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HOUSE BILL 219

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO MOTOR VEHICLES; ALLOWING THE TAXATION AND REVENUE
DEPARTMENT TO DESIGNATE MILITARY INSTALLATIONS AS FEE AGENTS;
PROVIDING FOR A DISPOSITION OF CERTAIN FEES TO MILITARY
INSTALLATION FEE AGENTS.

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

SECTION 1. Section 66-2-14.1 NMSA 1978 (being Laws 1985,
Chapter 95, Section 2, as amended) is amended to read:

"66-2-14.1. FEE AGENT DESIGNATION--TERMINATION.--

A. Any class A county or municipality within a
class A county [~~which~~] that has adopted an ordinance for a
vehicle emission inspection and maintenance program pursuant to
Subsection C of Section 74-2-4 NMSA 1978 may be designated by
the department as an agent for the registration and re-
registration of motor vehicles whose registered owner's

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1 address, as shown in the records of the department, is within
2 the class A county or municipality within the class A county.

3 B. A military installation in New Mexico that has
4 entered into an agency agreement with the department to operate
5 a motor vehicle field office may be designated by the
6 department as a fee agent for purposes of this section.

7 [~~B-~~] C. When designated as an agent or fee agent
8 pursuant to this section, the county [~~or~~], municipality or
9 military installation shall provide for effective enforcement
10 to ensure compliance with the state motor vehicle registration
11 laws and the vehicle emission inspection and maintenance
12 program. Enforcement shall include but not be limited to
13 denial of motor vehicle registration to any vehicle [~~which~~]
14 that fails to pass the vehicle emission inspection.

15 [~~E-~~] D. When designated as an agent or fee agent
16 pursuant to this section, the county [~~or~~], municipality or
17 military installation shall reimburse the department for any
18 additional costs incurred by the department as a result of the
19 designation of the county [~~or~~], municipality or military
20 installation as an agent or fee agent. Money reimbursed to the
21 department is appropriated to the department for administration
22 and enforcement of the Motor Vehicle Code.

23 [~~D-~~] E. The department may terminate the
24 designation of [~~any~~] an agent or fee agent for failure of the
25 agent to perform to the secretary's satisfaction the agent's

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1 duties by notifying the agent of the termination. Agency
2 agreements may provide for the form of notice and the length of
3 the period, if any, between the notice and the effective date
4 of the termination."

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

7 "66-6-23. DISPOSITION OF FEES.--

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

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

15 (a) an amount equal to six dollars
16 (\$6.00) per driver's license and five dollars (\$5.00) per
17 identification card or motor vehicle or motorboat registration
18 or title transaction performed; ~~and~~

19 (b) for each such agent determined by
20 the secretary pursuant to Section 66-2-16 NMSA 1978 to have
21 performed ten thousand or more transactions in the preceding
22 fiscal year, other than a class A county with a population
23 exceeding three hundred thousand or a municipality with a
24 population exceeding three hundred thousand that has been
25 designated as an agent pursuant to Section 66-2-14.1 NMSA 1978,

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1 an amount equal to one dollar (\$1.00) in addition to the amount
2 distributed pursuant to Subparagraph (a) of this paragraph for
3 each driver's license, identification card, motor vehicle
4 registration, motorboat registration or title transaction
5 performed; and

6 (c) to each military installation
7 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
8 1978, an amount equal to one dollar fifty cents (\$1.50) in
9 addition to the amount distributed pursuant to Subparagraph (a)
10 of this paragraph for each administrative service fee remitted
11 by the military installation to the department pursuant to
12 Subsection A of Section 66-2-16 NMSA 1978;

13 (2) to each municipality or county, other than
14 a class A county with a population exceeding three hundred
15 thousand or a municipality with a population exceeding three
16 hundred thousand that has been designated as an agent pursuant
17 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
18 office, an amount equal to one dollar fifty cents (\$1.50) for
19 each administrative service fee remitted by that county or
20 municipality to the department pursuant to the provisions of
21 Subsection A of Section 66-2-16 NMSA 1978;

22 (3) to the state road fund:

23 (a) an amount equal to the fees
24 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
25 1978;

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

3 (c) the remainder of each driver's
4 license fee collected by the department employees from an
5 applicant to whom a license is granted after deducting from the
6 driver's license fee the amount of the distribution authorized
7 in Paragraph (1) of this subsection with respect to that
8 collected driver's license fee; and

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

11 (4) to the local governments road fund, the
12 amount of the fees collected pursuant to Subsection B of
13 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
14 collected pursuant to Subsection A of Section 66-5-408 NMSA
15 1978;

16 (5) to the department:

17 (a) any amounts reimbursed to the
18 department pursuant to Subsection [G] D of Section 66-2-14.1
19 NMSA 1978;

20 (b) an amount equal to two dollars
21 (\$2.00) of each motorcycle registration fee collected pursuant
22 to Section 66-6-1 NMSA 1978;

23 (c) an amount equal to the fees provided
24 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
25 of Section 66-2-16 NMSA 1978, Subsections K and L of Section

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1 66-3-6 NMSA 1978 other than the administrative fee, Subsection
2 C of Section 66-5-44 NMSA 1978 and Subsection B of Section
3 66-5-408 NMSA 1978;

4 (d) the amounts due to the department
5 for the manufacture and issuance of a special registration
6 plate collected pursuant to the section of law authorizing the
7 issuance of the specialty plate;

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

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

20 (g) an amount equal to one dollar
21 twenty-five cents (\$.25) for each administrative fee collected
22 by the department or any of its agents other than a county or
23 municipality operating a motor vehicle field office pursuant to
24 Subsection A of Section 66-2-16 NMSA 1978; and

25 (h) an amount equal to the royalties or
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1 other consideration paid by commercial users of databases of
2 motor vehicle-related records of the department pursuant to
3 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
4 defraying the costs of maintaining databases of motor vehicle-
5 related records of the department; and after that purpose is
6 met, the balance of the royalties and other consideration shall
7 be distributed to the department to defray the costs of
8 operating the motor vehicle division or for use pursuant to
9 Subsection F of Section 66-6-13 NMSA 1978;

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

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

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

23 (9) to the department of transportation, an
24 amount equal to the fees collected pursuant to Section 66-5-35
25 NMSA 1978;

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

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

9 (12) to the recycling and illegal dumping
10 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) fifty cents (\$.50) 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 (13) to the highway infrastructure fund:

21 (a) fifty cents (\$.50) of the tire
22 recycling fee collected pursuant to the provisions of Section
23 66-6-1 NMSA 1978;

24 (b) one dollar (\$1.00) of each of the
25 tire recycling fees collected pursuant to the provisions of

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1 Sections 66-6-2 and 66-6-4 NMSA 1978; and

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

5 (14) to each county, an amount equal to fifty
6 percent of the fees collected pursuant to Section 66-6-19 NMSA
7 1978 multiplied by a fraction, the numerator of which is the
8 total mileage of public roads maintained by the county and the
9 denominator of which is the total mileage of public roads
10 maintained by all counties in the state;

11 (15) to the litter control and beautification
12 fund, an amount equal to the fees collected pursuant to Section
13 66-6-6.2 NMSA 1978;

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

22 (17) to the Cumbres and Toltec scenic railroad
23 commission, twenty-five dollars (\$25.00) collected pursuant to
24 the Cumbres and Toltec scenic railroad special registration
25 plate.

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