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procedures for screening personalized license plate applications, and where available, administrative appeals of withdrawn personalized plates, 2012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.
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,

Patricia A. Silva  
Records Custodian  
enclosures
The Dictionary

0 = zero, nothin'
00 = nothin' (as seen in IOU 000)
1 = one, want
10C = Tennesse
10S = tennis
10SE = Tennesse
1ICE = 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
2MBO = 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 = foressesome
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
AK = also known as
AU = gold
AV8 = aviate
B = be
B8 = bait
B9 = benign
B10 = beaten
BA6 = basics
BB = to be, baby
BG88 = 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 = denin'
DA = the
DD = to the
DMN = demon
DNIL = denial
DON = don't
DR = doctor
DRK = dark
DS = this
DU = do you
DVS = deviate
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
HORMI = 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 = motherf$$@er
MOI = me (french)
MN = man
MN8 = emanate
MR = more
MT = empty
MUDE = mudder (as in mudder$[###]er)
MV = move
MVN = movin'
MY = move
MYT = might
MZLF = mazel tov
N = and, in
N2 = into
N4 = enforce
N4CER, N4CR = enforcer
N4CMT = enforcement
NE = any
NE1 = anyone
N EMA = enema
NO = number (abbreviation: no.)
NOZ = nosy
NRG = energy
NT = night
NUTN = nothin'
NV = envy
NVR = never
NVS = envious
NY = night
O = oh
OL = old
ONRY = orny
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 = tattoo
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
U4A, U4EA = euphoria
U4IC = euphoric
UDR = other ("udder")
UNEK = 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'
0011011 (think binary)
069 HER (sate issued random plate)
10JQKA (gambler!)
1DRK 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)
E1E10
EQL JSTS
EUNEEK 1
FKSLK12 (F#&ks like one too! See on a VW Rabbit)
FOTOG4R
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 anaestesiologis t, I hope)
IXX1 (On a Porsche)
(Roman Numeral Correct would be CMXL.)
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
YOMOFO (spotted in LA)
YUBSO NOZ
YY UUUU
ZIPNBY
August 22, 2012

VIA FAX AND FIRST CLASS MAIL

Mark Williams, Director
Taxation and Revenue Department
Motor Vehicle Division
1100 S. St. Francis Dr.
Santa Fe, NM 87505
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 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 Anaya back, and ensured Manuel Anaya 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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