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procedures for screening personalized license plate applications, and where available, administrative appeals of withdrawn personalized plates, 2012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

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*
 f##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
 N EMA = 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!)
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)
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
YOMOFO (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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Motor Vehicle Division
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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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