for the purpose of demonstrating or transporting the vehicle to
17 a dealer's location. The transport permit shall be valid for a
18 period not to exceed ten business days, shall state the number
19 of days for which the transport permit is valid and shall be
20 validated by the signature of the manufacturer or transporter.
21 Transport permits shall not be extended nor another issued
22 except for good cause shown.

23 D. The department shall issue transport permits to
24 dealers licensed pursuant to Section 66-4-1 NMSA 1978.
25 Transport permits shall be used only on vehicles held in the

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1 inventory of the dealer to whom the transport permits are
2 issued. The transport permits shall be used only for importing
3 vehicles into this state or for transporting vehicles between
4 dealers intrastate. Use of transport permits pursuant to this
5 section shall be deemed compliance with the requirements of
6 Section 66-3-4 NMSA 1978. The transport permits shall be valid
7 for not more than five business days from the date of
8 validation. Transport permits shall:

- 9 (1) name the dealer to whom the transport
10 permits are issued;
- 11 (2) name the authorized driver of the vehicle;
- 12 (3) show the point of origin and termination
13 of the trip covered by the transport permit; and
- 14 (4) be signed and dated by the dealer who
15 executed the transport permit.

16 E. The department shall issue temporary
17 registration permits to dealers licensed pursuant to Section
18 66-4-1 NMSA 1978. Temporary registration permits shall be used
19 only on vehicles sold at retail by the dealer to whom the
20 temporary registration permits are issued and shall not be
21 extended nor another issued for the same vehicle except for
22 good cause shown. Use of the temporary registration permits
23 pursuant to this section shall be deemed compliance with the
24 provisions of Section 66-3-4 NMSA 1978. The temporary
25 registration permits shall be valid for not more than thirty

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1 days from the date of validation. Temporary registration
2 permits shall:

3 (1) name the dealer to whom the temporary
4 registration permits are issued;

5 (2) name the person to whom the vehicle has
6 been sold; and

7 (3) be signed and dated by the dealer who
8 executed the temporary registration permit.

9 F. The department shall issue demonstration permits
10 to dealers licensed pursuant to Section 66-4-1 NMSA 1978.

11 Demonstration permits shall be used only on vehicles included
12 in the inventory of the dealer to whom the demonstration
13 permits are issued. The demonstration permits shall be used to
14 allow the operation of vehicles for the limited purposes of
15 testing, demonstrating or preparing a vehicle for sale or
16 lease. Demonstration permits may not be used on work or
17 service vehicles, as that term is defined in Section 66-3-401
18 NMSA 1978, that are owned, used or held in inventory by a
19 dealer. Use of the demonstration permits pursuant to this
20 section shall be deemed compliance with the provisions of
21 Section 66-3-4 NMSA 1978. A demonstration permit, after being
22 affixed to a specific vehicle, shall be valid for as long as
23 the vehicle is held in the dealer's inventory. A dealer who
24 uses demonstration permits is required to maintain a list
25 showing the date on which the dealer assigned the permit to a

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1 vehicle and the name and a description of the vehicle,
2 including its make, model, model year and vehicle
3 identification number. A dealer shall maintain the list for
4 three years from the end of the year in which the dealer issued
5 the permit and must make it available to the department or its
6 agents and to law enforcement officers during reasonable
7 business hours. When a vehicle is sold, the dealer shall keep
8 demonstration permits with other records of the sale. A
9 demonstration permit shall:

10 (1) name the dealer to whom the demonstration
11 permit is issued; and

12 (2) display a unique identification number
13 assigned by the department.

14 G. The department may authorize in writing dealers
15 licensed pursuant to Section 66-4-1 NMSA 1978 to print and use
16 at their own cost demonstration permits in conformance with the
17 provisions of Subsection F of this section, subject to
18 reasonable requirements established by the department.

19 H. The department may authorize agents of the
20 division, in writing, to print and issue demonstration permits
21 to be used by dealers in conformance with the provisions of
22 Subsection F of this section, subject to reasonable
23 requirements established by the department. Agents who issue
24 demonstration permits shall maintain a list showing the date on
25 which the permit was issued and the name of the dealer to whom

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1 it was issued. Agents shall maintain the list for three years
2 from the end of the year in which they issued the permit and
3 shall make it available to the department or its agents, and to
4 law enforcement officers, during reasonable business hours. A
5 demonstration permit shall:

6 (1) name the dealer to whom the permit is
7 issued; and

8 (2) display a unique identification number
9 assigned by the department.

10 I. The department shall prescribe the size, shape
11 and content of all temporary registration permits,
12 demonstration permits and transport permits authorized by this
13 section. A temporary registration permit, demonstration permit
14 or transport permit is not valid until affixed to the vehicle
15 for which it is validated in a manner prescribed by the
16 department.

17 J. For the misuse of a temporary registration
18 permit, demonstration permit or transport permit authorized by
19 this section by an individual, financing institution,
20 manufacturer of vehicles, transporter of manufactured homes,
21 dealer or auto recycler, the secretary may revoke or suspend
22 the use of that type of permit after a hearing as provided in
23 Section 66-2-17 NMSA 1978.

24 K. The department shall collect the administrative
25 fee imposed in Section 66-2-16 NMSA 1978 in addition to the

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1 actual cost of the temporary registration permit, demonstration
2 permit or transport permit for each permit issued by the
3 department pursuant to this section to individuals, financial
4 institutions, manufacturers, transporters or auto recyclers.

5 L. The department may issue temporary registration
6 permits, demonstration permits and transport permits to dealers
7 in units of not less than one hundred at a fee established by
8 the department to cover the actual cost of the permits. An
9 administrative fee shall not be charged by the department when
10 permits are issued by the department pursuant to the provisions
11 of this subsection.

12 M. The fees authorized by Subsections K and L of
13 this section to cover the actual cost of the permits are
14 appropriated to the department to defray the costs of
15 administering the permits program. The department shall remit
16 the administrative fee revenues of this section to the motor
17 vehicle suspense fund to be distributed in accordance with
18 Section 66-6-23 NMSA 1978."

19 **SECTION 2.** Section 66-3-18 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 38, as amended) is amended to read:

21 "66-3-18. DISPLAY OF REGISTRATION PLATES AND TEMPORARY
22 REGISTRATION PERMITS--DISPLAYS PROHIBITED AND ALLOWED.--

23 A. The registration plate or demonstration or
24 temporary registration permit shall be attached to the rear of
25 the vehicle for which it is issued; however, the registration

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1 plate or temporary registration permit shall be attached to the
2 front of a road tractor or truck tractor. The plate or permit
3 shall be securely fastened at all times in a fixed horizontal
4 position at a height of not less than twelve inches from the
5 ground, measuring from the bottom of the plate or permit. [~~It~~]
6 The plate or permit shall be in a place and position so as to
7 be clearly visible, and it shall be maintained free from
8 foreign material and in a condition to be clearly legible.

9 ~~[B. A demonstration or temporary registration~~
10 ~~permit shall be firmly affixed to the inside left rear window~~
11 ~~of the vehicle to which it is issued, unless such display~~
12 ~~presents a safety hazard or the demonstration or temporary~~
13 ~~registration permit is not visible or readable from that~~
14 ~~position, in which case, the demonstration or temporary~~
15 ~~registration permit shall be displayed in such a manner that it~~
16 ~~is clearly visible from the rear or left side of the vehicle.~~

17 G.] B. No vehicle while being operated on the
18 highways of this state shall have displayed either on the front
19 or the rear of the vehicle any registration plate, [~~including~~]
20 demonstration or temporary registration permit or validating
21 sticker, other than one issued or validated for the current
22 registration period by the department or any other licensing
23 authority having jurisdiction over the vehicle. No expired
24 registration plate, demonstration or temporary registration
25 permit or validating sticker shall be displayed on the vehicle

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1 other than an expired special registration plate, which may be
2 exhibited on the front of the vehicle.

3 ~~[D-]~~ C. Nothing contained in this section shall be
4 construed as prohibiting the use of a promotional or
5 advertising plate on the front of the vehicle.

6 ~~[E-]~~ D. A violation of a provision of this section
7 is a penalty assessment misdemeanor."

8 **SECTION 3. EFFECTIVE DATE.**--The effective date of the
9 provisions of this act is July 1, 2020.