

## ADA ELLIOTT - CONCEALING ID

State Police stopped defendant for speeding. Defendant gave his full name but did not produce a driver's license. He refused to give his address, DOB, and SS number. He was convicted of Aggravated DWI, Concealing ID, and other charges. He argued on appeal that the concealing ID conviction was invalid because he did give his true name to officers.

### CONCEALING IDENTITY - NMSA 1978, SECTION 30-22-3

Concealing identity consists of concealing one's true **name or identity**, or disguising oneself with intent to obstruct the due execution of the law or with intent to intimidate, hinder or interrupt any public officer or any other person in a legal performance of his duty or the exercise of his rights under the laws of the United States or of this state.

Court of Appeals affirmed conviction. Identity is not limited to name alone. The use of the word or (name or identity) indicates that failure to give either name or identity may violate the statute. A New Mexico driver must carry a driver's license and exhibit it upon demand. NMSA 1978, Section 66-5-16. The license must contain name, DOB, and NM residence address. Section 66-5-15. The license application requires a social security number. Section 66-5-9 (B). Therefore, in an otherwise valid traffic stop, drivers have no reasonable expectation of privacy in their driver's license or the information contained therein. State v. Andrews (1997).

