

DRIVER'S LICENSE RESTORATION

A step-by-step guide

1. You must obtain a current copy of your driving record. You can request this document by mail or telephone or at your local Motor Vehicle Division branch office. The Motor Vehicle Division does not charge any fee for this service.
2. Check your driving record to see if you are eligible for restoration. The law changed on July 1, 1994. See if your license was revoked for five years under the old version of Sec. 66-5-5(d) NMSA or if you are ineligible to apply for a license for ten years under the amendment to Sec. 66-5-5(d) NMSA. If you fall under the new provision of Sec. 66-5-5 (d) make sure the ten-year period has passes so that you are eligible to apply for restoration.
3. Fill in the blanks on the petition for order of restoration as completely as you can. Make sure you include your name, social security number, address and telephone number. Attach any letter from people who know you (like your employer) and any evidence of treatment for a drug or alcohol problem.
4. File the petition with the court clerk and the clerk will then assign the case to a judge. Call the district court clerk to find out what the filing fee is. The clerk will accept a money order or cashier's check. No personal checks are accepted. Ask the clerk to "endorse" two copies of the petition for you.
5. Mail one copy of the petition (with the driving record) to:

Taxation and Revenue Department
Motor Vehicle Division
Legal Services Bureau
DWI-Legal Section
Post Office Box 1028
Santa Fe, NM 87504-1028
(505) 827-9807
6. The MVD attorney will respond to your petition and send you a written copy. The Judge will set a hearing and notify you and the MVD attorney at the date and time. Be prepared to present testimony or evidence at the hearing as to why you think the judge should sign the Order.
7. When you get your signed copy of the order, file it with the clerk of the court for safekeeping. The court clerk will not charge you anything for filing this document.

8. Ask the clerk for a “certified” copy of the Order. The court clerk will charge you to certify it. It’s a good idea to get an endorsed copy for your records.
9. If you live out of state and do not want a New Mexico license, send a “certified copy” of the order to the Motor Vehicle Division in Santa Fe along with a check or money order for \$100.00 and a request for your updated Motor Vehicle Division record. The request for a copy of your Motor Vehicle Division record does not have to be in any special form. Just write a not to the MVD.

Taxation and Revenue Department
Motor Vehicle Division
Driver Services Bureau
Post Office Box 1028
Santa Fe, NM 87504-1028
ATTN: DWI RESTORATION

10. To obtain a New Mexico license, take your certified copy of the court order to any Motor Vehicle Field Office and apply for a driver’s license just like any other application. Remember that there is a regular application fee for a driver’s license in New Mexico of \$16.00. You will also be required to pay a reinstatement fee (usually \$100.00)

If you cannot afford to pay any court fee, you can ask a judge to allow free or reduced filing but you must prove that you really can’t afford the regular fees. A form for that purpose is available from the court. The judge cannot reduce or forgive any Motor Vehicle fees.

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Case No.: _____

Petitioner,

-vs.-

**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 Sec. 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 five ten years or longer since my last conviction for DWI. A current copy of my driving record is attached.

3. At a hearing in court, I am prepared to present evidence **good cause** to restore my driving privileges. This evidence will include 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.)
- c. I have honored the revocation and have not driven during this time.
- d. (Please attach an extra sheet if necessary. You may also attach letters from a physician, alcohol counselor, or other professional who can state that you are no longer at risk for substance abuse.)

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

NAME _____

ADDRESS _____

CITY, STATE, ZIP _____

TELEPHONE _____

SOCIAL SECURITY NUMBER _____

DATE OF BIRTH _____

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

Taxation and Revenue Department
Motor Vehicle Division
Legal Services Bureau
DWI-Legal Section
Post Office Box 1028
Santa Fe, NM 87504-1028
(505) 827-9807

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
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Petitioner,

-vs.-

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

REQUEST FOR A HEARING

1. Type of case: Petition for Order of Restoration Non-Jury
2. Judge to whom assigned: _____
3. Dates of hearings presently set: NONE
4. Specific matters to be heard: MERITS
5. Estimated total time for hearing all parties and witnesses: FIFTEEN (15) MINUTES
6. 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:

RESPONDENT:

Legal Services Bureau-DWI Legal
Post Office Box 1028
Santa Fe, NM 87504-1028
(505) 827-9807

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Case No.: _____

Petitioner,

-vs.-

**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: _____

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:

RESPONDENT:

Legal Services Bureau-DWI Legal
Post Office Box 1028
Santa Fe, NM 87504-1028
(505) 827-9807

**FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____**

Case No.: _____

Petitioner,

-vs.-

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

Respondent.

ORDER ON PETITION FOR RESTORATION

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 has determined that good cause has been shown and order Respondent to permit restoration of his driving privileges.

DISTRICT JUDGE