

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 321

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Jim R. Trujillo and Roberto "Bobby" J. Gonzales and
Rodolpho "Rudy" S. Martinez

AN ACT

RELATING TO TRANSPORTATION; IMPOSING A REGISTRATION SURCHARGE
ON MOTOR VEHICLES; PROVIDING FOR A DISTRIBUTION TO THE STATE
ROAD FUND AND THE STATE TRANSIT FUND; CREATING THE STATE
TRANSIT FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 66-6-2 NMSA 1978 (being Laws 1978,
Chapter 35, Section 337, as amended) is amended to read:

"66-6-2. PASSENGER VEHICLES--REGISTRATION FEES AND
SURCHARGES.--For the registration of motor vehicles other than
motorcycles, trucks, buses and tractors, the division shall
collect the following fees and surcharges for each twelve-month
registration period:

A. for a vehicle whose gross factory shipping
weight is not more than two thousand pounds:

underscored material = new
[bracketed material] = delete

1 (1) a registration fee of twenty-seven dollars
2 (\$27.00); provided [~~however~~] that after five years of
3 registration, calculated from the date when the vehicle was
4 first registered in this or another state, the fee is twenty-
5 one dollars (\$21.00); and

6 (2) a registration surcharge of fifteen
7 dollars (\$15.00);

8 B. for a vehicle whose gross factory shipping
9 weight is more than two thousand but not more than three
10 thousand pounds:

11 (1) a registration fee of thirty-nine dollars
12 (\$39.00); provided [~~however~~] that after five years of
13 registration, calculated from the date when the vehicle was
14 first registered in this or another state, the fee is thirty-
15 one dollars (\$31.00); and

16 (2) a registration surcharge of twenty dollars
17 (\$20.00);

18 C. for a vehicle whose gross factory shipping
19 weight is more than three thousand pounds:

20 (1) a registration fee of fifty-six dollars
21 (\$56.00); provided [~~however~~] that after five years of
22 registration, calculated from the date when the vehicle was
23 first registered in this or another state, the fee is forty-
24 five dollars (\$45.00); and

25 (2) a registration surcharge of fifty-seven

1 dollars (\$57.00); and

2 D. for a vehicle registered pursuant to the
3 provisions of this section, a tire recycling fee of one dollar
4 fifty cents (\$1.50)."

5 SECTION 2. Section 66-6-4 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 339, as amended) is amended to read:

7 "66-6-4. REGISTRATION FEES AND SURCHARGES--TRUCKS, TRUCK
8 TRACTORS, ROAD TRACTORS AND BUSES.--

9 A. Within their respective jurisdictions, the motor
10 vehicle division and the [~~motor transportation~~] New Mexico
11 state police division of the department of public safety shall
12 charge registration fees and surcharges for trucks, truck
13 tractors, road tractors and buses, except as otherwise provided
14 by law, according to the [~~schedule of Subsection~~] schedules of
15 Subsections B and C of this section.

16 B. Declared Gross Weight		Fee
17	001 to 4,000	\$40
18	4,001 to 6,000	55
19	6,001 to 8,000	69
20	8,001 to 10,000	84
21	10,001 to 12,000	99
22	12,001 to 14,000	113
23	14,001 to 16,000	128
24	16,001 to 18,000	143
25	18,001 to 20,000	157

.212515.1

underscored material = new
[bracketed material] = delete

1	20,001 to 22,000	172
2	22,001 to 24,000	187
3	24,001 to 26,000	201
4	26,001 to 48,000	118
5	48,001 and over	172.
6	<u>C. Declared Gross Weight</u>	<u>Surcharge</u>
7	<u>001 to 4,000</u>	<u>\$56</u>
8	<u>4,001 to 6,000</u>	<u>80</u>
9	<u>6,001 to 8,000</u>	<u>105</u>
10	<u>8,001 to 10,000</u>	<u>128</u>
11	<u>10,001 to 12,000</u>	<u>152</u>
12	<u>12,001 to 14,000</u>	<u>183</u>
13	<u>14,001 to 16,000</u>	<u>193</u>
14	<u>16,001 to 18,000</u>	<u>221</u>
15	<u>18,001 to 20,000</u>	<u>237</u>
16	<u>20,001 to 22,000</u>	<u>245</u>
17	<u>22,001 to 24,000</u>	<u>266</u>
18	<u>24,001 to 26,000</u>	<u>294</u>
19	<u>26,001 to 48,000</u>	<u>325</u>
20	<u>48,001 and over</u>	<u>400.</u>

21 ~~[G.]~~ D. All trucks whose declared gross weight or
22 whose gross vehicle weight is less than twenty-six thousand
23 pounds, after five years of registration, calculated from the
24 date when the vehicle was first registered in this or another
25 state, shall be charged registration fees at eighty percent of

.212515.1

underscored material = new
[bracketed material] = delete

1 the rate set out in Subsection B of this section.

2 ~~[D-]~~ E. All trucks with a gross vehicle weight of
3 more than twenty-six thousand pounds and all truck tractors and
4 road tractors used to tow freight trailers shall be registered
5 on the basis of gross combination vehicle weight.

6 ~~[E-]~~ F. All trucks with a gross vehicle weight of
7 twenty-six thousand pounds or less shall be registered on the
8 basis of gross vehicle weight. A trailer, semitrailer or pole
9 trailer towed by a truck of such gross vehicle weight shall be
10 classified as a utility trailer for registration purposes
11 unless otherwise provided by law.

12 ~~[F-]~~ G. All farm vehicles having a declared gross
13 weight of more than six thousand pounds shall be charged
14 registration fees of two-thirds of the rate of the respective
15 fees provided in Subsection B of this section and shall be
16 issued distinctive registration plates. "Farm vehicle" means a
17 vehicle owned by a person whose principal occupation is farming
18 or ranching and which vehicle is used principally in the
19 transportation of farm and ranch products to market and farm
20 and ranch supplies and livestock from the place of purchase to
21 farms and ranches in this state; provided that the vehicle is
22 not used for hire.

23 ~~[G-]~~ H. In addition to other registration fees
24 imposed by this section, beginning July 1, 1994, an annual tire
25 recycling fee of one dollar fifty cents (\$1.50) is imposed at

.212515.1

underscored material = new
[bracketed material] = delete

1 the time of registration on each vehicle subject to a
2 registration fee pursuant to this section, except for vehicles
3 with a declared gross weight of greater than twenty-six
4 thousand pounds upon which registration fees are imposed by
5 Subsection B of this section.

6 ~~[H.]~~ I. Three percent of registration fees ~~[of]~~
7 imposed by Subsection B of this section on trucks having from
8 twenty-six thousand one pounds to forty-eight thousand pounds
9 declared gross vehicle weight is to be transferred to the
10 recycling and illegal dumping fund pursuant to the provisions
11 of Section 66-6-23 NMSA 1978.

12 ~~[I.]~~ J. Three and seventy-five hundredths percent
13 of registration fees ~~[of]~~ imposed by Subsection B of this
14 section on trucks in excess of forty-eight thousand pounds
15 declared gross vehicle weight is to be transferred to the
16 recycling and illegal dumping fund pursuant to the provisions
17 of Section 66-6-23 NMSA 1978."

18 **SECTION 3.** Section 66-6-23 NMSA 1978 (being Laws 1978,
19 Chapter 35, Section 358, as amended) is amended to read:

20 "66-6-23. DISPOSITION OF FEES.--

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

.212515.1

underscoring material = new
~~[bracketed material] = delete~~

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

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

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

19 (c) to each military installation
20 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
21 1978, an amount equal to one dollar fifty cents (\$1.50) in
22 addition to the amount distributed pursuant to Subparagraph (a)
23 of this paragraph for each administrative service fee remitted
24 by the military installation to the department pursuant to
25 Subsection A of Section 66-2-16 NMSA 1978;

.212515.1

underscored material = new
[bracketed material] = delete

1 (2) to each municipality or county, other than
2 a class A county with a population exceeding three hundred
3 thousand or a municipality with a population exceeding three
4 hundred thousand that has been designated as an agent pursuant
5 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
6 office, an amount equal to one dollar fifty cents (\$1.50) for
7 each administrative service fee remitted by that county or
8 municipality to the department pursuant to the provisions of
9 Subsection A of Section 66-2-16 NMSA 1978;

10 (3) to the state road fund:

11 (a) an amount equal to the fees
12 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
13 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; and

24 (e) an amount equal to ninety percent of
25 the registration surcharges collected pursuant to Sections

.212515.1

underscored material = new
[bracketed material] = delete

1 66-6-2 and 66-6-4 NMSA 1978, which shall be used for
2 maintenance of state highways;

3 (4) to the local governments road fund, the
4 amount of the fees collected pursuant to Subsection B of
5 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
6 collected pursuant to Subsection A of Section 66-5-408 NMSA
7 1978;

8 (5) to the department:

9 (a) any amounts reimbursed to the
10 department pursuant to Subsection D of Section 66-2-14.1 NMSA
11 1978;

12 (b) an amount equal to two dollars
13 (\$2.00) of each motorcycle registration fee collected pursuant
14 to Section 66-6-1 NMSA 1978;

15 (c) an amount equal to the fees provided
16 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
17 of Section 66-2-16 NMSA 1978, Subsections K and L of Section
18 66-3-6 NMSA 1978 other than the administrative fee, Subsection
19 C of Section 66-5-44 NMSA 1978 and Subsection B of Section
20 66-5-408 NMSA 1978;

21 (d) the amounts due to the department
22 for the manufacture and issuance of a special registration
23 plate collected pursuant to the section of law authorizing the
24 issuance of the specialty plate;

25 (e) an amount equal to the registration

.212515.1

underscored material = new
[bracketed material] = delete

1 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the
2 purposes of enforcing the provisions of the Mandatory Financial
3 Responsibility Act and for creating and maintaining a
4 multilanguage noncommercial driver's license testing program;
5 and after those purposes are met, the balance of the
6 registration fees shall be distributed to the department to
7 defray the costs of operating the [~~motor vehicle~~] division;

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

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

17 (h) an amount equal to the royalties or
18 other consideration paid by commercial users of databases of
19 motor vehicle-related records of the department pursuant to
20 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
21 defraying the costs of maintaining databases of motor vehicle-
22 related records of the department; and after that purpose is
23 met, the balance of the royalties and other consideration shall
24 be distributed to the department to defray the costs of
25 operating the [~~motor vehicle~~] division or for use pursuant to

.212515.1

underscored material = new
[bracketed material] = delete

1 Subsection F of Section 66-6-13 NMSA 1978;

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

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

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

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

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

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

.212515.1

underscored material = new
~~[bracketed material] = delete~~

1 (12) to the recycling and illegal dumping
2 fund:

3 (a) fifty cents (\$.50) of the tire
4 recycling fee collected pursuant to the provisions of Section
5 66-6-1 NMSA 1978;

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

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

12 (13) to the highway infrastructure fund:

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

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

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

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

.212515.1

underscored material = new
[bracketed material] = delete

1 denominator of which is the total mileage of public roads
2 maintained by all counties in the state;

3 (15) to the litter control and beautification
4 fund, an amount equal to the fees collected pursuant to Section
5 66-6-6.2 NMSA 1978;

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

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

18 (18) to the state transit fund, an amount
19 equal to ten percent of the registration surcharges collected
20 pursuant to Sections 66-6-2 and 66-6-4 NMSA 1978.

21 B. The balance, exclusive of unidentified
22 remittances, shall be distributed in accordance with Section
23 66-6-23.1 NMSA 1978.

24 C. If any of the paragraphs, subsections or
25 sections referred to in Subsection A of this section are

.212515.1

underscored material = new
[bracketed material] = delete

1 recompiled or otherwise redesignated without a corresponding
2 change to Subsection A of this section, the reference in
3 Subsection A of this section shall be construed to be the
4 recompiled or redesignated paragraph, subsection or section."

5 SECTION 4. [NEW MATERIAL] STATE TRANSIT FUND--CREATED--
6 PURPOSE--ADMINISTRATION.--

7 A. The "state transit fund" is created in the state
8 treasury. The fund shall be administered by the department of
9 transportation. The fund consists of appropriations, gifts,
10 grants, donations and bequests and money distributed to the
11 fund.

12 B. Money in the fund shall be distributed to public
13 transit agencies that have submitted a funding request to the
14 department of transportation to match federal grant funds for
15 all general public transit operations and public transit
16 infrastructure. The fund shall not provide more than:

17 (1) fifty percent of the required local match
18 needed by a public transit agency for public transit
19 operations; and

20 (2) fifty percent of the required local match
21 needed by a public transit agency for public transit
22 infrastructure.

23 C. No money in the fund shall be used for expenses
24 associated with commuter rail services.

25 D. Money in the fund shall be expended by warrant

.212515.1

underscored material = new
[bracketed material] = delete

1 signed by the secretary of finance and administration upon
2 vouchers signed by the secretary of transportation or the
3 secretary's designated representative.

4 E. Earnings on the fund shall be deposited to the
5 credit of the fund. Any unexpended or unencumbered balance
6 remaining at the end of a fiscal year shall not revert to the
7 general fund.

8 F. As used in this section:

9 (1) "public transit agency" means an
10 organization that provides transportation services to the
11 public and is owned, operated or subsidized by the state or a
12 political subdivision or instrumentality of the state; and

13 (2) "public transit infrastructure" means
14 vehicles, including buses and vans, and bus stops, passenger
15 stations, telecommunications systems and other infrastructure
16 and real property needed to support the delivery of public
17 transit services.

18 SECTION 5. APPLICABILITY.--The provisions of Sections 1
19 and 2 of this act apply to registration periods that begin on
20 or after July 1, 2019.

21 SECTION 6. EFFECTIVE DATE.--The effective date of the
22 provisions of this act is July 1, 2019.