

**LFC Requester:**

**Jennifer Faubion**

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**      X      **Amendment**      X    
**Correction**              **Substitute**          

**Date Prepared:** January 24, 2024

**Bill No:** SB183

**Sponsor:** Senator Roberto “Bobby”  
J. Gonzales

**Short Title:** Electric & Hybrid Vehicle  
Registration Fees

**Agency Name and Code Number:** 305 – New Mexico  
Department of Justice

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

Senate Bill (“SB”) 183 contemplates (1) adding a new section to the Motor Vehicle Code for registration of electric and plug-in hybrid vehicles, and (2) amending the Motor Vehicle Code to comport with the above addition.

The first section of SB183 establishes annual fees for electric or plug-in hybrid vehicles weighing fewer than 26,000 lbs. Under this section, an “electric vehicle” is defined as

a motor vehicle that derives all of the vehicle's power from electricity stored in a battery that: (a) has a capacity of not less than six kilowatt-hours; (b) is capable of powering the vehicle for a range of at least forty miles; and (c) is capable of being recharged from an external source of electricity.

Under this section, a “plug-in hybrid vehicle” is defined as

a motor vehicle that derives part of the vehicle's power from electricity stored in a battery that: (a) has a capacity of not less than six kilowatt-hours; (b) is capable of powering the vehicle for a range of at least forty miles; and (c) is capable of being recharged from an external source of electricity.

The proposed annual fee for electric vehicles under SB183 is \$120.00. The proposed annual fee for plug-in hybrid vehicles under SB183 is \$60.00. These fees are collected, paid, and distributed in accordance with Section 66-6-23 of the Motor Vehicle Code.

The second section of SB 183 edits the Motor Vehicle Code’s “Disposition of Fees” provision (section 66-6-23) to direct the fees acquired by SB183 to specific funds. Out of the total fees collected by Section 1 of SB 183, 77% would be distributed to the State Road Fund, while the remaining 23% of total fees collected under Section 1 of SB 183 would be distributed to the Transportation Project Fund.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be

reported in this section.

### **SIGNIFICANT ISSUES**

SB 183 somewhat conflicts with HB 140 in terms of the definition of “electric vehicle” and “plug-in hybrid electric vehicle.” While SB 183 and HB 140 do not necessary necessarily overlap given their amendment to non-overlapping provisions, they would implicate the same subject material and likely public confusion over differing standards of what constitutes an “electric vehicle” or “plug-in hybrid electric vehicle” for one statute but not another.

### **PERFORMANCE IMPLICATIONS**

None.

### **ADMINISTRATIVE IMPLICATIONS**

None.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 183 is a nearly a carbon-copy of Section 3 and Section 4 of SB 8.

### **TECHNICAL ISSUES**

None identified.

### **OTHER SUBSTANTIVE ISSUES**

None.

### **ALTERNATIVES**

Passing SB 8 would accomplish the same outcomes as passing SB 183 as currently drafted.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

### **AMENDMENTS**

None.