

New Mexico Taxation &
Revenue Department, Motor
Vehicle Division

**DRIVER'S
LICENSE
RESTORATION**
A step-by-step guide



General Rule

This Driver's License Restoration packet must be completed by any driver whose license has been revoked pursuant to Sec. 66-5-5(D) NMSA 1978, for multiple DWI convictions, who now seeks restoration of full driving privileges, and who does not qualify for the single exception described below.

One Exception

If you only have three DWI convictions, but your driving privileges are revoked for 10 years, you may be able to obtain a full license before the 10-year time period is over and without going to court. You may be eligible for a full license if you have had an interlock license for at least three years and have not had any violations on the interlock device for the previous six months. If you believe you qualify, you should complete the "Review of 10-Year Revocation Interlock Compliance" form (MVD-10454) and proceed with the instructions included in that form. The form is available from any Motor Vehicle Division field office or on-line at http://www.tax.state.nm.us/forms/mvd/mvd_form.htm.

If you do not qualify for that one exception, follow the instructions below for New Mexico Residents or Out-of-State Residents (whichever applies).

New Mexico Residents

1. You need a current copy of your driving record. You can obtain a copy from your local New Mexico Motor Vehicle Division office; or you can request it by mail or telephone (1-888-683-4636).
2. Check your driving record to see if you are eligible for restoration. **If the revocation period is not over you are not eligible to apply for restoration.**
3. Fill in the blanks on the Petition for Order of Restoration of Driver's License (beginning on page 3 of this packet) as completely as you can. The court clerk will assign a case number and a judge. The judge will set the matter for a hearing. Because you are the Petitioner, you need to include your name, date of birth, address, and telephone number. When you answer the questions, be honest.
4. It is important that you correctly identify the County, Judicial District and Petitioner (yourself) at the top of the first Petition page (page 3 of this packet) and on each of the succeeding pages, including the Request for Hearing (page 5), the Notice of Hearing (page 7) and the Order Granting Petition for Restoration of Driver's License (page 9). All of these forms must be included with your Petition submittal.
5. The law states that you are required to demonstrate good cause to have your driving privileges restored. Good cause is not your need for a license or evidence that a license will improve your work situation or make your life easier. Good cause is evidence that you addressed your substance abuse problem and no longer pose a risk to the public if granted a license. You should attach any letters from people who know you (like your employer) and any evidence of treatment for a drug or alcohol problem. You can bring people to testify on your behalf to any hearing in this matter.
6. After you have filled out the Petition and attached all the letters and certificates, make two copies. You will also need two stamped envelopes. One envelope should have your return address on it; the other envelope needs to be addressed to: Taxation and Revenue Department, Legal Services Bureau, DWI-Legal, P.O. Box 630, Santa Fe, NM 87504-0630. These envelopes are for the court to use to notify you and the Department of the hearing.
7. You then need to file the Petition in the district court in the county in which you live. Call the district court clerk to find out what the filing fee is and what method of payment is acceptable. If you cannot afford to pay the filing fee, you can ask a judge to allow free process. A form for that purpose is available from the court.
8. Give the court clerk the original Petition, along with the two stamped envelopes, and ask the clerk to endorse the two copies of the Petition – this means that the clerk will stamp the copies to indicate the filing date. The clerk will keep the envelopes. Keep one copy of the Petition for your records. The court is not responsible for sending a copy of the Petition to the Taxation and Revenue Department.
9. It is your responsibility to send the Department a filed copy of the Petition, including all attachments. You need to do this even if you obtain free process. The Department will not accept a Petition that has not been filed in court. Send the filed copy of the Petition, along with all attachments, to:

Taxation and Revenue Department
Legal Services Bureau
DWI-Legal Section
Post Office Box 630
Santa Fe, NM 87504-0630

10. An attorney with the Department will respond to your Petition and send you a copy. The judge will set a hearing and notify you and the Department's attorney of the date and time. At the hearing, be prepared to present testimony and evidence to establish good cause. If you have letters or certificates you want to present and that were not attached to the Petition, you need to send those to the Department before your hearing. Those documents should be sent to the address listed above.

11. If the judge grants your Petition, the judge will sign the order and may file it on your behalf. You need to obtain a filed copy of the order from the clerk's office. There may be a fee for obtaining a copy of the order.

12. To get your license, take the filed copy of the court order to any Motor Vehicle Division office and apply for a driver's license. You will need to provide proof of identity, proof of your social security number, two documents to prove you live in New Mexico, and liability insurance. When you apply, you will be required to pay the reinstatement fee, any other fees you owe, and the license fee. The law also requires that you have an interlock license for at least six months her fees you owe, and the license fee. The law also requires that you have an interlock license for at least six months during the revocation period. The judge cannot reduce or forgive any Motor Vehicle fees. You will also be required to take the written test and the vision test. You may be required to take the driving test.

Out-of State Residents

If you live out of state and do not want a New Mexico license, you still need to apply for an order restoring you New Mexico driving privileges. Follow steps 1-11 listed above. You should also include a copy of your driving record from your current state of residence. File your Petition in Santa Fe, Santa Fe County, New Mexico. If you want to appear by telephone, you need to get permission from the judge assigned to your case and follow any instructions given for a telephonic appearance.

If the judge grants the Petition you need to obtain a filed copy of that order. You can then reinstate your New Mexico driving privileges by mailing the filed copy of the order, together with evidence of residency in the other state and the reinstatement fee, to the Motor Vehicle Division in Santa Fe, New Mexico. Include your name and date of birth on the order and the check or money order for the reinstatement fee. Include a letter telling MVD that you are enclosing the order and reinstatement fee and want to clear your driving record. Send the information to:

Motor Vehcile Division
Driver Services Bureau
Post Office Box 1028
Santa Fe, NM 87504-1028

If you want to pay by credit card, you will need access to a fax machine. There is an extra fee for paying by credit card. You can call MVD at 1-888-683-4636 to make those arrangements.

STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____,
Petitioner,

vs.

D-1113-CV _____

STATE OF NEW MEXICO
TAXATION AND REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION,
Respondent.

PETITION FOR ORDER OF RESTORATION OF DRIVER'S LICENSE

Petitioner asks this court to order restoration of driving privileges, in accordance with § 66-5-5(D) NMSA 1978.

1. The Motor Vehicle Division has withdrawn my privilege to drive because I have had three or more DWI convictions.

2. It has been _____ years or longer since my last conviction for DWI. A current copy of my driving record is attached.

3. I am prepared to present evidence of **good cause** to restore my driving privileges. This evidence includes the following:

a. ___ I no longer consume alcoholic beverages.

b. ___ I have undergone treatment or counseling so that I am no longer dependent on alcohol. (Explain where and when you were treated, attendance at AA meetings, etc. Attach any certificates that you received and any letters from a physician,

alcohol counselor, or other professional who can state that you are no longer at risk for substance abuse.)

c. ___ I have honored the revocation and have not driven during this time.

d. ___ I have attached letters of recommendation to the Petition.

WHEREFORE the Petitioner requests that the court issue an Order of Restoration of Driving Privileges.

NAME (printed) _____

SIGNATURE _____

ADDRESS _____

CITY, STATE, ZIP _____

TELEPHONE _____

DATE OF BIRTH _____

LICENSE/ID CARD NUMBER _____

**YOU MUST SEND A COPY OF THIS DOCUMENT,
AFTER FILING IT WITH THE DISTRICT COURT, TO:**

Taxation and Revenue Department
Legal Services Bureau
DWI -Legal Section
Post Office Box 630
Santa Fe, NM 87504-0630

STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____,
Petitioner,

vs.

D-1113-CV_____

STATE OF NEW MEXICO
TAXATION AND REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION,
Respondent

REQUEST FOR HEARING

1. Assigned judge: THE HONORABLE
2. Type of case: Petition for Order of Restoration
3. Jury: Non-jury: XXX
4. Dates of hearings presently set: NONE
5. Specific matter(s) to be heard upon this request: MERITS
6. Estimated total time required: FIFTEEN (15) MINUTES
7. Attach separate sheet(s) listing name, firm, capacity, address, and telephone numbers of all parties entitled to notice.

PETITIONER

I certify that a copy of this request for hearing was mailed to all other parties entitled to notice on

_____.

PETITIONER

ALL PARTIES ENTITLED TO NOTICE

PETITIONER: (put your address here)

RESPONDENT:

Legal Services Bureau
DWI Legal
Post Office Box 630
Santa Fe, NM 87504-0630
(505) 827-9807

STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____,
, Petitioner,

vs.

D-1113-CV-_____

STATE OF NEW MEXICO
TAXATION AND REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION,
Respondent

NOTICE OF HEARING

A hearing in this case is set before the HONORABLE _____
as follows:

Date of Hearing: _____

Time of Hearing: _____

Length of Hearing: FIFTEEN (15) MINUTES

Place of Hearing: McKinley County Courthouse, 207 W. Hill Ave, 2nd Floor, Gallup, NM 87301

Matter(s) to be heard: MERITS

THE HONORABLE _____

By: _____

Notice mailed or delivered on date of filing to parties listed on attached sheet.

ALL PARTIES ENTITLED TO NOTICE

PETITIONER (put your address here):

RESPONDENT:

Legal Services Bureau
DWI Legal
Post Office Box 630
Santa Fe, NM 87504-0630
(505) 827-9807

STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

Petitioner,

vs.

D-1113-CV-_____

STATE OF NEW MEXICO
TAXATION AND REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION,
Respondent

**ORDER GRANTING PETITION FOR
RESTORATION OF DRIVER'S LICENSE**

This matter came before the court on the testimony of Petitioner, who was required to show good cause why his driving privileges should be restored. The court having considered the testimony and evidence finds that Petitioner demonstrated good cause for restoration. Respondent shall not consider the previous DWI convictions when issuing the license.

The court hereby **GRANTS** the petition and orders Respondent to permit restoration of Petitioner's driving privileges.

District Judge

Disposition Code: 9A
Date: _____

New Mexico District Courts

<http://firstdistrictcourt.com>

**Santa Fe, Rio Arriba
and Los Alamos Counties**

Los Alamos County (#0132)
(Filings only accepted in Santa fe
or Rio Arriba Counties)

District Court Clerk
First Judicial District
County of Los Alamos
P.O. Box 2268
Santa Fe, New Mexico 87504-2268

Rio Arriba County (#0117)

District Court Clerk
First Judicial District
County of Rio Arriba
Attn: Civil Division
P.O. Drawer 40
Tierra Amarilla, New Mexico 87575
(505) 588-0058

Santa Fe County (#0101)
(505) 472-3888

District Court Clerk
First Judicial District
County of Santa Fe
Attn: Civil Division
P.O. Box 2268
Santa Fe, New Mexico 87504-2268
(505) 476-0189

www.seconddistrictcourt.com

Bernalillo

Bernalillo County (#0202)

District Court Clerk
Second Judicial District
Attn: Civil Division
P.O. Box 488
Albuquerque, New Mexico 87103-0488
(505) 841-7451

www.thirddistrictcourt.com

Dona Ana

Dona Ana County (#0307)

District Court Clerk
Third Judicial District
Attn: Civil Division
201 W. Picacho, Suite A
Las Cruces, New Mexico 88005
(575) 523-8296

Luna, Grant and

Hidalgo Counties

Grant County (#0608)

District Court Clerk
Sixth Judicial District
Attn: Civil Division
P.O. Box 2339
Santa Rosa, New Mexico 88435
(575) 538-3250

Luna County (#0619)

District Court Clerk
Sixth Judicial District
Attn: Civil Division
855 South Platinum
Deming, New Mexico 88030
(575) 546-9611

Hidalgo County (#0623)

District Court Clerk
Sixth Judicial District
Attn: Civil Division
P.O. Box 608
Lordsburg, New Mexico 88045
(575) 542-3411

www.fifthdistrictcourt.com

**Eddy, Lea, and
Chaves Counties**

Eddy County (#0503)

District Court Clerk
Fifth Judicial District
Attn: Civil Division
102 N. Canal, Suite 240
Carlsbad, New Mexico 88200-5750
(575) 885-4740, x111

Lea County (#0506)

District Court Clerk
Fifth Judicial District
Attn: Civil Division
P.O. Box 6-C
100 N. Main Street
Lovington, New Mexico 88260
(575) 396-8571

Chaves County (#0504)

District Court Clerk
Fifth Judicial District
Attn: Civil Division
400 N. Virginia
Roswell, New Mexico 88202
(575) 622-2212

**Torrance, Socorro,
Catron and Sierra Counties**

Torrance County (#0722)

District Court Clerk
Seventh Judicial District
Attn: Civil Division
P.O. Box 78
Estancia, New Mexico 87016
(505) 384-2974

Catron County (#0728)

(Filings are only accepted
in Socorro County)

District Court Clerk
Seventh Judicial District
County of Catron
Attn: Civil Division
P.O. Drawer 1129
Socorro, New Mexico 87801
(575) 835-0050

Socorro County (#0725)

District Court Clerk
Seventh Judicial District
Attn: Civil Division
P.O. Drawer 1129
Socorro, New Mexico 87801
(575) 835-0050

Sierra County (#0721)

District Court Clerk
Seventh Judicial District
County of Sierra
Attn: Civil Division
P.O. Box 3009
Truth or Consequences, NM 87901
(575) 894-7167

Union, Colfax and
Taos Counties

Union County (#0818)

District Court Clerk
Eighth Judicial District
Attn: Civil Division
P.O. Box 310
Clayton, New Mexico 88415
(575) 374-9577

Colfax County (#0809)

District Court Clerk
Eighth Judicial District
Attn: Civil Division
P.O. Box 150
Raton, New Mexico 87740
(575) 445-5585

Taos County (#0820)

District Court Clerk
Eighth Judicial District
Attn: Civil Division
105 Albright Street, Suite H
Taos, New Mexico 87571
(575) 758-3173

www.nmcourts9thjdc.com

Roosevelt and Curry Counties

Curry County (#0905)

District Court Clerk
Ninth Judicial District
Attn: Civil Division
700 N. Main Street, Suite 11
Clovis, New Mexico 88101
(575) 762-9148

Roosevelt County (#0911)

District Court Clerk
Ninth Judicial District
Attn: Civil Division
109 W. First Street
Portales, New Mexico 88130
(575) 356-4463

Quay, Harding and
DeBaca Counties

DeBaca County (#1027)

District Court Clerk
Tenth Judicial District
Attn: Civil Division
P.O. Box 910
Fort Sumner, NM 88119
(575) 355-2896

Harding County (#1031)

District Court Clerk
Tenth Judicial District
Attn: Civil Division
P.O. Box 1002
Mosquero, NM 87733
(575) 673-2252

Quay County (#1010)

District Court Clerk
Tenth Judicial District
Attn: Civil Division
P.O. Box 1067
Tucumcari, New Mexico 88401
(575) 461-2764

www.11thjdc.com

San Juan and
McKinley Counties

**San Juan County
Farmington (#1116)**

District Court Clerk
Eleventh Judicial District
Attn: Civil Division
851 Andrea Drive, Suite 3
Farmington, NM 87401-6726
(505) 326-2256

**San Juan County
Aztec (#1116)**

District Court Clerk
Eleventh Judicial District
Attn: Civil Division
103 South Oliver Drive
Aztec, New Mexico 87410
(505) 334-6151

McKinley County (#1113)

District Court Clerk
Eleventh Judicial District
Attn: Civil Division
207 West Hill, #200
Gallup, NM 87301
(505) 863-6816

www.12thdistrict.com

Otero and
Lincoln Counties

Otero County (#1215)

District Court Clerk
Twelfth Judicial District
Attn: Civil Division
1000 New York Ave. #209
Alamogordo, NM 88310
(575) 437-7310, x110

Lincoln County (#1226)

District Court Clerk
Twelfth Judicial District
Attn: Civil Division
P.O. Box 725
Carrizozo, New Mexico 88301-0725

www.13districtcourt.com

Sandoval, Cibola and
Valencia Counties

Sandoval County (#1329)

District Court Clerk
Thirteenth Judicial District
Attn: Civil Division
1500 Idalia Rd. Bldg A
Bernalillo, New Mexico 87004
(505) 867-2376

Cibola County (#1333)

District Court Clerk
Thirteenth Judicial District
Attn: Civil Division
P.O. Box 758
Grants, New Mexico 87020-0758
(505) 287-8831

Valencia County (#1314)

District Court Clerk
Thirteenth Judicial District
Attn: Civil Division
P.O. Box 1089
Los Lunas, New Mexico 87031
(505) 865-9654