

MVD Procedural Quick Update

#49

RE: Review of 10-Year DWI Revocation with Interlock Compliance
Effective date: Immediate

Date: November 30, 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.]

A "Review of 10-Year Revocation Interlock Compliance" form is now available (and attached here) for those individuals who are currently subject to a 10-year license revocation for three DWIs under prior law, but are now eligible for a reduced, three-year revocation period.

Prior to June 17, 2005 a driver convicted of DWI for the third time was subject to a mandatory 10-year license revocation. Now, for third DWI offenses since June 17, 2005, the mandatory revocation period is three years.

The New Mexico Legislature amended Section 66-5-29 NMSA 1978, effective June 15, 2007, to allow an individual subject to a 10-year revocation to petition the Motor Vehicle Division (MVD) to have the current, three-year mandatory revocation period apply instead.

This provision applies exclusively to individuals with three, and no more than three, DWI convictions.

In compliance with Sec. 66-5-29, as amended, MVD will apply the current, three-year license revocation provision:

- at the request of the individual,
- to a person who has been convicted three times of DWI and whose driver's license was revoked for 10 years under the law in effect prior to June 17, 2005,
- if he or she has had an ignition interlock license for at least three years and has proof from the ignition interlock vendor of no violations of the ignition interlock device in the previous six months.

The new form can be completed and sent directly to MVD's DWI Compliance Unit in Santa Fe. If submitted to a field office the form should be immediately forwarded to the DWI Compliance Unit for processing. The result, for a qualifying individual, will be issuance of a regular New Mexico driver's license, free of any ignition interlock restriction.

Field office managers and supervisors should refer any comments or questions regarding this Procedural Quick Update to their Bureau Chiefs, 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.
