

This is an amendment to 18.3.7 NMAC, Sections 2 and 9 effective 01/30/2018.

18.3.7.2 SCOPE:

A. 18.3.7.8 NMAC through 18.3.7.13 NMAC apply to all motor carriers subject to the jurisdiction of the commission other than in the operation of small passenger vehicles, except that ambulance services are exempt from 18.3.7.8, 18.3.7.9, and 18.3.7.13 NMAC.

B. 18.3.7.14 NMAC through 18.3.7.16 NMAC apply only to motor carriers operating pursuant to a certificate or a permit other than in the operation of small passenger vehicles.

~~_____ C. Commuter services are subject to 18.3.7.11 NMAC only.~~

~~_____ D]~~ **C.** The maintenance, inspection and production of documents for carriers providing passenger transportation services through the use of small passenger vehicles is governed by the following provisions:

(1) A transportation service shall maintain:

(a) individual ride records for at least four years from the date each ride was

provided; and

(b) individual records of transportation service drivers for at least four years after the driver's relationship with the transportation service has ended.

(2) In response to a specific complaint, the public regulation commission, its employees or its duly authorized agents may inspect those records held by a transportation service for the investigation and resolution of the complaint.

(3) No more than semiannually and as determined by the public regulation commission, the commission, its employees or its duly authorized agents may, in a mutually agreed setting, inspect those records held by a transportation service whose review is necessary to ensure public safety; provided that such review shall be on an audit rather than a comprehensive basis.

[18.3.7.2 NMAC - Rp, 18.3.7.2 NMAC, 2/13/15; A, 11/30/2016; A, 01/30/2018]

18.3.7.9 CONTENTS OF ANNUAL REPORT: The annual report shall include:

A. the motor carrier's operating authority number;

B. the motor carrier's name;

C. the motor carrier's d/b/a name;

D. the motor carrier's principal place of business;

E. the motor carrier's business telephone number;

F. the applicant's electronic mail address;

G. [the motor carrier's **Combined Reporting System (CRS)** tax identification number;

~~_____ H. for all motor carriers, a list of equipment used in the motor carrier's operations if the motor carrier is using twenty five (25) vehicles or less, including the stationing point for each vehicle, or the motor carrier's written statement certifying the number of vehicles in use if the motor carrier is using more than twenty five (25) vehicles and a list of all stationing points;~~

~~_____ I. for motor carriers operating pursuant to a certificate or permit, the names and addresses of any shareholders who own ten percent or more of the voting stock of the motor carrier if it is a corporation, or if the motor carrier is other than a corporation, a description of the form of ownership, the names and addresses of all principal owners, and the percentage ownership of each;~~

~~_____ J. for motor carriers operating pursuant to a permit, any changes in the contract for which the permit was issued;~~

~~_____ K. the motor carrier's written statement certifying that each piece of equipment it uses has passed an annual inspection within the preceding twelve (12) months;~~

~~_____ L. the motor carrier's written statement certifying that it maintains a file containing a current MVD printout of the driving record and all other information required by these rules for each of its drivers;~~

~~_____ M. the motor carrier's written statement certifying that it has received a current certificate of workers' compensation insurance or evidence that the motor carrier is not required to maintain workers' compensation insurance;~~

~~_____ N. for all towing services and household goods services, a copy of the insurance policy or policies showing compliance with 18.3.3.11 NMAC;~~

~~_____ O. an updated appointment of an agent for service of process, if applicable; and~~

~~_____ P. the signature prescribed by subsection B of 18.3.7.8 NMAC.] an affirmation by checking a box on the annual report that;~~

(1) the motor carrier certifies that each piece of equipment it uses has passed an annual inspection within the preceding 12 months;

(2) the motor carrier certifies that it maintains a file containing a current MVD printout of the driving record and all other information required by these rules for each of its drivers;

(3) the motor carrier certifies that it has received a current certificate of workers' compensation insurance or evidence that the motor carrier is not required to maintain workers' compensation insurance;

H. an updated appointment of an agent for service of process, if applicable; and

I. the signature prescribed by Subsection B of 18.3.7.8 NMAC.

[18.3.7.9 NMAC - Rp, 18.3.7.9 NMAC, 2/13/2015; A, 01/30/2018]