

MVD Procedural Quick Update

#31rev.

RE: Out-of-State Driver License Applicants, DWI Ignition Interlock Licensing
Effective date: September 4, 2007

Date: August 31, 2007
To: All MVD
From: Mac Lewis, MVD Policy and Procedures Manager

[This is the latest in a series of procedural updates. These updates deal with specific MVD procedures and practices. Managers and Supervisors should consistently distribute the updates to all personnel and integrate them into regular information and training sessions.]

New legislation requires that a driver's license may not be issued to any person with a DWI conviction as recent as June 17, 2005 in any other state or the District of Columbia, unless the person first obtains an Ignition Interlock license.

To ensure enforcement of that provision, MVD 2.0 will now (effective September 4, 2007) automatically check the previous state's record of DWI convictions for every customer moving from out of state and applying for a New Mexico driver's license.

As amended by House Bill 126 (2007), Sec. 66-5-5 now requires that MVD shall not issue a driver's license to any person convicted on or after June 17, 2005 of driving a motor vehicle while under the influence of intoxicating liquor or drugs in any other state or the District of Columbia, unless the person obtains an ignition interlock license (for one to three years or life) as provided in the Ignition Interlock Licensing Act. The division may grant credit to individuals who are able to prove that they have participated in comparable out-of-state ignition interlock programs.

Effective Tuesday, September 4, MVD 2.0 will now automatically check the previous state's record of DWI convictions for every customer moving from out of state and applying for a New Mexico driver's license. It will no longer be necessary to enter a Driver History Request query in Sessions.

Now, beginning on September 4, for every driver moving from out-of-state and applying for a New Mexico license:

1. When "First Time License" is selected (whether CDL or Non-CDL) on the Driver Request screen and the MVD agent clicks "Next," a message will appear saying, "**Conducting National and Local Driver Inspection, Please Wait.....**" while the out-of-state DWI check is run in the background.
2. If the out-of-state DWI check finds no DWI convictions on or after June 17, 2005 in the previous state, the system will proceed to run the other (PDPS and SSOLV) checks and the license application and issuance process will continue as usual.
3. If, however, the out-of-state DWI check does find one or more DWI convictions in the previous state on or after June 17, 2005, a DWI Violations Screen will appear as in the example shown here.

DWI Violations Screen:			
Driver license can't be issued due to the DWI violations listed below. Please call the MVD Compliance Unit at one of the following numbers: ANTHONY APODACA:476-3229 KENDRA HALAMA:476-3177 DENNIS RODRIGUEZ:476-3173 VICKIE EVANS:827-2098			
Driver Applicant Metrics:			
Last Name:CARMEL	First Name:CALWAY	Mid Init:	
SSN:509965272	Height:	Weight:150	
Sex:F	DOB:3/4/1974	Eyes:BRO	
This Driver has the following 2 DWI Violations			
Conviction Jurs	Vio Date	Conviction Date	ACD Code
IN	20060219	20060221	A08
IN	20060219	20060531	A21
Exit Print			

4. The screen will indicate that a license cannot be issued due to one or more specific, identified DWI violations, and will instruct the customer to call the MVD Compliance Unit at one of the numbers shown.
5. Make sure your printer settings are set for horizontal (landscape) printing, then click "Print" to print the DWI Violations Screen for the customer.
6. Hand the DWI Violations Screen to the customer and direct him or her to call the MVD Compliance Unit as instructed.
7. You can then click "Exit" to close out the process for this customer's license application.

The MVD Compliance Unit will work with the customer to determine the next step. The Compliance Unit will also run the PDPS check to be sure there are no outstanding actions before authorizing issuance of a regular or Ignition Interlock license.

Once the Compliance Unit has determined that a license can be issued, the appropriate authorization will be entered into MVD 2.0, and the customer will be advised to either:

- go directly to any field office for a regular license; or
- have an ignition interlock device installed in his or her vehicle, then take documentation of the ignition interlock installation to any state or county/municipal (but not private retail) field office for issuance of an Ignition Interlock license.

Until the Compliance Unit enters the appropriate approval in MVD 2.0, the system will not allow the issuance of any license to the customer.

Note regarding CDL:

If the customer moving from out of state has a CDL, and is applying for a NM CDL, that should make no difference in the procedure described above. It will still be up to the MVD Compliance Unit to look into the driver's out-of-state conviction record and to determine what action should be taken.

If the Compliance Unit's conclusion is that a NM license can only be issued with ignition interlock, the CDL will have to be surrendered and a class D Ignition Interlock license issued. The driver may eventually reapply for a CDL, with full retest, when the interlock restriction is removed.

Note regarding fees:

The same legislation (House Bill 126) authorizes us to charge an additional fee of \$15.00 when a person with a driver's license from another state applies for the first time for a New Mexico driver's license. Regardless of any actual DWI history, you should now see an additional \$15.00 charged on every driver's license application when the individual is moving to New Mexico from another state or Washington, DC.

Field office managers and supervisors should refer any comments or questions regarding this Procedural Quick Update to their Bureau Chiefs or to the Compliance Unit, with cc to mac.lewis@state.nm.us. Others are encouraged to direct comments or questions directly to Mac Lewis, MVD Policy and Procedure Manager, at mac.lewis@state.nm.us.
