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Description of document: The state of New Mexico list of prohibited or banned personalized license plates, procedures for screening personalized license plate applications, and where available, administrative appeals of withdrawn personalized plates, 2012

Requested date: 27-October-2012

Released date: 16-November-2012

Posted date: 28-January-2013

Source of document: State of New Mexico
Taxation and Revenue Department
Legal Services Bureau
Post Office Box 630
1100 South St. Francis Drive, Suite 1100
Santa Fe, New Mexico 87504-0630

Note: Not all requested items were available from all respondents
This material from state Motor Vehicle Departments contains references to language and material that some people may find offensive and may not be suitable for all ages.

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Taxation and Revenue Department

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November 16, 2012

Re: Request to Inspect Public Records
IPRA CASE NUMBER: 12-278

Your correspondence dated October 27, 2012 requested the Taxation and Revenue Department ("TRD") provide you records as follows: "1. a copy of the list of prohibited personalized license plates, i.e. the listing that is used as a guideline to the DMV employee who screens personalized license plate applications for offensive or objectionable words or phrases or messages."

Response: Copy of responsive records enclosed. (list of words and license plates that may be considered offensive with list of acronyms). "2) a copy of the internal instructions to DMV employees on procedures for screening personalized license plate applications for offensive or objectionable words or phrases or messages;" **Response:** No responsive records located. "3) a copy of each administrative appeal letter from A) applicants whose personalized license plate was rejected, and/or from B) motorists whose personalized license plates were reclaimed by the DMV following a complaint from a member of the public." **Response:** Copy of responsive record enclosed.

Our search for the requested records is now complete. Thank you for affording us this opportunity to be of assistance to you.

Sincerely,

A handwritten signature in blue ink that reads "P. A. Silva".

Patricia A. Silva
Records Custodian
enclosures

The Dictionary

0 = zero, nothin'
000 = nothin' (as seen in IOU 000)
1 = one, want
10C = Tennessee
10S = tennis
10SE = Tennessee
1CE = once
1DR = wonder
1DRFL = wonderful
1E6 = a million (calculator humor)
1E9 = a billion
2 = to, too, two (also start of any "to" sounding word, like 2DAY)
2 = Q (cursive Q) = cue, queue
22 = Tues. (Tuesday)
2DAY = today
2ISHN = tuition
2LN = toolin'
2LY = truly
2M8O = tomato
2N = tune
2Q = took you
2TH = tooth
4 = for, fore, four
4 = replacement for letters 'fo' in many words (e.g., 4ORD)
404 = not found (yes it's gone from esoteric web error code to slang-land)
411 = information
44UM = foresome
4EVR = forever
4K = fork (fuck)
4N = foreign
4NIK8 = fornicate
4ORD = ford
4PLA = foreplay
4Q2 = f\$#k you, too!
4RE = Ferrari
4ST = forest
50 = Police, Cops (5-0, of Hawaiian heritage)
6 = sex
6A = sexy

6UAL = sexual
6UL = sexual
6E = sexy
6S = success
6SR = successor
8 = ate, ain't
9 = nein (no)
911 = emergency
A = eh (as in "eh buddy!")
A4 = afford
A55 = ass
AGN = again
AKA = also known as
AU = gold
AV8 = aviate
B = be
B8 = bait
B9 = benign
B10 = beaten
BA6 = basics
BB = to be, baby
BG8S = Bill Gates
BL8D = belated
BLK = black
BN = bein'
BOK = bouquet
BR8 = berate
BYU = bayou, by you (and, of course, Brigham Young University)
BZ = busy
C = see, sea
CC = (to) seize
CLA6 = classics
CMUTE = commute
CMXI = 911, emergency
CN = seein', seen
CP = sleepy
CR8 = crate
CRE8 = create
CRZ = cruise
CS = seas, sees
D = the (de)
D8 = date
D8N = datin'
D8R = dater
D9 = denyin'
DA = the

DD = to the
DMN = demon
DNIL = denial
DON = don't
DR = doctor
DRK = dark
DS = this
DU = do you
DVS = devious
DV8 = deviate
DZRV = deserve
EDUC8 = educate
EE = to ease
EL8 = elate
EL8D = elated
ENUF = enough
ERND = earned
EZ = easy
F = if
FASN8 = fascinate
F8 = fate
FKS = -----
FN = fun
FREQ = freak
FX = effects, affects
FXION = affection
FXION8 = affectionate
FYT = fight
G = gee
GN = goin'
GND = ground
GR8 = great, grate
H8 = hate
H20 = water
HD = head
HM = home
HORM1 = hormone
HYT = height
I = eye, I
IR8 = irate
IX XI = 911, emergency
JMN = jammin'
JQ = Jack
K = ok ('kay)
KIX = kicks
KONX = connects
L = hell
L8 = late
L8R = later
LDY = lady

LEVN = leavin'
LL = to hell
LMTD = limited
LUV = love
LV = love
LVS = loves
LYT = light
M = am
M8 = mate
MF = mother#\$@er
MOI = me (french)
MN = man
MN8 = emanate
MR = more
MT = empty
MUDE = mudder (as in mudder*
{##er})
MV = move
MVN = movin'
MYT = might
MZLTF = mazel tov
N = and, in
N2 = into
N4C = enforce
N4CER, N4CR = enforcer
N4CMT = enforcement
NE = any
NE1 = anyone
NEMA = enema
NO = number (abbreviation: no.)
NOZ = nosy
NRG = energy
NT = night
NUTN = nothin'
NV = envy
NVR = never
NVS = envious
NYT = night
O = oh
OL = old
ONRY = ornery
OVR = over
PA = pay
PHKR = -----
PNBL = pinball
PNDR = pounder
PP = pee pee
PRFXN = perfection
PWR = power
Q = cue, queue

QIK = quick
QRT = court
QS10 = question
QT = cute, cutie
R = are
R8 = rate
R8D = rated
R8RS = Raiders
RESQ = rescue
RETD = retired
RT = arty
RTCUL8 = articulate
RYT = right, write
RYTN = writin', rightin'
RZN = raisin'
SED8 = sedate
SN = soon
SNGR = singer
SOKEN = soakin'
SQP = scoop
ST8 = state
STR8 = straight
STR8N = straighten
SYCD = psyched
SYT = sight
T = tea, tee
TA2 = tatoo
TA2D = tatood
THRP = therapy
TM = time
TM8 = tomato
TNT = dynamite
TOTL, TTL = total
TRK = truck
TT = (to) tease
TTTT = tease (etc)
TYT = tight
U = you
U4IA, U4EA = euphoria
U4IC = euphoric
UDR = other ("udder")
UNEEK = unique
UR = your
UUUU = for you (four
youse!)
W8 = wait, weight
W8R = waiter
WMN = woman,
women
WYT = white

XIS = tennis
XLR8 = accelerate
XMN = examine
XMS = Christmas
XNTRK = eccentric
XNTU8 = accentuate
XS = excess
XTC = extacy
Y = why
YFS = wife's
YL = while
YN = wine (whine)
YQ = like you
YRS = wires
YY = (too) wise
Z = see, the
ZIPN = zippin'

AXMRDR (axiom
reader, or axe
murderer!)
CN NE1
CRE8IVE
CRPEY DM
D8N NE1
D EL8D 11
DD FRUD
EZ BB L8
EZÊUUUU
EZ2PLEZ
EZ4U2SY
GETFMYS (get off my
ass)
GIH8TTU (OIH8TTU)
GO LL
GZUSAVS (Jesus
saves)
H20GATE
(I)H8BNL8
H8 YNERS
H8D8N
H8U NOT
HEZIT8
IM26E4U
IH8BG8S (think
Microsoft)
IRA RITR
KIX A55 (not allowed
in VA)
LLNBACK
N2 CRE8N
NDONBL8
NE1469 (or NE146T9)
NE1 4AD8
OB1CNOB
PHOCKSI
PIXL8D
PP NV
RU A TTTT
RU CN NE1
RU D8N
RU YY TT
RUNEZD8
SOCOPH
SONG NE1
ST8MENT
STALEM8
SUNSHI9

SUNTHRP
(convertible)
THATS RQ
TTMF
TTOZTR1 (not
estrogen, but ...)
TTTTTTT
U4IC ST8
U4 E AH
W8 4DQ
YN NE1
YNNDYN
YW8 4DQ
YW8 4NE1
YY 2GO LL
YY BB EZ
YY TT U

0011011 (think binary)
069 HER (sate issued
random plate)
10JQKA (gambler!)
IDRK NYT
2B OR D5 (a
programmer's joke:
!2B)
2XPENSV
38DDD (Gold TransAm
with brunette)
3M TA3 (mirrorized)
6UALDMN (Sexual
Demon)
6UL-DV8
8NOD9
A BOK 4U (florist van)
CCDDAY (an old one
of mine)
CLA6 (spotted on a
Coca Cola truck)
CU N QRT
DBLINDMN
DNTRDOM (Dont
Tread On ME, spotted
by Darrell Herzog)
EIEIO
EQL JSTS
EUNEEK 1
FKSLK12 (F#&ks like
one too! See on a VW
Rabbit)
FOTOGR4
FREQ OUT
GDAYM8
GM 4R E (bright red
1985 Fiero GT)
GN4AU (on bay area
olympic swimmer's car)
GO KRT (on Mazda
Miata)
H8 PEPZ (Coca Cola
Van)
HILH8TR (Ancient
VW-bus)
IB6 UB9 (Later
recalled by Motor
Vehicle Dep.)
IBEYOREV (from a
reverend)

IGOT 2P
ISED8EM (car
of an
anaesthesiologis
t, I hope)
IXXI (On a
Porsche)
(Roman
Numeral
Correct would
be CMXI.)
IH8DST8 (I
hate this state!)
KILBCNU
KMTDFRG
LOIMVE (I am
in love)
MGDETH
MY OL CR8
N4GTUBL
NDINIL (in
denail)
NOSNAAB (on
a Saab 9000)
NSTIG8R
NVR ENUF
PCA SHT. (old
klunky Ford
Falcon)
PEPELPU
PHA-QUE
RATHER B
(included some
words on
frame)
RU DEF2 (car
w/800 watt
stereo)
RUH ROH
(Ruh Roh,
Raggy! --
Scooby Doo)
RVO3VOM"
(mirrorized)
TIHS WA
(spotted in DC
by Virtuanna -
must be read in
a rear-view
mirror!)

TOTL XTC
UEEEEA
WHIZ BYU
WTCHDR
Y55MPH
YOMOF0 (spotted in
LA)
YUBSO NOZ
YY UUUU
ZIPNBY

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August 22, 2012

VIA FAX AND FIRST CLASS MAIL

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Fax: (505) 827-2267

**Re: Robert Anaya's "Prestige Plate" (IB6UB9/1B6UB9) Replacement Appeal
and Request for Hearing**

Dear Mr. Williams:

I represent Robert Anaya (Mr. Anaya) in appealing the MVD's decision, as set forth in its July 23, 2012 letter, to revoke his "prestige plate" based on finding it was obscene. The MVD's revocation demonstrates a gross misunderstanding of the law of obscenity and is a violation of the Article II, Section 17 of the New Mexico Constitution. This letter constitutes an appeal of that decision and request for hearing pursuant to 18.19.3.63 NMAC.

Background

In early 2009, Mr. Anaya applied for a prestige plate that read "IB6UB9" and it was approved. Later that year, after the approval of the prestige plate, Mr. Anaya was notified that his prestige plate had been called into question. Subsequently, Mr. Anaya's father, Manuel Anaya, called Anthony Sandoval, an employee at the MVD, about the status of Mr. Anaya's prestige plate. Anthony Sandoval communicated to Manuel Anya that he would speak to Michael Sandoval, the MVD Director at the time, about the situation. Shortly thereafter, Anthony Sandoval called Manuel Anya back, and ensured Manuel Anya that there was no longer a problem with Mr. Anaya's prestige plate, his registration was valid, and that Anthony Sandoval and Michael Sandoval had taken care of the situation.

Earlier this year in April, Mr. Anaya purchased a new vehicle and attempted to transfer his registration to his new vehicle. Mr. Anaya was made aware that a problem existed with the prestige plate "IB6UB9." Mr. Anaya notified his father that the dealership could not verify a valid registration for "IB6UB9." Manuel Anaya called the current MVD Director, Mark Williams (Mr. Williams), and spoke to him concerning the status of Mr. Anaya's prestige plate. Mr. Williams told Manuel Anaya that his office received a complaint from the Governor's Office concerning the prestige plate "IB6UB9" and Mr. Anaya's prestige plate had been changed to

“1B6UB9.” Mr. Williams asked Manuel Anaya to encourage his son to accept the alternative prestige plate as a viable resolution and Mr. Anaya reluctantly did so. Manuel Anaya told Mr. Williams that his son accepted the “1B6UB9” resolution, and notified Mr. Williams that his son had not received registration or a plate for the “1B6UB9” prestige plate.

After Mr. Anaya accepted the “1B6UB9” resolution, the media caught wind that the prestige plate “1B6UB9” had been called into question, and a story was ran on KOAT Channel 7 News on July 20, 2012. In response to the news story, and in complete disregard to the conversation Manuel Anaya and Mr. Williams had concerning the “1B6UB9” resolution, a letter dated July 23, 2012 from Mr. Williams, was sent to Mr. Anaya. In this letter, Mr. Williams informed Mr. Anaya of the MVD’s finding that both “1B6UB9” and “1B6UB9” are *obscene*, that neither prestige plate is currently valid, and enclosed a new license plate registration. Since Mr. Anaya received the July 23, 2012 letter, Manuel Anaya has made several attempts to call Mr. Williams, and Mr. Williams has not returned Manuel Anaya’s phone calls.

On July 30, 2012, the undersigned submitted an Inspection of Public Records Act (IPRA) request to the Governor’s Office, the Cabinet Secretary’s Office, and the MVD (the State). The undersigned, in the IPRA request asked for:

All complaints from any person to the Office of the Governor, the Office of the Secretary, the Taxation and Revenue Department, the Motor Vehicle Division and/or any agency or subdivision thereof concerning the New Mexico license plate number “1B6UB9.”

Contrary to Mr. Williams assertions to Manuel Anaya, and in his July 23, 2012 letter that the State had received complaints concerning the prestige plate “1B6UB9,” on August 14, 2012, the undersigned received a response back from the State, and there was not tangible documents in the response that indicate that the State received any complaints.

Of little significance to the determination of obscenity under the New Mexico Constitution, but nonetheless relevant, is the actual meaning of Mr. Anaya’s prestige plate. The phrase originated when Mr. Anaya was at a casino with an acquaintance playing roulette, and during the course of the roulette game the comment was made by Mr. Anaya to his acquaintance; “I be six, you be nine.” The phrase became an inside joke for the two while playing roulette; and hence, the motivation for Mr. Anaya to request the prestige plate “1B6UB9.”

Mr. Anaya’s Prestige Plate Falls Considerably Short of the Obscenity Standard


In the MVD’s letter to Mr. Anaya determining Mr. Anaya’s prestige plate to be *obscene* it stated “[w]hen the MVD receives an application for a prestige plate it has the responsibility to weigh an individual’s 1st amendment right to free speech against the public’s right to be protected from offensive language.” Fortunately, with respect to *obscenity*, the MVD *does not* have to make such a determination because the New Mexico Court of Appeals already has.

To find that something is *obscene* so as to restrict a person’s right to Free Speech under the New Mexico Constitution, N.M. Const. Art. 2, § 17, it must be found that the speech is *intolerable*, and *mere non-acceptance* or the notion that something is *not decent* by the community is insufficient to restrict a person’s free speech rights. *City of Farmington v. Fawcett*, 114 N.M. 537, 546, 843 P.2d 839, 848 (Ct. App. 1992) (emphasis added). Therefore, a claim for which no

evidence has been presented to support—namely, that a couple of complaints have been received by MVD concerning Mr. Anaya’s prestige plate—is not enough to find the plate *obscene*. For Mr. Anaya’s First Amendment right to be restricted, the MVD would have to find that his prestige plate is *intolerable*. An inside joke with a numeric reference to what can be perceived as sexual innuendo is far from *intolerable*, and it is certainly not *obscene*. The law in New Mexico is clear, and to rise to the level of *obscene* the sight or allusion to the numbers six (6) and (9) in sequence would have to be *intolerable*. In other words, if the number “69” was *intolerable* every license plate in New Mexico that has “69” in its numerical sequence would have to be found as such. A finding that Mr. Anaya’s prestige plate is *not decent* may be founded, but indecency is an insufficient standard to restrict Mr. Anaya’s Free Speech rights.

In accordance with the standard detailed by the New Mexico Court of Appeals in *City of Farmington v. Fawcett* concerning obscenity, and N.M. Const. Art. 2, § 17, Mr. Anaya respectfully requests that the MVD overturn the finding that his prestige plate is *obscene* and reinstate his prestige plate, “IB6UB9.” Additionally, the resolution of this case would be served by a hearing because the current MVD Director is an intimate witness to the facts in this matter and there is a significant public policy and constitutional rights implications in this case, the disposition of which a hearing would aid.

Sincerely,



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