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HOUSE BILL 880

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR SPECIAL VEHICLE  
REGISTRATION PLATES FOR THE CUMBRES AND TOLTEC SCENIC RAILROAD;  
MAKING AN APPROPRIATION.

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

Section 1. A new section of the Motor Vehicle Code is  
enacted to read:

"[NEW MATERIAL] CUMBRES AND TOLTEC SCENIC RAILROAD SPECIAL  
REGISTRATION PLATE--PROCEDURES--FEE.--

A. The division shall establish and issue special  
registration plates featuring artwork related to the Cumbres  
and Toltec scenic railroad in accordance with the provisions of  
this section and shall adopt procedures for application for and  
issuance of the special Cumbres and Toltec scenic railroad  
registration plates.

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1           B. The Cumbres and Toltec scenic railroad  
2 commission shall determine the color and design of the special  
3 Cumbres and Toltec scenic railroad registration plate, and the  
4 division shall provide for its issuance.

5           C. For a fee of forty dollars (\$40.00), which shall  
6 be in addition to the regular motor vehicle registration fees,  
7 any owner of a motor vehicle may apply for the issuance of a  
8 Cumbres and Toltec scenic railroad registration plate. The  
9 owner of a motor vehicle shall apply and pay a fee each year  
10 that the owner wishes to retain and renew the Cumbres and  
11 Toltec scenic railroad registration plate.

12           D. The revenue from the special Cumbres and Toltec  
13 scenic railroad registration plates shall be distributed as  
14 follows:

15                   (1) fifteen dollars (\$15.00) of the fee  
16 collected the first year a special Cumbres and Toltec scenic  
17 railroad registration plate is issued shall be retained by the  
18 division and is appropriated to the division for the  
19 manufacture and issuance of the registration plates.

20 Thereafter, that amount of each fee shall be paid to the state  
21 treasurer for credit to the motor vehicle suspense fund for  
22 distribution in accordance with Section 66-6-23 NMSA 1978; and

23                   (2) twenty-five dollars (\$25.00) of the fee  
24 collected for each registration plate shall be distributed to  
25 the Cumbres and Toltec scenic railroad commission."

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1 Section 2. Section 66-6-23 NMSA 1978 (being Laws 1978,  
2 Chapter 35, Section 358, as amended) is amended to read:

3 "66-6-23. DISPOSITION OF FEES.--

4 A. After the necessary disbursements for refunds  
5 and other purposes have been made, the money remaining in the  
6 motor vehicle suspense fund, except for remittances received  
7 within the previous two months that are unidentified as to  
8 source or disposition, shall be distributed as follows:

9 (1) to each municipality, county or fee agent  
10 operating a motor vehicle field office:

11 (a) an amount equal to six dollars  
12 (\$6.00) per driver's license and three dollars (\$3.00) per  
13 identification card or motor vehicle or motorboat registration  
14 or title transaction performed; and

15 (b) for each such agent determined by  
16 the secretary pursuant to Section 66-2-16 NMSA 1978 to have  
17 performed ten thousand or more transactions in the preceding  
18 fiscal year, other than a class A county with a population  
19 exceeding three hundred thousand or a municipality with a  
20 population exceeding three hundred thousand that has been  
21 designated as an agent pursuant to Section 66-2-14.1 NMSA 1978,  
22 an amount equal to one dollar (\$1.00) in addition to the amount  
23 distributed pursuant to Subparagraph (a) of this paragraph for  
24 each driver's license, identification card, motor vehicle  
25 registration, motorboat registration or title transaction

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1 performed;

2 (2) to each municipality or county, other than  
3 a class A county with a population exceeding three hundred  
4 thousand or a municipality with a population exceeding three  
5 hundred thousand that has been designated as an agent pursuant  
6 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field  
7 office, an amount equal to fifty cents (\$.50) for each  
8 administrative service fee remitted by that county or  
9 municipality to the department pursuant to the provisions of  
10 Subsection A of Section 66-2-16 NMSA 1978;

11 (3) to the state road fund:

12 (a) an amount equal to the fees  
13 collected pursuant to Section 66-7-413.4 NMSA 1978;

14 (b) an amount equal to the fee collected  
15 pursuant to Section 66-3-417 NMSA 1978;

16 (c) the remainder of each driver's  
17 license fee collected by the department employees from an  
18 applicant to whom a license is granted after deducting from the  
19 driver's license fee the amount of the distribution authorized  
20 in Paragraph (1) of this subsection with respect to that  
21 collected driver's license fee; and

22 (d) an amount equal to fifty percent of  
23 the fees collected pursuant to Section 66-6-19 NMSA 1978;

24 (4) to the local governments road fund, the  
25 amount of the fees collected pursuant to Subsection B of

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1 Section 66-5-33.1 NMSA 1978 and the remainder of the fees  
2 collected pursuant to Subsection A of Section 66-5-408 NMSA  
3 1978;

4 (5) to the department:

5 (a) any amounts reimbursed to the  
6 department pursuant to Subsection C of Section 66-2-14.1 NMSA  
7 1978;

8 (b) an amount equal to two dollars  
9 (\$2.00) of each motorcycle registration fee collected pursuant  
10 to Section 66-6-1 NMSA 1978;

11 (c) an amount equal to the fees provided  
12 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E  
13 of Section 66-2-16 NMSA 1978, Subsections J and K of Section  
14 66-3-6 NMSA 1978 other than the administrative fee, Subsection  
15 C of Section 66-5-44 NMSA 1978 and Subsection B of Section  
16 66-5-408 NMSA 1978;

17 (d) the amounts due to the department  
18 for the manufacture and issuance of a special registration  
19 plate collected pursuant to the section of law authorizing the  
20 issuance of the specialty plate; and

21 (e) an amount equal to the registration  
22 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the  
23 purposes of enforcing the provisions of the Mandatory Financial  
24 Responsibility Act and for creating and maintaining a  
25 multilanguage noncommercial driver's license testing program;

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1 (6) to each New Mexico institution of higher  
2 education, an amount equal to that part of the fees distributed  
3 pursuant to Paragraph (2) of Subsection D of Section 66-3-416  
4 NMSA 1978 proportionate to the number of special registration  
5 plates issued in the name of the institution to all such  
6 special registration plates issued in the name of all  
7 institutions;

8 (7) to the armed forces veterans license fund,  
9 the amount to be distributed pursuant to Paragraph (2) of  
10 Subsection E of Section 66-3-419 NMSA 1978;

11 (8) to the children's trust fund, the amount  
12 to be distributed pursuant to Paragraph (2) of Subsection D of  
13 Section 66-3-420 NMSA 1978;

14 (9) to the department of transportation, an  
15 amount equal to the fees collected pursuant to Section 66-5-35  
16 NMSA 1978;

17 (10) to the state equalization guarantee  
18 distribution made annually pursuant to the general  
19 appropriation act, an amount equal to one hundred percent of  
20 the driver safety fee collected pursuant to Subsection D of  
21 Section 66-5-44 NMSA 1978;

22 (11) to the motorcycle training fund, two  
23 dollars (\$2.00) of each motorcycle registration fee collected  
24 pursuant to Section 66-6-1 NMSA 1978;

25 (12) to the tire recycling fund:

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1 (a) fifty cents (\$.50) of the tire  
2 recycling fee collected pursuant to the provisions of Section  
3 66-6-1 NMSA 1978;

4 (b) fifty cents (\$.50) of each of the  
5 tire recycling fees collected pursuant to the provisions of  
6 Sections 66-6-2 and 66-6-4 NMSA 1978; and

7 (c) twenty-five cents (\$.25) of each of  
8 the tire recycling fees collected pursuant to Sections 66-6-5  
9 and 66-6-8 NMSA 1978;

10 (13) to the highway infrastructure fund:

11 (a) fifty cents (\$.50) of the tire  
12 recycling fee collected pursuant to the provisions of Section  
13 66-6-1 NMSA 1978;

14 (b) one dollar (\$1.00) of each of the  
15 tire recycling fees collected pursuant to the provisions of  
16 Sections 66-6-2 and 66-6-4 NMSA 1978; and

17 (c) twenty-five cents (\$.25) of each of  
18 the tire recycling fees collected pursuant to Sections 66-6-5  
19 and 66-6-8 NMSA 1978;

20 (14) to each county, an amount equal to fifty  
21 percent of the fees collected pursuant to Section 66-6-19 NMSA  
22 1978 multiplied by a fraction, the numerator of which is the  
23 total mileage of public roads maintained by the county and the  
24 denominator of which is the total mileage of public roads  
25 maintained by all counties in the state;

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1 (15) to the litter control and beautification  
2 fund, an amount equal to the fees collected pursuant to Section  
3 66-6-6.2 NMSA 1978; [~~and~~]

4 (16) to the local government division of the  
5 department of finance and administration, an amount equal to  
6 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for  
7 distribution to each county to support animal control spaying  
8 and neutering programs in an amount proportionate to the number  
9 of residents of that county who have purchased pet care special  
10 registration plates pursuant to Section 66-3-424.3 NMSA 1978;  
11 and

12 (17) to the Cumbres and Toltec scenic railroad  
13 commission, twenty-five dollars (\$25.00) collected pursuant to  
14 the Cumbres and Toltec scenic railroad special registration  
15 plate.

16 B. The balance, exclusive of unidentified  
17 remittances, shall be distributed in accordance with Section  
18 66-6-23.1 NMSA 1978.

19 C. If any of the paragraphs, subsections or  
20 sections referred to in Subsection A of this section are  
21 recompiled or otherwise redesignated without a corresponding  
22 change to Subsection A of this section, the reference in  
23 Subsection A of this section shall be construed to be the  
24 recompiled or redesignated paragraph, subsection or section."

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