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HOUSE BILL 412

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

INTRODUCED BY

Ben Lujan

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING PERSONS GAINFULLY  
EMPLOYED IN NEW MEXICO TO REGISTER VEHICLES THAT THEY OWN  
WITHIN A CERTAIN TIME PERIOD; PROVIDING A PENALTY.

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

Section 1. Section 66-3-301 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 77, as amended) is amended to read:

"66-3-301. REGISTRATION BY NONRESIDENTS.--

A. Any nonresident owner of a vehicle of a type  
otherwise subject to registration may use or permit the use of  
the vehicle within the state for a period of one hundred eighty  
days per calendar year without registering [~~his~~] the vehicle,  
but any vehicle so used must display current registration  
plates issued for the vehicle in the state where the owner  
resides.

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1           B. Any person gainfully employed within the  
2 boundaries of this state for a period of thirty days or more  
3 within a sixty-day period shall be presumed to be a resident of  
4 this state and shall register with this state each vehicle that  
5 person owns within thirty days of the first day of that  
6 employment.

7           C. Notwithstanding the fact of their employment,  
8 the following are not required to register their vehicles if  
9 they display current registration plates issued for the vehicle  
10 in the state where the owner resides:

11                   (1) nonresident students engaged in a full-  
12 time course of study at an institution of higher learning  
13 located within this state, and the vehicle displays a valid  
14 nonresident student sticker issued by the institution [~~which~~]  
15 that they attend; or

16                   (2) a nonresident owner gainfully employed  
17 within the boundaries of this state who uses [~~his~~] the vehicle  
18 to commute daily from [~~his~~] the owner's home in another state  
19 to and from [~~his~~] the owner's place of employment within this  
20 state. The provisions of this paragraph apply only if the  
21 state in which the owner resides extends like privileges to New  
22 Mexico residents gainfully employed within the boundaries of  
23 that state.

24           D. A nonresident owner of a foreign vehicle  
25 operated within this state for the transportation of persons or

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1 property for compensation or for the transportation of  
2 merchandise either regularly according to a schedule or for a  
3 consecutive period exceeding thirty days shall register the  
4 vehicle and pay the same fees as required with reference to  
5 like vehicles owned by residents of this state. This  
6 subsection shall not be construed as limiting the effect of  
7 validly entered reciprocal agreements between New Mexico and  
8 other states [~~or of proportional registration provided for in~~  
9 ~~Section 66-3-4 NMSA 1978~~].

10 E. Every nonresident, including any foreign  
11 corporation carrying on business within this state and owning  
12 and regularly operating in that business any vehicle, trailer,  
13 semitrailer, house trailer or pole trailer within the state,  
14 shall register each vehicle and pay the same fees as required  
15 with reference to like vehicles owned by residents of this  
16 state.

17 F. A person who does not register a vehicle that  
18 the person owns in accordance with this section is guilty of a  
19 misdemeanor and, upon conviction, shall be punished by a fine  
20 of not more than three hundred dollars (\$300) or by  
21 imprisonment for not more than ninety days or both."

22 Section 2. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2005.