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FISCAL IMPACT REPORT

SPONSOR HTC **DATE TYPED** 2-16-04 **HB** CS/175/aHTRC

SHORT TITLE MVD Cleanup and Federally Required Provisions **SB** _____

ANALYST Reynolds-Forte

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
Indeterminate				Recurring	Other State Funds-Motor Vehicle Division(\$10 license plate fee)

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY04	FY05			
	Indeterminate		Recurring	Other State Funds

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Transportation
 Department of Public Safety
 Public Defender
 Taxation and Revenue Department

SUMMARY

Synopsis of HTRC Amendment

The House Taxation and Revenue Committee Amendment adds language which allows the Motor Vehicle division to establish a schedule of fees for two new endorsements for a commercial driver's license. These are an "H" endorsement (transporting hazardous waste), and an "X" endorsement (transporting a combination of hazardous waste and tank vehicle). The fee is to be based on the actual cost of conducting background checks and is limited to a maximum of \$125

(one hundred twenty-five dollars).

Money collected for this is to be retained by the Motor Vehicle Division to pay for the cost of the background checks.

FISCAL IMPLICATIONS

The amendment allows the Motor Vehicle Division to establish the fee which is dependent upon the cost of conducting the background checks; therefore, it is impossible to estimate the amount of revenue which will be generated.

TECHNICAL ISSUES

The amendment allows the Motor Vehicle Division to collect a fee but does not create the fund to distribute the fee. A fund should be created into which the fee is deposited to be distributed upon appropriation by the Legislature.

Synopsis of Original Bill

The House Transportation Committee Substitute for HB175 makes changes to the Motor Vehicle Code. The major changes contained in the bill are:

1. Makes technical fixes to the weight-distance tax.
2. Gives the Motor Transportation Division the authority to retrieve a registration plate from a motor carrier that is prohibited from operating a motor vehicle by order of a state or federal agency.
3. Adds a new section to distribute funds collected per 66-3-424.1 (special pet care registration plates) to each county to support animal control spaying and neutering programs.
4. Changes the definition of "school bus" (page 6).
5. Adds language to allow the Motor Vehicle Division to refuse, revoke or suspend registration if a carrier is prohibited from operating or if weight distance tax or international fuel tax agreement taxes are not paid (pages 9-11).
6. Allows the Motor Vehicle Division to make refunds for multi-year registration and licenses.
7. Redistributes \$10 of the \$25 fee from the special wildlife art work registration plate to the Motor Vehicle Division.
8. Allows the Motor Vehicle Division to receive address changes electronically.
9. Increases the Health Standards Advisory Board from three to five members
10. Makes using a forged document to apply for a driver's license, permit or ID card a fourth degree felony
11. Adds several definitions to the Code including definitions for "driving a commercial motor vehicle while under the influence of alcohol (page 21), noncommercial motor vehicle and non resident commercial driver's license".
12. Increases/changes disqualification standards for commercial driver's license (page 25)
13. Adds a section on identification cards to show if person is donor as provided in Uniform Anatomical Gift Act.

FISCAL IMPLICATIONS

The bill has minimal fiscal impact and adds language to distribute \$10 for each special license plate sold for special wildlife artwork, retired New Mexico mail carriers and special pet license to the Motor Vehicle Division. The amount of revenue and distribution to the Motor Vehicle Division is dependent upon the number of plates requested.

The bill no longer sets up a new endorsement fee nor redistributes the administrative fee.

TECHNICAL ISSUES

The Department of Transportation points out that the Applicability (date) provision (Section 22) may be unnecessary in the bill. The provisions that originally required an Applicability provision have been removed from the Substitute bill.

PRF/njw:yr