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SENATE BILL 392

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO MOTOR VEHICLE FEES; INCREASING THE DISTRIBUTION FROM THE MOTOR VEHICLE SUSPENSE FUND TO CERTAIN MOTOR VEHICLE FIELD OFFICES THAT CONDUCTED TEN THOUSAND OR MORE TRANSACTIONS IN THE PRECEDING FISCAL YEAR.

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

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

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

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

- (1) to each municipality, county or fee agent

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1 operating a motor vehicle field office:

2 (a) an amount equal to six dollars
3 (\$6.00) per driver's license and five dollars (\$5.00) per
4 identification card or motor vehicle or motorboat registration
5 or title transaction performed; and

6 (b) for each such agent determined by
7 the secretary pursuant to Section 66-2-16 NMSA 1978 to have
8 performed ten thousand or more transactions in the preceding
9 fiscal year, other than a class A county with a population
10 exceeding three hundred thousand or a municipality with a
11 population exceeding three hundred thousand that has been
12 designated as an agent pursuant to Section 66-2-14.1 NMSA 1978,
13 an amount equal to [~~one dollar (\$1.00)~~] five dollars (\$5.00) in
14 addition to the amount distributed pursuant to Subparagraph (a)
15 of this paragraph for each driver's license, identification
16 card, motor vehicle registration, motorboat registration or
17 title transaction performed;

18 (2) to each municipality or county, other than
19 a class A county with a population exceeding three hundred
20 thousand or a municipality with a population exceeding three
21 hundred thousand that has been designated as an agent pursuant
22 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
23 office, an amount equal to one dollar fifty cents (\$1.50) for
24 each administrative service fee remitted by that county or
25 municipality to the department pursuant to the provisions of

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1 Subsection A of Section 66-2-16 NMSA 1978;
2 (3) to the state road fund:
3 (a) an amount equal to the fees
4 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
5 1978;
6 (b) an amount equal to the fee collected
7 pursuant to Section 66-3-417 NMSA 1978;
8 (c) the remainder of each driver's
9 license fee collected by the department employees from an
10 applicant to whom a license is granted after deducting from the
11 driver's license fee the amount of the distribution authorized
12 in Paragraph (1) of this subsection with respect to that
13 collected driver's license fee; and
14 (d) an amount equal to fifty percent of
15 the fees collected pursuant to Section 66-6-19 NMSA 1978;
16 (4) to the local governments road fund, the
17 amount of the fees collected pursuant to Subsection B of
18 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
19 collected pursuant to Subsection A of Section 66-5-408 NMSA
20 1978;
21 (5) to the department:
22 (a) any amounts reimbursed to the
23 department pursuant to Subsection C of Section 66-2-14.1 NMSA
24 1978;
25 (b) an amount equal to two dollars

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1 (\$2.00) of each motorcycle registration fee collected pursuant
2 to Section 66-6-1 NMSA 1978;

3 (c) an amount equal to the fees provided
4 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
5 of Section 66-2-16 NMSA 1978, Subsections [~~J and~~] K and L of
6 Section 66-3-6 NMSA 1978 other than the administrative fee,
7 Subsection C of Section 66-5-44 NMSA 1978 and Subsection B of
8 Section 66-5-408 NMSA 1978;

9 (d) the amounts due to the department
10 for the manufacture and issuance of a special registration
11 plate collected pursuant to the section of law authorizing the
12 issuance of the specialty plate;

13 (e) an amount equal to the registration
14 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the
15 purposes of enforcing the provisions of the Mandatory Financial
16 Responsibility Act and for creating and maintaining a
17 multilanguage noncommercial driver's license testing program;
18 and after those purposes are met, the balance of the
19 registration fees shall be distributed to the department to
20 defray the costs of operating the motor vehicle division;

21 (f) an amount equal to fifty cents
22 (\$.50) for each administrative fee remitted to the department
23 by a county or municipality operating a motor vehicle field
24 office pursuant to Subsection A of Section 66-2-16 NMSA 1978;

25 (g) an amount equal to one dollar

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1 twenty-five cents (\$1.25) for each administrative fee collected
2 by the department or any of its agents other than a county or
3 municipality operating a motor vehicle field office pursuant to
4 Subsection A of Section 66-2-16 NMSA 1978; and

5 (h) an amount equal to the royalties or
6 other consideration paid by commercial users of databases of
7 motor vehicle-related records of the department pursuant to
8 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
9 defraying the costs of maintaining databases of motor vehicle-
10 related records of the department; and after that purpose is
11 met, the balance of the royalties and other consideration shall
12 be distributed to the department to defray the costs of
13 operating the motor vehicle division;

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

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

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

2 (9) to the department of transportation, an
3 amount equal to the fees collected pursuant to Section
4 66-5-35 NMSA 1978;

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

10 (11) to the motorcycle training fund, two
11 dollars (\$.00) of each motorcycle registration fee collected
12 pursuant to Section 66-6-1 NMSA 1978;

13 (12) to the recycling and illegal dumping
14 fund:

15 (a) fifty cents (\$.50) of the tire
16 recycling fee collected pursuant to the provisions of Section
17 66-6-1 NMSA 1978;

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

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

24 (13) to the highway infrastructure fund:

25 (a) fifty cents (\$.50) of the tire

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1 recycling fee collected pursuant to the provisions of Section
2 66-6-1 NMSA 1978;

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

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

9 (14) to each county, an amount equal to fifty
10 percent of the fees collected pursuant to Section 66-6-19 NMSA
11 1978 multiplied by a fraction, the numerator of which is the
12 total mileage of public roads maintained by the county and the
13 denominator of which is the total mileage of public roads
14 maintained by all counties in the state;

15 (15) to the litter control and beautification
16 fund, an amount equal to the fees collected pursuant to Section
17 66-6-6.2 NMSA 1978;

18 (16) to the local government division of the
19 department of finance and administration, an amount equal to
20 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for
21 distribution to each county to support animal control spaying
22 and neutering programs in an amount proportionate to the number
23 of residents of that county who have purchased pet care special
24 registration plates pursuant to Section 66-3-424.3 NMSA 1978;
25 and

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1 (17) to the Cumbres and Toltec scenic railroad
2 commission, twenty-five dollars (\$25.00) collected pursuant to
3 the Cumbres and Toltec scenic railroad special registration
4 plate.

5 B. The balance, exclusive of unidentified
6 remittances, shall be distributed in accordance with Section
7 66-6-23.1 NMSA 1978.

8 C. If any of the paragraphs, subsections or
9 sections referred to in Subsection A of this section are
10 recompiled or otherwise redesignated without a corresponding
11 change to Subsection A of this section, the reference in
12 Subsection A of this section shall be construed to be the
13 recompiled or redesignated paragraph, subsection or section."

14 Section 2. EFFECTIVE DATE.--The effective date of the
15 provisions of this act is July 1, 2008.