

1 SENATE BILL 213

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 George K. Muñoz

10 AN ACT

11 RELATING TO TAXATION; INDEXING THE GASOLINE TAX, THE WEIGHT
12 DISTANCE TAX AND THE SPECIAL FUEL EXCISE TAX.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 **SECTION 1.** Section 7-13-3 NMSA 1978 (being Laws 1971,
16 Chapter 207, Section 3, as amended) is amended to read:

17 "7-13-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS
18 "GASOLINE TAX".--

19 A. For the privilege of receiving gasoline in this
20 state, there is imposed an excise tax at a rate provided in
21 Subsection B of this section on each gallon of gasoline
22 received in New Mexico.

23 B. The tax imposed by Subsection A of this section
24 shall be:

25 (1) prior to July 1, 2028, seventeen cents
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1 (\$.17) per gallon received in New Mexico; and
2 (2) on and after July 1, 2028, the rate
3 determined pursuant to Subsection C of this section.

4 C. No later than April 30, 2028 and April 30 of
5 each subsequent year, the department shall calculate the rate
6 of gasoline tax to be imposed as of July 1 of that year. The
7 rate of the gasoline tax per gallon shall be equal to the
8 product, rounded down to the nearest whole cent, of seventeen
9 cents (\$.17) multiplied by a fraction with a numerator equal to
10 the consumer price index for the previous calendar year and a
11 denominator equal to the consumer price index for calendar year
12 2026; provided that the rate of the tax shall not be less than
13 the rate imposed on July 1 of the previous year. As used in
14 this subsection, "consumer price index" means the consumer
15 price index for all urban consumers as published by the United
16 States bureau of labor statistics.

17 [C.] D. The tax imposed by this section may be
18 called the "gasoline tax"."

19 **SECTION 2.** Section 7-15A-6 NMSA 1978 (being Laws 1988,
20 Chapter 73, Section 33, as amended) is amended to read:

21 **"7-15A-6. TAX RATE FOR MOTOR VEHICLES OTHER THAN BUSES--**
22 **REDUCTION OF RATE FOR ONE-WAY HAULS.--**

23 A. For on-highway operations of motor vehicles
24 other than buses, the weight distance tax shall be:

25 (1) prior to July 1, 2028, computed in
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1 accordance with the following schedule:

2	Declared Gross Weight	Tax Rate
3	(Gross Vehicle Weight)	(Mills per Mile)
4	26,001 to 28,000	11.01
5	28,001 to 30,000	11.88
6	30,001 to 32,000	12.77
7	32,001 to 34,000	13.64
8	34,001 to 36,000	14.52
9	36,001 to 38,000	15.39
10	38,001 to 40,000	16.73
11	40,001 to 42,000	18.05
12	42,001 to 44,000	19.36
13	44,001 to 46,000	20.69
14	46,001 to 48,000	22.01
15	48,001 to 50,000	23.33
16	50,001 to 52,000	24.65
17	52,001 to 54,000	25.96
18	54,001 to 56,000	27.29
19	56,001 to 58,000	28.62
20	58,001 to 60,000	29.93
21	60,001 to 62,000	31.24
22	62,001 to 64,000	32.58
23	64,001 to 66,000	33.90
24	66,001 to 68,000	35.21
25	68,001 to 70,000	36.52

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1	70,001 to 72,000	37.86
2	72,001 to 74,000	39.26
3	74,001 to 76,000	40.71
4	76,001 to 78,000	42.21
5	78,001 and over	43.78; and

(2) on and after July 1, 2028, the rate

determined pursuant to Subsection B of this section.

B. No later than April 30, 2028 and April 30 of each subsequent year, the department shall calculate the rates of the weight distance tax to be imposed as of July 1 of that year. The rates shall be equal to the product, rounded down to the nearest whole cent, of the rates pursuant to Subsection A of this section multiplied by a fraction with a numerator equal to the consumer price index for the previous calendar year and a denominator equal to the consumer price index for calendar year 2026; provided that the rates of the tax shall not be less than the rates imposed on July 1 of the previous year. As used in this subsection, "consumer price index" means the consumer price index for all urban consumers as published by the United States bureau of labor statistics.

[B.] C. All motor vehicles for which the tax is computed under Subsection A of this section shall pay a tax that is two-thirds of the tax computed under Subsection A of this section if:

25 (1) the motor vehicle is customarily used for
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1 one-way haul;

2 (2) forty-five percent or more of the mileage
3 traveled by the motor vehicle for a registration year is
4 mileage that is traveled empty of all load; and

5 (3) the registrant, owner or operator of the
6 vehicle attempting to qualify under this subsection has made a
7 sworn application to the department to be classified under this
8 subsection for a registration year and has given whatever
9 information is required by the department to determine the
10 eligibility of the vehicle to be classified under this
11 subsection and the vehicle has been so classified."

12 **SECTION 3.** Section 7-15A-7 NMSA 1978 (being Laws 1988,
13 Chapter 73, Section 34, as amended) is amended to read:

14 "7-15A-7. TAX RATE FOR BUSES---

15 A. For all buses, the weight distance tax shall be:

16 (1) prior to July 1, 2028, computed in
17 accordance with the following schedule:

18	Declared Gross Weight	Tax Rate
19	(Gross Vehicle Weight)	(Mills per Mile)
20	26,001 to 28,000	11.01
21	28,001 to 30,000	11.88
22	30,001 to 32,000	12.77
23	32,001 to 34,000	13.64
24	34,001 to 36,000	14.52
25	36,001 to 38,000	15.39

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1	38,001 to 40,000	16.73
2	40,001 to 42,000	18.05
3	42,001 to 44,000	19.36
4	44,001 to 46,000	20.69
5	46,001 to 48,000	22.01
6	48,001 to 50,000	23.33
7	50,001 to 52,000	24.65
8	52,001 to 54,000	25.96
9	54,001 and over	27.29; and

(2) on and after July 1, 2028, the rate

determined pursuant to Subsection B of this section.

B. No later than April 30, 2028 and April 30 of each subsequent year, the department shall calculate the rates of the weight distance tax to be imposed as of July 1 of that year. The rates shall be equal to the product, rounded down to the nearest whole cent, of the rates pursuant to Subsection A of this section multiplied by a fraction with a numerator equal to the consumer price index for the previous calendar year and a denominator equal to the consumer price index for calendar year 2026; provided that the rates of the tax shall not be less than the rates imposed on July 1 of the previous year. As used in this subsection, "consumer price index" means the consumer price index for all urban consumers as published by the United States bureau of labor statistics."

SECTION 4. Section 7-16A-3 NMSA 1978 (being Laws 1992,

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1 Chapter 51, Section 3, as amended) is amended to read:

2 "7-16A-3. IMPOSITION AND RATE OF TAX--DENOMINATION AS
3 SPECIAL FUEL EXCISE TAX.--

4 A. For the privilege of receiving or using special
5 fuel in this state, there is imposed an excise tax at a rate
6 provided in Subsection B of this section on each gallon of
7 special fuel received in New Mexico.

8 B. The tax imposed by Subsection A of this section
9 shall be:

10 (1) prior to July 1, 2028, twenty-one cents
11 (\$.21) per gallon of special fuel received or used in New
12 Mexico; and

13 (2) on and after July 1, 2028, the rate
14 determined pursuant to Subsection C of this section.

15 C. No later than April 30, 2028 and April 30 of
16 each subsequent year, the department shall calculate the rate
17 of special fuel excise tax to be imposed as of July 1 of that
18 year. The rate of the special fuel excise tax per gallon shall
19 be equal to the product, rounded down to the nearest whole
20 cent, of twenty-one cents (\$.21) multiplied by a fraction with
21 a numerator equal to the consumer price index for the previous
22 calendar year and a denominator equal to the consumer price
23 index for calendar year 2026; provided that the rate of the tax
24 shall not be less than the rate imposed on July 1 of the
25 previous year. As used in this subsection, "consumer price

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1 index" means the consumer price index for all urban consumers
2 as published by the United States bureau of labor statistics.

3 [6.] D. The tax imposed by this section may be
4 called the "special fuel excise tax"."

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