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HOUSE BILL 691

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Raymond Sanchez

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR CONFIDENTIALITY OF  
MOTOR VEHICLE-RELATED RECORDS.

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

Section 1. Section 66-2-7.1 NMSA 1978 (being Laws 1995,  
Chapter 135, Section 4, as amended) is amended to read:

"66-2-7.1. MOTOR VEHICLE-RELATED RECORDS--  
CONFIDENTIAL. --

A. It is unlawful for any department employee or  
contractor or for any former department employee or contractor  
to disclose to any person other than another employee of the  
department any personal information about an individual  
obtained by the department in connection with a driver's  
license or permit, the titling or registration of a vehicle or  
an identification card issued by the department pursuant to

underscored material = new  
[bracketed material] = delete

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1 the Motor Vehicle Code except:

2 (1) to the individual or the individual's  
3 authorized representative;

4 (2) for use by any governmental agency,  
5 including any court, in carrying out its functions or by any  
6 private person acting on behalf of the government;

7 (3) for use in connection with matters of  
8 motor vehicle and driver safety or theft; motor vehicle  
9 emissions; performance monitoring of motor vehicles, motor  
10 vehicle parts and dealers; motor vehicle market research  
11 activities, including survey research; motor vehicle  
12 production alterations, recalls or advisories; and removal of  
13 non-owner records from original owner records of motor vehicle  
14 manufacturers;

15 (4) for use in research activities and for  
16 use in producing statistical reports, so long as the personal  
17 information is not published, redisclosed or used to contact  
18 individuals;

19 (5) for use by any insurer or insurance  
20 support organization or by a self-insured entity or its  
21 agents, employees or contractors in connection with claims  
22 investigation activities, antifraud activities, rating or  
23 underwriting;

24 (6) for providing notice to owners of towed  
25 or impounded vehicles;

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1 (7) for use by an employer or its agent or  
2 insurer in obtaining or verifying information relating to a  
3 holder of a commercial driver's license;

4 (8) for use by any requester if the requester  
5 demonstrates that it has obtained the written consent of the  
6 individual to whom the information pertains; or

7 ~~(9) [for any use in response to requests for~~  
8 ~~individual motor vehicle records if the department has~~  
9 ~~provided in a clear and conspicuous manner on forms for~~  
10 ~~issuance or renewal of operator's permits, titles,~~  
11 ~~registrations or identification cards notice that personal~~  
12 ~~information collected by the department may be disclosed to~~  
13 ~~any person and the department has provided in a clear and~~  
14 ~~conspicuous manner on such forms an opportunity to prohibit~~  
15 ~~such disclosures; or~~

16 ~~(10)]~~ for use by an insured state-chartered  
17 or federally chartered credit union; an insured state or  
18 national bank; an insured state or federal savings and loan  
19 association; or an insured savings bank, but only:

20 (a) to verify the accuracy of personal  
21 information submitted by an individual to the credit union,  
22 bank, savings and loan association or savings bank; and

23 (b) if the information as submitted is  
24 not correct or is no longer correct, to obtain the correct  
25 information, but only for the purpose of preventing fraud by,

1 pursuing legal remedies against or recovering on a debt or  
2 security interest from the individual.

3 B. Any person who violates the provisions of this  
4 section is guilty of a misdemeanor and upon conviction shall  
5 be punished in accordance with the provisions of Section  
6 31-19-1 NMSA 1978. "

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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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6 February 22, 1999  
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8 Mr. Speaker:  
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10 Your JUDICIARY COMMITTEE, to whom has been referred  
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12 HOUSE BILL 691  
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14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, amended as follows:

- 16 1. On page 3, line 6, strike "or".  
17  
18 2. On page 4, line 2, strike the period and insert in  
19 lieu thereof "; or" and between lines 2 and 3, insert:

20  
21 (10) for providing organ donor information  
22 as provided in the Uniform Anatomical Gift Act or Section  
23 66-5-10 NMSA 1978. "  
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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

3 HJ/HB 691

Page 6

4 Respectfully submitted,  
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10 R. David Pederson, Chairman  
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12 Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_  
13

14 (Chief Clerk)

(Chief Clerk)

15  
16 Date \_\_\_\_\_

17 The roll call vote was 11 For 0 Against

18 Yes: 11

19 Excused: Luna

20 Absent: None  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

1 HJ/HB 691

Page 7

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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March 6, 1999

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Mr. President:

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Your CORPORATIONS & TRANSPORTATION COMMITTEE, to

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whom has been referred

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HOUSE BILL 691, as amended

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has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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Roman M. Maes, Chairman

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

1 HJ/ HB 691

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Adopted \_\_\_\_\_ Not

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Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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The roll call vote was 6 For 0 Against

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Yes: 6

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No: 0

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Excused: Aragon, Kysar, Rawson, Robinson

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Absent: None

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