



# 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This Driver's License Restoration packet must be completed by any driver whose license has been revoked pursuant to Sec. 66-5-5(D) NMSA 1978, for multiple DWI convictions, who now seeks restoration of full driving privileges.

### 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. If you do not establish good cause and the judge denies your petition, you will not be able to file another petition for five years. 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. When you file your petition, attach letters from people who know you (like your employer) and any evidence of treatment for a drug or alcohol problem. If you have an interlock license, attach the daily usage records from your interlock provider. 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

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 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 your 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 Vehicle Division  
Driver Services Bureau  
Post Office Box 630  
Santa Fe, NM 87504-0630

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 \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_,  
Petitioner,

vs.

D- \_\_\_\_\_

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. My revocation period ended on \_\_\_\_\_.

3. a. \_\_\_ I have not previously petitioned for restoration of my driver's license.  
b. \_\_\_ I have previously filed for restoration of my driver's license. Please state when you filed that petition, where it was filed, and the result.

\_\_\_\_\_  
4. 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 obtained an interlock license on \_\_\_\_\_. My interlock provider is \_\_\_\_\_.

e. \_\_\_ 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 \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_,  
Petitioner,

vs.

D- \_\_\_\_\_

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 \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_,  
Petitioner,

vs.

D-\_\_\_\_\_

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 (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 \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_,  
Petitioner,

vs.

D- \_\_\_\_\_

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

## **First Judicial District**

<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  
(575) 588-0058

## **Santa Fe County (#0101)**

District Court Clerk  
First Judicial District  
County of Santa Fe  
Attn: Civil Division  
P.O. Box 2268  
Santa Fe, New Mexico 87504-2268  
(505) 455-8250

## **Second Judicial District**

[www.seconddistrictcourt.com](http://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) 841-7483/6773

## **Third Judicial District**

[www.thirddistrictcourt.com](http://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) 523-8290

## **Fourth Judicial District**

**San Miguel, Mora and  
Guadalupe Counties**

## **San Miguel County (#0412)** **Mora County (# 0430)**

District Court Clerk  
Fourth Judicial District  
Attn: Civil Division  
P.O. Box 1540  
Las Vegas, New Mexico 87701  
(505) 425-7281

## **Guadalupe County (#0424)**

(575) 472-3888  
District Court Clerk  
Fourth Judicial District  
Attn: Civil Division  
420 Parker Ave. #5  
Santa Rosa, New Mexico 88435

## **Fifth Judicial District**

[www.fifthdistrictcourt.com](http://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

## **Sixth Judicial District**

**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  
700 S. Silver  
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

## **Seventh Judicial District**

**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  
(575) 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

**Eighth Judicial District**

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

**Ninth Judicial District**

www.nmcourts9thjdc.com  
  
Roosevelt and Curry Counties  
(575) 742-7500  
**Curry County (#0905)**

District Court Clerk  
Ninth Judicial District  
Attn: Civil Division  
700 N. Main Street, Suite 11  
Clovis, New Mexico 88101

**Roosevelt County (#0911)**

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

**Tenth Judicial District**

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

**Eleventh Judicial District**

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

**Twelfth Judicial District**

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, x100

**Lincoln County (#1226)**

(575) 648-2432  
District Court Clerk  
Twelfth Judicial District  
Attn: Civil Division  
P.O. Box 725  
Carrizozo, New Mexico 88301-0725

**Thirteenth Judicial District**

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) 865-9639