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**HOUSE BILL 248**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Rhonda S. King**

**AN ACT**

**RELATING TO MOTOR VEHICLES; AMENDING SECTIONS OF THE NMSA 1978  
TO PROVIDE FOR SPECIAL CHILDREN'S ARTWORK REGISTRATION PLATES  
FOR MOTORCYCLES.**

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

**Section 1. Section 66-3-420 NMSA 1978 (being Laws 1993,  
Chapter 80, Section 1) is amended to read:**

**"66-3-420. SPECIAL CHILDREN'S ARTWORK REGISTRATION  
PLATE-- PROCEDURES-- FEE. --**

**A. The division shall establish and issue special  
registration plates featuring artwork of the children of New  
Mexico in accordance with the provisions of this section and  
shall adopt procedures for application for and issuance of the  
special children's artwork registration plates.**

**B. The children's trust fund board of trustees**

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1 shall determine the color and design of the special children's  
2 artwork registration plate and shall request that the division  
3 provide for its issuance.

4 C. For a fee of forty dollars (\$40.00), which shall  
5 be in addition to the regular motor vehicle registration fees,  
6 ~~[any]~~ an owner of a motor vehicle, other than a motorcycle, may  
7 apply for the issuance of a special children's artwork  
8 registration plate. For a fee of twenty dollars (\$20.00),  
9 which shall be in addition to the regular motor vehicle  
10 registration fees, an owner of a motorcycle may apply for the  
11 issuance of a special children's artwork registration plate.

12 The owner of a motor vehicle shall apply and pay a fee each  
13 year ~~[that he wishes]~~ to retain and renew ~~[his]~~ the special  
14 children's artwork registration plate.

15 D. The revenue from the special children's artwork  
16 registration plates shall be distributed as follows:

17 (1) fifteen dollars (\$15.00) of the fee  
18 collected for each registration plate for a motor vehicle that  
19 is not a motorcycle shall be retained by the division in the  
20 ~~[eighty-second and eighty-third fiscal years]~~ first year of the  
21 issuance of each registration plate and is appropriated to the  
22 division for the manufacture and issuance of the registration  
23 plates. Thereafter, that amount of each fee shall be paid to  
24 the state treasurer for credit to the motor vehicle suspense  
25 fund for distribution in accordance with Section 66-6-23 NMSA

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1 1978; ~~and~~

2 (2) twenty-five dollars (\$25.00) of the fee  
3 collected for each registration plate for a motor vehicle that  
4 is not a motorcycle shall be distributed to the children's  
5 trust fund for use in accordance with the provisions of Section  
6 24-19-2 NMSA 1978;

7 (3) five dollars (\$5.00) of the fee collected  
8 for each registration plate for a motor vehicle that is a  
9 motorcycle shall be retained by the division in the first year  
10 of the issuance of each registration plate and is appropriated  
11 to the division for the manufacture and issuance of the  
12 registration plates. Thereafter, that amount of each fee shall  
13 be paid to the state treasurer for credit to the motor vehicle  
14 suspense fund for distribution in accordance with Section  
15 66-6-23 NMSA 1978; and

16 (4) fifteen dollars (\$15.00) of the fee  
17 collected for each registration plate for a motor vehicle that  
18 is a motorcycle shall be distributed to the children's trust  
19 fund, for use in accordance with the provisions of Section  
20 24-19-2 NMSA 1978. "

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

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

24 A. After the necessary disbursements for refunds  
25 and other purposes have been made, the money remaining in the

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1 motor vehicle suspense fund, except for remittances received  
2 within the previous two months that are unidentified as to  
3 source or disposition, shall be distributed as follows:

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

6 (a) an amount equal to six dollars  
7 (\$6.00) per driver's license and three dollars (\$3.00) per  
8 identification card or motor vehicle or motorboat registration  
9 or title transaction performed; and

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

22 (2) to each municipality or county, other than  
23 a class A county with a population exceeding three hundred  
24 thousand or a municipality with a population exceeding three  
25 hundred thousand that has been designated as an agent pursuant

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1 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field  
2 office, an amount equal to fifty cents (\$.50) for each  
3 administrative service fee remitted by that county or  
4 municipality to the department pursuant to the provisions of  
5 Subsection A of Section 66-2-16 NMSA 1978;

6 (3) to the state road fund:

7 (a) an amount equal to the fees  
8 collected pursuant to Section 66-7-413.4 NMSA 1978;

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

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

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

19 (4) to the local governments road fund, the  
20 amount of the fees collected pursuant to Subsection B of  
21 Section 66-5-33.1 NMSA 1978 and the remainder of the fees  
22 collected pursuant to Subsection A of Section 66-5-408 NMSA  
23 1978;

24 (5) to the department:

25 (a) any amounts reimbursed to the

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1 department pursuant to Subsection C of Section 66-2-14.1 NMSA  
2 1978;

3 (b) an amount equal to two dollars  
4 (\$2.00) of each motorcycle registration fee collected pursuant  
5 to Section 66-6-1 NMSA 1978;

6 (c) an amount equal to the fees provided  
7 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E  
8 of Section 66-2-16 NMSA 1978, Subsections J and K of Section  
9 66-3-6 NMSA 1978 other than the administrative fee, Subsection  
10 C of Section 66-5-44 NMSA 1978 and Subsection B of Section  
11 66-5-408 NMSA 1978;

12 (d) the amounts due to the department  
13 for the manufacture and issuance of a special registration  
14 plate collected pursuant to the section of law authorizing the  
15 issuance of the specialty plate; and

16 (e) an amount equal to the registration  
17 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the  
18 purposes of enforcing the provisions of the Mandatory Financial  
19 Responsibility Act and for creating and maintaining a  
20 multilanguage noncommercial driver's license testing program;

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

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1 special registration plates issued in the name of all  
2 institutions;

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

6 (8) to the children's trust fund, the amount  
7 to be distributed pursuant to [~~Paragraph (2)~~] Paragraphs (2)  
8 through (4) of Subsection D of Section 66-3-420 NMSA 1978;

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

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

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

20 (12) to the tire recycling 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) fifty cents (\$.50) 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 (13) to the highway infrastructure fund:

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

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

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

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

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

24 (16) to the local government division of the  
25 department of finance and administration, an amount equal to

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1 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for  
2 distribution to each county to support animal control spaying  
3 and neutering programs in an amount proportionate to the number  
4 of residents of that county who have purchased pet care special  
5 registration plates pursuant to Section 66-3-424.3 NMSA 1978.

6 B. The balance, exclusive of unidentified  
7 remittances, shall be distributed in accordance with Section  
8 66-6-23.1 NMSA 1978.

9 C. If any of the paragraphs, subsections or  
10 sections referred to in Subsection A of this section are  
11 recompiled or otherwise redesignated without a corresponding  
12 change to Subsection A of this section, the reference in  
13 Subsection A of this section shall be construed to be the  
14 recompiled or redesignated paragraph, subsection or section."