

1 SENATE BILL 343

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

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10 AN ACT

11 MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND
12 ADMINISTRATION TO PROVIDE REBATES TO CERTAIN RETAILERS THAT
13 SELL E-BIKES TO LOW-INCOME RESIDENTS.

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

16 SECTION 1. APPROPRIATION--E-BIKE REBATES.--

17 A. Six million dollars (\$6,000,000) is appropriated
18 from the general fund to the department of finance and
19 administration for expenditure in fiscal years 2024 and 2025 to
20 provide rebates as provided by this section. Any unexpended or
21 unencumbered balance remaining at the end of fiscal year 2025
22 shall revert to the general fund.

23 B. A participating dealer that sells a new e-bike
24 and a bicycle helmet to a low-income resident on or after July
25 1, 2023 may apply for a rebate to the department of finance and
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1 administration on forms in an amount equal to one thousand two
2 hundred dollars (\$1,200) or the price paid by the low-income
3 resident for the new e-bike and bicycle helmet, whichever is
4 less; provided that the low-income resident provides the
5 participating dealer with the certificate required by
6 Subsection D of this section; and provided further that the
7 participating dealer provides safety information to the
8 low-income resident at the time of sale.

9 C. To be eligible to receive a rebate provided by
10 this section, a participating dealer shall apply to the
11 department of finance and administration on forms and in a
12 manner determined by the department, including the evidence
13 necessary to prove the retailer is a participating dealer
14 pursuant to this section.

15 D. A low-income resident who wishes to purchase a
16 new e-bike from a participating dealer may apply for
17 certification from the department of finance and administration
18 on forms and in a manner determined by the department,
19 including the evidence necessary to prove the resident is a
20 low-income resident. Applications for certification shall be
21 considered in the order received by the department; provided
22 that the department shall ensure geographic dispersion of the
23 certificates. If the low-income resident meets the
24 requirements of this section, the department shall issue a
25 dated and numbered certificate of eligibility to the low-income

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1 resident and provide the low-income resident with a list of
2 participating dealers. The department shall provide only one
3 certificate per low-income resident and shall not issue a
4 certificate if the amount appropriated pursuant to Subsection A
5 of this section has been exhausted.

6 E. If a low-income resident returns the new e-bike
7 to the participating dealer, the participating dealer shall
8 return any amount of rebate received for that new e-bike to the
9 department of finance and administration.

10 F. The department of finance and administration may
11 deduct from the appropriation provided pursuant to Subsection A
12 of this section a fee in an amount equal to the reasonable
13 costs to administer the certification and approval and
14 distribution of rebates provided by this section.

15 G. As used in this section:

16 (1) "e-bike" means a vehicle that travels on
17 not more than three wheels in contact with the ground and is
18 equipped with:

19 (a) pedals that allow propulsion by
20 human power;

21 (b) a seat for the use of the rider; and

22 (c) an electric motor with an input of
23 no more than seven hundred fifty watts;

24 (2) "low-income resident" means a person who
25 lives in and is domiciled in New Mexico and whose annual

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1 household income in the previous calendar year does not exceed
2 two hundred percent of the federal poverty level guidelines
3 published by the United States department of health and human
4 services; and

5 (3) "participating dealer" means a retailer in
6 the business of selling e-bikes that has a primary place of
7 business in New Mexico and is registered as a taxpayer for New
8 Mexico tax programs that require registration.

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