

HOUSE BILL 533

**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO TAXATION; PROVIDING A TAX CREDIT FOR MOTOR VEHICLES SOLD IN NEW MEXICO THAT ARE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 7-14-3 NMSA 1978 (being Laws 1988, Chapter 73, Section 13, as amended) is amended to read:

"7-14-3. IMPOSITION OF MOTOR VEHICLE EXCISE TAX.--An excise tax, subject to the credit provided by Section 7-14-7.1 or 7-14-7.2 NMSA 1978, is imposed upon the sale in this state of every vehicle, except as otherwise provided in Section 7-14-7.1 NMSA 1978 and manufactured homes, required under the Motor Vehicle Code to be registered in this state. To prevent evasion of the excise tax imposed by the Motor Vehicle Excise Tax Act and the duty to collect it, it is presumed that the

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1 issuance of every original and subsequent certificate of title  
2 for vehicles of a type required to be registered under the  
3 provisions of the Motor Vehicle Code constitutes a sale for tax  
4 purposes, unless specifically exempted by the Motor Vehicle  
5 Excise Tax Act or unless there is shown proof satisfactory to  
6 the department that the vehicle for which the certificate of  
7 title is sought came into the possession of the applicant as a  
8 voluntary transfer without consideration or as a transfer by  
9 operation of law. The excise tax imposed by this section shall  
10 be known as the "motor vehicle excise tax"."

11 Section 2. A new section of the Motor Vehicle Excise Tax  
12 Act, Section 7-14-7.2 NMSA 1978, is enacted to read:

13 "7-14-7.2. [NEW MATERIAL] CREDIT--IGNITION INTERLOCK  
14 DEVICE.--When a motor vehicle is equipped with an ignition  
15 interlock device, the amount paid by the owner of the motor  
16 vehicle for the ignition interlock device shall be credited  
17 against the amount of the motor vehicle excise tax due on the  
18 same motor vehicle."

19 Section 3. APPLICABILITY.--The provisions of this act  
20 apply to taxable years beginning on or after January 1, 2005.