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HOUSE BILL 254

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING MULTIPLE SECTIONS OF THE
MOTOR VEHICLE CODE TO PROVIDE FOR AN ANNUAL DISABILITY FUND FEE
IN ADDITION TO OTHER MOTOR VEHICLE REGISTRATION FEES TO ASSIST
IN FUNDING DISABILITY-RELATED ACTIVITIES AND PROGRAMS.

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

SECTION 1. Section 66-6-1 NMSA 1978 (being Laws 1978,
Chapter 35, Section 336, as amended) is amended to read:

"66-6-1. MOTORCYCLES--REGISTRATION FEES.--

A. For the registration of motorcycles, the
department shall collect the following fees for a twelve-month
registration period:

(1) for a motorcycle having not more than two
wheels in contact with the ground, fifteen dollars (\$15.00);

and

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1 (2) for a motorcycle having three wheels in
2 contact with the ground or having a sidecar, fifteen dollars
3 (\$15.00).

4 B. In addition to other fees required by this
5 section, the department shall collect for each motorcycle an
6 annual tire recycling fee of one dollar (\$1.00) for a twelve-
7 month registration period.

8 C. In addition to other fees required by this
9 section, the department shall collect for each motorcycle an
10 annual disability fund fee of five dollars (\$5.00) for a
11 twelve-month registration period."

12 SECTION 2. Section 66-6-2 NMSA 1978 (being Laws 1978,
13 Chapter 35, Section 337, as amended) is amended to read:

14 "66-6-2. PASSENGER VEHICLES--REGISTRATION FEES.--For the
15 registration of motor vehicles other than motorcycles, trucks,
16 buses and tractors, the division shall collect the following
17 fees for each twelve-month registration period:

18 A. for a vehicle whose gross factory shipping
19 weight is not more than two thousand pounds, twenty-seven
20 dollars (\$27.00); provided, however, that after five years of
21 registration, calculated from the date when the vehicle was
22 first registered in this or another state, the fee is twenty-
23 one dollars (\$21.00);

24 B. for a vehicle whose gross factory shipping
25 weight is more than two thousand but not more than three

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1 thousand pounds, thirty-nine dollars (\$39.00); provided,
2 however, that after five years of registration, calculated from
3 the date when the vehicle was first registered in this or
4 another state, the fee is thirty-one dollars (\$31.00);

5 C. for a vehicle whose gross factory shipping
6 weight is more than three thousand pounds, fifty-six dollars
7 (\$56.00); provided, however, that after five years of
8 registration, calculated from the date when the vehicle was
9 first registered in this or another state, the fee is forty-
10 five dollars (\$45.00); [~~and~~]

11 D. for a vehicle registered pursuant to the
12 provisions of this section, a tire recycling fee of one dollar
13 fifty cents (\$1.50); and

14 E. for a vehicle registered pursuant to the
15 provisions of this section, an annual disability fund fee of
16 five dollars (\$5.00)."

17 SECTION 3. Section 66-6-4 NMSA 1978 (being Laws 1978,
18 Chapter 35, Section 339, as amended) is amended to read:

19 "66-6-4. REGISTRATION FEES--TRUCKS, TRUCK TRACTORS, ROAD
20 TRACTORS AND BUSES.--

21 A. Within their respective jurisdictions, the motor
22 vehicle division, and the motor transportation division of the
23 department of public safety, shall charge registration fees for
24 trucks, truck tractors, road tractors and buses, except as
25 otherwise provided by law, according to the schedule of

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1 Subsection B of this section.

2	B. Declared Gross Weight	Fee
3	001 to 4,000	\$40
4	4,001 to 6,000	55
5	6,001 to 8,000	69
6	8,001 to 10,000	84
7	10,001 to 12,000	99
8	12,001 to 14,000	113
9	14,001 to 16,000	128
10	16,001 to 18,000	143
11	18,001 to 20,000	157
12	20,001 to 22,000	172
13	22,001 to 24,000	187
14	24,001 to 26,000	201
15	26,001 to 48,000	118
16	48,001 and over	172.

17 C. All trucks whose declared gross weight or whose
18 gross vehicle weight is less than twenty-six thousand pounds,
19 after five years of registration, calculated from the date when
20 the vehicle was first registered in this or another state,
21 shall be charged registration fees at eighty percent of the
22 rate set out in Subsection B of this section.

23 D. All trucks with a gross vehicle weight of more
24 than twenty-six thousand pounds and all truck tractors and road
25 tractors used to tow freight trailers shall be registered on

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1 the basis of gross combination vehicle weight.

2 E. All trucks with a gross vehicle weight of
3 twenty-six thousand pounds or less shall be registered on the
4 basis of gross vehicle weight. A trailer, semitrailer or pole
5 trailer towed by a truck of such gross vehicle weight shall be
6 classified as a utility trailer for registration purposes
7 unless otherwise provided by law.

8 F. All farm vehicles having a declared gross weight
9 of more than six thousand pounds shall be charged registration
10 fees of two-thirds of the rate of the respective fees provided
11 in this section and shall be issued distinctive registration
12 plates. "Farm vehicle" means a vehicle owned by a person whose
13 principal occupation is farming or ranching and which vehicle
14 is used principally in the transportation of farm and ranch
15 products to market and farm and ranch supplies and livestock
16 from the place of purchase to farms and ranches in this state;
17 provided that the vehicle is not used for hire.

18 G. In addition to other registration fees imposed
19 by this section, beginning July 1, 1994, an annual tire
20 recycling fee of one dollar fifty cents (\$1.50) is imposed at
21 the time of registration on each vehicle subject to a
22 registration fee pursuant to this section, except for vehicles
23 with a declared gross weight of greater than twenty-six
24 thousand pounds upon which registration fees are imposed by
25 Subsection B of this section.

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1 H. Three percent of registration fees of trucks
2 having from twenty-six thousand one pounds to forty-eight
3 thousand pounds declared gross vehicle weight is to be
4 transferred to the recycling and illegal dumping fund pursuant
5 to the provisions of Section 66-6-23 NMSA 1978.

6 I. Three and seventy-five hundredths percent of
7 registration fees of trucks in excess of forty-eight thousand
8 pounds declared gross vehicle weight is to be transferred to
9 the recycling and illegal dumping fund pursuant to the
10 provisions of Section 66-6-23 NMSA 1978.

11 J. In addition to other registration fees imposed
12 by this section, an annual disability fund fee of five dollars
13 (\$5.00) is imposed at the time of registration on each vehicle
14 subject to a registration fee pursuant to this section."

15 SECTION 4. Section 66-6-5 NMSA 1978 (being Laws 1978,
16 Chapter 35, Section 340, as amended) is amended to read:

17 "66-6-5. BUS REGISTRATION FEES.--

18 A. All buses shall pay the registration fees
19 provided in Section 66-6-4 NMSA 1978, except for school buses
20 and buses operated by religious or nonprofit charitable
21 organizations for the express purpose of the organization for
22 which the annual registration fee is seven dollars (\$7.00).

23 B. In addition to other registration fees imposed
24 by this section, beginning July 1, 1994, there is imposed at
25 the time of registration an annual tire recycling fee of fifty

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1 cents (\$.50) per wheel that is in contact with the ground on
2 each vehicle subject to a registration fee pursuant to this
3 section.

4 C. In addition to other registration fees imposed
5 by this section, an annual disability fund fee of five dollars
6 (\$5.00) is imposed at the time of registration on each bus
7 subject to a registration fee pursuant to this section."

8 SECTION 5. Section 66-6-23 NMSA 1978 (being Laws 1978,
9 Chapter 35, Section 358, as amended) is amended to read:

10 "66-6-23. DISPOSITION OF FEES.--

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

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

18 (a) an amount equal to six dollars
19 (\$6.00) per driver's license and five dollars (\$5.00) per
20 identification card or motor vehicle or motorboat registration
21 or title transaction performed; and

22 (b) for each such agent determined by
23 the secretary pursuant to Section 66-2-16 NMSA 1978 to have
24 performed ten thousand or more transactions in the preceding
25 fiscal year, other than a class A county with a population

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1 exceeding three hundred thousand or a municipality with a
2 population exceeding three hundred thousand that has been
3 designated as an agent pursuant to Section 66-2-14.1 NMSA 1978,
4 an amount equal to one dollar (\$1.00) in addition to the amount
5 distributed pursuant to Subparagraph (a) of this paragraph for
6 each driver's license, identification card, motor vehicle
7 registration, motorboat registration or title transaction
8 performed;

9 (2) to each municipality or county, other than
10 a class A county with a population exceeding three hundred
11 thousand or a municipality with a population exceeding three
12 hundred thousand that has been designated as an agent pursuant
13 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
14 office, an amount equal to one dollar fifty cents (\$1.50) for
15 each administrative service fee remitted by that county or
16 municipality to the department pursuant to the provisions of
17 Subsection A of Section 66-2-16 NMSA 1978;

18 (3) to the state road fund:

19 (a) an amount equal to the fees
20 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
21 1978;

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

24 (c) the remainder of each driver's
25 license fee collected by the department employees from an

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1 applicant to whom a license is granted after deducting from the
2 driver's license fee the amount of the distribution authorized
3 in Paragraph (1) of this subsection with respect to that
4 collected driver's license fee; and

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

7 (4) to the local governments road fund, the
8 amount of the fees collected pursuant to Subsection B of
9 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
10 collected pursuant to Subsection A of Section 66-5-408 NMSA
11 1978;

12 (5) to the department:

13 (a) any amounts reimbursed to the
14 department pursuant to Subsection C of Section 66-2-14.1 NMSA
15 1978;

16 (b) an amount equal to two dollars
17 (\$2.00) of each motorcycle registration fee collected pursuant
18 to Section 66-6-1 NMSA 1978;

19 (c) an amount equal to the fees provided
20 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
21 of Section 66-2-16 NMSA 1978, Subsections K and L of Section
22 66-3-6 NMSA 1978 other than the administrative fee, Subsection
23 C of Section 66-5-44 NMSA 1978 and Subsection B of Section
24 66-5-408 NMSA 1978;

25 (d) the amounts due to the department

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1 for the manufacture and issuance of a special registration
2 plate collected pursuant to the section of law authorizing the
3 issuance of the specialty plate;

4 (e) an amount equal to the registration
5 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the
6 purposes of enforcing the provisions of the Mandatory Financial
7 Responsibility Act and for creating and maintaining a
8 multilanguage noncommercial driver's license testing program;
9 and after those purposes are met, the balance of the
10 registration fees shall be distributed to the department to
11 defray the costs of operating the motor vehicle division;

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

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

21 (h) an amount equal to the royalties or
22 other consideration paid by commercial users of databases of
23 motor vehicle-related records of the department pursuant to
24 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
25 defraying the costs of maintaining databases of motor vehicle-

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1 related records of the department; and after that purpose is
2 met, the balance of the royalties and other consideration shall
3 be distributed to the department to defray the costs of
4 operating the motor vehicle division or for use pursuant to
5 Subsection F of Section 66-6-13 NMSA 1978; and

6 (i) to the department, an amount equal
7 to one dollar (\$1.00) of each fee collected pursuant to the
8 following provisions of Chapter 66, Article 6 NMSA 1978: 1)
9 Subsection C of Section 66-6-1 NMSA 1978; 2) Subsection E of
10 Section 66-6-2 NMSA 1978; 3) Subsection J of Section 66-6-4
11 NMSA 1978; and 4) Subsection C of Section 66-6-5 NMSA 1978;

12 (6) to each New Mexico institution of higher
13 education, an amount equal to that part of the fees distributed
14 pursuant to Paragraph (2) of Subsection D of Section 66-3-416
15 NMSA 1978 proportionate to the number of special registration
16 plates issued in the name of the institution to all such
17 special registration plates issued in the name of all
18 institutions;

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

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

25 (9) to the department of transportation, an

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1 amount equal to the fees collected pursuant to Section 66-5-35
2 NMSA 1978;

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

8 (11) to the motorcycle training fund, two
9 dollars (\$.00) of each motorcycle registration fee collected
10 pursuant to Section 66-6-1 NMSA 1978;

11 (12) to the recycling and illegal dumping
12 fund:

13 (a) fifty cents (\$.50) of the tire
14 recycling fee collected pursuant to the provisions of Section
15 66-6-1 NMSA 1978;

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

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

22 (13) to the highway infrastructure 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) one dollar (\$1.00) 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 (14) to each county, an amount equal to fifty
8 percent of the fees collected pursuant to Section 66-6-19 NMSA
9 1978 multiplied by a fraction, the numerator of which is the
10 total mileage of public roads maintained by the county and the
11 denominator of which is the total mileage of public roads
12 maintained by all counties in the state;

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

16 (16) to the local government division of the
17 department of finance and administration, an amount equal to
18 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for
19 distribution to each county to support animal control spaying
20 and neutering programs in an amount proportionate to the number
21 of residents of that county who have purchased pet care special
22 registration plates pursuant to Section 66-3-424.3 NMSA 1978;
23 [~~and~~]

24 (17) to the Cumbres and Toltec scenic railroad
25 commission, twenty-five dollars (\$25.00) collected pursuant to
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1 the Cumbres and Toltec scenic railroad special registration
2 plate; and

3 (18) to the disability fund, an amount equal
4 to four dollars (\$4.00) of each fee collected pursuant to the
5 following provisions of Chapter 66, Article 6 NMSA 1978:

6 (a) Subsection C of Section 66-6-1 NMSA
7 1978;

8 (b) Subsection E of Section 66-6-2 NMSA
9 1978;

10 (c) Subsection J of Section 66-6-4 NMSA
11 1978; and

12 (d) Subsection C of Section 66-6-5 NMSA
13 1978.

14 B. The balance, exclusive of unidentified
15 remittances, shall be distributed in accordance with Section
16 66-6-23.1 NMSA 1978.

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