

Opinion No. 46-4902

May 17, 1946

BY: C. C. McCULLOH, Attorney General

TO: Mr. J. B. Mitchell, Director Driver's License Division Bureau of Revenue Santa Fe, New Mexico

{*229} We are in receipt of your letter of May 15, 1946, in which you state that driver's licenses of certain New Mexico residents were revoked by the State of Virginia because the driver and owner of the car which had a serious accident in Virginia failed to post a surety bond under the Virginia Motor Vehicle Safety Responsibility Law. You ask whether or not, as a matter of reciprocity, under the New Mexico Uniform Operator's and Chauffeur's Act (Chapter 110 Laws of 1937), you may revoke the licenses.

Chapter 110 of the Laws of 1937 does not give you any authority to enter into reciprocal agreements with other states. It is only in the event that a person is convicted in another state of an offense which, if committed in this state, would be an offense giving grounds for revocation of the license, that you may revoke the license. (See sub-section (c) of Section 18 of Chapter 110.) The Uniform Operator's and Chauffeur's {*230} License Act, supra, does not authorize you to revoke the license of a person whose license has been revoked in another state for failure to comply with a Motor Vehicle Safety Responsibility Law.

In view of the foregoing, it is my opinion that you have no authority to revoke the two licenses referred to by you.

I am enclosing herewith a copy of Opinion No. 3389, dealing with this question.

By ROBERT W. WARD,

Asst. Atty. General