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SENATE BILL 294

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY
Antonio Maestas

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING THE NEW MEXICO COMMERCIAL DRIVER'S LICENSE ACT TO AUTHORIZE THE ISSUANCE OF LICENSES TO PERSONS WHO HAVE HAD A COMMERCIAL DRIVER'S LICENSE ISSUED FROM ANOTHER STATE OR A JURISDICTION IN CANADA OR MEXICO IN ACCORDANCE WITH THE MINIMUM STANDARDS ESTABLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION FOR THE ISSUANCE OF COMMERCIAL DRIVER'S LICENSES FOR ONE YEAR OR MORE; REQUIRING RENEWAL OF A COMMERCIAL DRIVER'S LICENSE PREDICATED ON A LICENSE ISSUED IN ANOTHER STATE OR A JURISDICTION IN CANADA OR MEXICO IN THE FOURTH YEAR OF THE ISSUANCE OF THE PREDICATING LICENSE.

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

SECTION 1. Section 66-5-60 NMSA 1978 (being Laws 1989, Chapter 14, Section 9, as amended) is amended to read:

"66-5-60. COMMERCIAL DRIVER'S LICENSE--QUALIFICATIONS--

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1 STANDARDS.--

2 A. The division shall not issue a commercial
3 driver's license to a person unless that person can establish
4 that New Mexico is the person's state of domicile and has
5 either:

6 (1) held a valid commercial driver's license
7 issued from a state or jurisdiction in Canada or Mexico in
8 accordance with the minimum standards established by the
9 federal highway administration for the issuance of commercial
10 driver's licenses for one year or more; or

11 (2) passed a knowledge test and a skills test
12 for driving a commercial motor vehicle and, for related
13 endorsements, has passed a medical fitness test and has
14 satisfied any other requirements of the New Mexico Commercial
15 Driver's License Act.

16 B. The division may authorize a person, including
17 an agency of this or another state, an employer, a private
18 driver-training facility or other private institution or a
19 department, agency or instrumentality of local government to
20 administer the skills test or knowledge test specified by this
21 section; provided that the person being authorized has
22 completed entry-level driver training as required by federal
23 law.

24 C. A commercial driver's license applicant who does
25 not pass the skills test or knowledge test may repeat the:

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1 (1) knowledge test no more than twice a week;

2 and

3 (2) skills test no more than three times a
4 year.

5 D. If the department determines that a commercial
6 driver's license applicant has committed an offense in taking a
7 test specified in this section, the division shall not issue a
8 commercial driver's license to that applicant within one year
9 of the department's determination."

10 SECTION 2. Section 66-5-67 NMSA 1978 (being Laws 1989,
11 Chapter 14, Section 16, as amended) is amended to read:

12 "66-5-67. EXPIRATION AND RENEWAL--STAGGERED LICENSING
13 DURING IMPLEMENTATION PERIOD.--

14 A. Except as provided in Subsections C, [~~and~~] E and
15 F of this section, a commercial driver's license issued
16 pursuant to the provisions of the New Mexico Commercial
17 Driver's License Act shall expire thirty days after the
18 applicant's birthday in the fourth year after the effective
19 date of the license.

20 B. The license is renewable within ninety days
21 prior to its expiration or at an earlier date as approved by
22 the secretary.

23 C. At the option of an applicant, a commercial
24 driver's license may be issued for a period of eight years;
25 provided that the applicant:

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1 (1) pays the amount required for a commercial
2 driver's license issued for a term of eight years;

3 (2) otherwise qualifies for a four-year
4 commercial driver's license; and

5 (3) will not reach the age of seventy-nine
6 during the last four years of the eight-year license period.

7 D. A driver's license issued pursuant to the
8 provisions of Subsection C of this section shall expire thirty
9 days after the applicant's birthday in the eighth year after
10 the effective date of the license.

11 E. A commercial driver's license with a hazardous
12 material endorsement shall expire:

13 (1) for an applicant transferring a commercial
14 driver's license with the hazardous material endorsement, four
15 years from the date of the last background check and testing
16 for the hazardous material endorsement; or

17 (2) for an applicant adding endorsements or
18 other changes to the commercial driver's license, no later than
19 the expiration date of the hazardous material endorsement.

20 F. A commercial driver's license issued pursuant to
21 Paragraph (1) of Subsection A of Section 66-5-60 NMSA 1978
22 shall expire thirty days after the applicant's birthday in the
23 fourth year of the issuance of the license in the state or
24 jurisdiction in Canada or Mexico upon which the issuance of a
25 license in New Mexico is predicated."

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