

65-2A-6. Notice. (2013)

A. The commission shall electronically publish notice regarding an application before the commission for a certificate or permit or for a change in a certificate or permit, regarding proposed rulemaking, or regarding other orders of the commission of general application, by posting a copy of the notice or document on the commission's internet web site and sending electronic mail to all motor carriers, public officials or agencies, or other persons or entities who have previously supplied electronic mail addresses to the commission for the purpose of publication, advising such persons of the filing and posting. If the commission in its discretion should also require publication by newspaper, the requirement is met if notice is published once in a newspaper of general circulation in the state. The commission shall not act on an application for a certificate or permit or for an amendment, lease or transfer of a certificate or permit less than twenty days after the date notice was published.

B. Whenever the Motor Carrier Act requires publication of notice regarding any other matter, the requirement is met if notice is published once in a newspaper of general circulation in the state. The commission shall not act on a matter less than ten days after the date notice was published.

History: Laws 2003, ch. 359, § 6; 2013, ch. 73, § 5; 2013, ch. 77, § 5.

The 2013 amendment, effective July 1, 2013, authorized the commission to electronically publish notice of pending actions of the commission; in Subsection A, in the first sentence, at the beginning of the sentence, deleted "If the Motor Carrier Act requires publication of" and added "The commission shall electronically publish" and after "before the commission", added the remainder of the sentence, at the beginning of the second sentence, added "If the commission in its discretion should also require publication by newspaper", and in the third sentence, after "application", added "for a certificate or permit or for an amendment, lease or transfer of a certificate or permit"; and in Subsection B, in the first sentence, after "notice regarding", added "any other" and after the phrase "any other matter", deleted "other than an application".

Laws 2013, ch. 73, § 5 and Laws 2013, ch. 77, § 5, both effective July 1, 2013, enacted identical amendments to this section. The section was set out as amended by Laws 2013, ch. 77, § 5. *See* 12-1-8 NMSA 1978.