

1 SENATE BILL 20

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Bill Tallman

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING AN ADDITIONAL
12 REGISTRATION FEE FOR ELECTRIC VEHICLES AND HYBRID ELECTRIC
13 VEHICLES; PROVIDING THAT THE ADDITIONAL REGISTRATION FEES BE
14 DISTRIBUTED TO THE STATE ROAD FUND.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. A new section of the Motor Vehicle Code is
18 enacted to read:

19 "[NEW MATERIAL] ADDITIONAL REGISTRATION FEE--ELECTRIC AND
20 HYBRID ELECTRIC VEHICLES.--

21 A. For registration of vehicles subject to the
22 registration fees imposed by Section 66-6-2 NMSA 1978, there is
23 imposed an additional annual fee of one hundred dollars (\$100)
24 for which an electric vehicle is registered.

25 B. For registration of vehicles subject to the

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1 registration fees imposed by Section 66-6-2 NMSA 1978, there is
2 imposed an additional annual fee of fifty dollars (\$50.00) for
3 which a hybrid electric vehicle is registered.

4 C. All fees collected pursuant to this section
5 shall be paid to the state treasurer to the credit of the motor
6 vehicle suspense fund with distribution in accordance with
7 Section 66-6-23 NMSA 1978.

8 D. As used in this section:

9 (1) "electric vehicle" means a motor vehicle
10 that derives all or part of the vehicle's power from
11 electricity stored in a battery that:

12 (a) has a capacity of not less than four
13 kilowatt-hours;

14 (b) is capable of powering the vehicle
15 for a range of at least fifteen miles; and

16 (c) is capable of being recharged from
17 an external source of electricity;

18 (2) "hybrid electric vehicle" means a motor
19 vehicle that is powered by an internal combustion engine that
20 is supplemented by a battery that:

21 (a) has a capacity of not less than four
22 kilowatt-hours; and

23 (b) is not capable of being recharged
24 from an external source of electricity; and

25 (3) "motor vehicle" means a vehicle with four

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1 wheels that:

2 (a) is required under the Motor Vehicle
3 Code to be registered in this state;

4 (b) is made by a manufacturer;

5 (c) is manufactured primarily for use on
6 public streets, roads or highways;

7 (d) has not been modified from the
8 original manufacturer specifications;

9 (e) is rated at not less than two
10 thousand two hundred pounds unloaded base weight and not more
11 than eight thousand five hundred pounds unloaded base weight;
12 and

13 (f) has a maximum speed capability of at
14 least sixty-five miles per hour."

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

17 "66-6-23. DISPOSITION OF FEES.--

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

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

25 (a) an amount equal to six dollars

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1 (\$6.00) per driver's license and five dollars (\$5.00) per
2 identification card or motor vehicle or motorboat registration
3 or title transaction performed;

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

16 (c) to each military installation
17 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
18 1978, an amount equal to one dollar fifty cents (\$1.50) in
19 addition to the amount distributed pursuant to Subparagraph (a)
20 of this paragraph for each administrative service fee remitted
21 by the military installation to the department pursuant to
22 Subsection A of Section 66-2-16 NMSA 1978;

23 (2) to each municipality or county, other than
24 a class A county with a population exceeding three hundred
25 thousand or a municipality with a population exceeding three

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

7 (3) to the state road fund:

8 (a) an amount equal to the fees
9 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
10 1978;

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

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

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

21 (e) the amount collected pursuant to
22 Section 1 of this 2020 act;

23 (4) to the local governments road fund, the
24 amount of the fees collected pursuant to Subsection B of
25 Section 66-5-33.1 NMSA 1978 and the remainder of the fees

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1 collected pursuant to Subsection A of Section 66-5-408 NMSA
2 1978;

3 (5) to the department:

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

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

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

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

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

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1 registration fees shall be distributed to the department to
2 defray the costs of operating the [~~motor vehicle~~] division;

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

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

12 (h) an amount equal to the royalties or
13 other consideration paid by commercial users of databases of
14 motor vehicle-related records of the department pursuant to
15 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
16 defraying the costs of maintaining databases of motor vehicle-
17 related records of the department; and after that purpose is
18 met, the balance of the royalties and other consideration shall
19 be distributed to the department to defray the costs of
20 operating the [~~motor vehicle~~] division or for use pursuant to
21 Subsection F of Section 66-6-13 NMSA 1978;

22 (6) to each New Mexico institution of higher
23 education, an amount equal to that part of the fees distributed
24 pursuant to Paragraph (2) of Subsection D of Section 66-3-416
25 NMSA 1978 proportionate to the number of special registration

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1 plates issued in the name of the institution to all such
2 special registration plates issued in the name of all
3 institutions;

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

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

10 (9) to the department of transportation, an
11 amount equal to the fees collected pursuant to Section 66-5-35
12 NMSA 1978;

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

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

21 (12) to the recycling and illegal dumping
22 fund:

23 (a) fifty cents (\$.50) of the tire
24 recycling fee collected pursuant to the provisions of Section
25 66-6-1 NMSA 1978;

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

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

7 (13) to the highway infrastructure fund:

8 (a) fifty cents (\$.50) of the tire
9 recycling fee collected pursuant to the provisions of Section
10 66-6-1 NMSA 1978;

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

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

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

23 (15) to the litter control and beautification
24 fund, an amount equal to the fees collected pursuant to Section
25 66-6-6.2 NMSA 1978;

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

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

13 B. The balance, exclusive of unidentified
14 remittances, shall be distributed in accordance with Section
15 66-6-23.1 NMSA 1978.

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

22 SECTION 3. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is July 1, 2020.

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