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### FISCAL IMPACT REPORT

SPONSOR:	Taylor, JG	DATE TYPED:	02/09/00	HB	433
SHORT TITLE:	Vehicle Registration & Emission Inspection			SB	
				ANALYST:	Segura

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
	N/A				

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to

### SOURCES OF INFORMATION

Taxation and Revenue Department (TRD)

LFC Files

## **SUMMARY**

### Synopsis of Bill

Amending certain sections that requires citizens in Bernalillo county to complete and pass an emission inspection in order to register their vehicles.

### Significant Issues

The Motor Vehicle Division (MVD) is prohibited from registering or re-registering a vehicle for which the owner has a Bernalillo county address unless the required emission inspections has been successfully completed.

House Bill 433 allows Bernalillo county to retain its "Aircare" program but relieves MVD from the role of policeman.

## **FISCAL IMPLICATIONS**

The TRD indicates that there could be an increase in registration compliance as some Bernalillo county residents who choose not to register their vehicles because they cannot pass the emission inspection choose to comply with the principal mandate, to register their cars annually.

## **ADMINISTRATIVE IMPLICATIONS**

According to TRD, their could be a reduction in field office traffic.

## **TECHNICAL ISSUES**

TRD indicates that Section 66-3-7.1 NMSA provides that it is a misdemeanor for any person with a Bernalillo county address to register a vehicle outside the county. Since this misdemeanor is not included in the mail-in penalty assessments at 66-8-116 NMSA 1978, this misdemeanor can only be cited into Metro Court. Although there is no data to support the contention, it is likely that this misdemeanor has rarely been cited. Therefore, the only enforcement of the Bernalillo county emission inspection program is the companion requirement at 66-3-7.1 NMSA 1978 that MVD may not register a vehicle required to pass an inspection unless and until the vehicle does pass and the owner shows proof. It might be prudent to add 66-3-7.1 violation to the mail-in list at 66-8-116.

## **OTHER SUBSTANTIVE ISSUES**

According to TRD, " the enabling statute for the Albuquerque Aircare program was enacted in 1988. At the time, it was recognized that MVD would bear the lion's share of the enforcement burden. The sponsors designed a mechanism they thought would reimburse the state for the costs of administration. However, despite testimony, that the reimbursement mechanism would not and could not work, the legislation passed. To this day, MVD does all the work of enforcing the Albuquerque Aircare program and does not get a penny reimbursement."

RMS/sb