

1 SENATE BILL 181

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Bill Tallman

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10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING AN ADDITIONAL
12 REGISTRATION FEE FOR ELECTRIC VEHICLES AND HYBRID ELECTRIC
13 VEHICLES; PROVIDING THAT THE ADDITIONAL REGISTRATION FEES BE
14 DISTRIBUTED TO THE STATE ROAD FUND.

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

17 SECTION 1. A new section of the Motor Vehicle Code is
18 enacted to read:

19 "[NEW MATERIAL] ADDITIONAL REGISTRATION FEE--ELECTRIC AND
20 HYBRID ELECTRIC VEHICLES.--

21 A. For registration of vehicles subject to the
22 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
23 1978, there is imposed an additional annual fee of one hundred
24 dollars (\$100) for which an electric vehicle with a gross
25 vehicle weight of twenty-six thousand pounds or less is

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1 registered.

2 B. For registration of vehicles subject to the
3 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
4 1978, there is imposed an additional annual fee of fifty
5 dollars (\$50.00) for which a hybrid electric vehicle with a
6 gross vehicle weight of twenty-six thousand pounds or less is
7 registered.

8 C. All fees collected pursuant to this section
9 shall be paid to the state treasurer to the credit of the motor
10 vehicle suspense fund with distribution in accordance with
11 Section 66-6-23 NMSA 1978.

12 D. As used in this section:

13 (1) "electric vehicle" means a motor vehicle
14 that derives all or part of the vehicle's power from
15 electricity stored in a battery that:

16 (a) has a capacity of not less than four
17 kilowatt-hours;

18 (b) is capable of powering the vehicle
19 for a range of at least fifteen miles; and

20 (c) is capable of being recharged from
21 an external source of electricity;

22 (2) "hybrid electric vehicle" means a motor
23 vehicle that is powered by an internal combustion engine that
24 is supplemented by a battery that is not capable of being
25 recharged from an external source of electricity; and

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1 (3) "motor vehicle" means a vehicle with four
2 wheels that:

3 (a) is required under the Motor Vehicle
4 Code to be registered in this state;

5 (b) is made by a manufacturer;

6 (c) is manufactured primarily for use on
7 public streets, roads or highways;

8 (d) has not been modified from the
9 original manufacturer specifications; and

10 (e) has a maximum speed capability of at
11 least sixty-five miles per hour."

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

14 "66-6-23. DISPOSITION OF FEES.--

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

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

22 (a) an amount equal to six dollars
23 (\$6.00) per driver's license and five dollars (\$5.00) per
24 identification card or motor vehicle or motorboat registration
25 or title transaction performed;

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

13 (c) to each military installation
14 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
15 1978, an amount equal to one dollar fifty cents (\$1.50) in
16 addition to the amount distributed pursuant to Subparagraph (a)
17 of this paragraph for each administrative service fee remitted
18 by the military installation to the department pursuant to
19 Subsection A of Section 66-2-16 NMSA 1978;

20 (2) to each municipality or county, other than
21 a class A county with a population exceeding three hundred
22 thousand or a municipality with a population exceeding three
23 hundred thousand that has been designated as an agent pursuant
24 to Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
25 office, an amount equal to one dollar fifty cents (\$1.50) for

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1 each administrative service fee remitted by that county or
2 municipality to the department pursuant to the provisions of
3 Subsection A of Section 66-2-16 NMSA 1978;

4 (3) to the state road fund:

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

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

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

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

18 (e) the amount collected pursuant to
19 Section 1 of this 2020 act;

20 (4) to the local governments road fund, the
21 amount of the fees collected pursuant to Subsection B of
22 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
23 collected pursuant to Subsection A of Section 66-5-408 NMSA
24 1978;

25 (5) to the department:

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1 (a) any amounts reimbursed to the
2 department pursuant to Subsection D of Section 66-2-14.1 NMSA
3 1978;

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

7 (c) an amount equal to the fees provided
8 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
9 of Section 66-2-16 NMSA 1978, Subsections K and L of Section
10 66-3-6 NMSA 1978 other than the administrative fee, Subsection
11 C of Section 66-5-44 NMSA 1978 and Subsection B of Section
12 66-5-408 NMSA 1978;

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

17 (e) an amount equal to the registration
18 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the
19 purposes of enforcing the provisions of the Mandatory Financial
20 Responsibility Act and for creating and maintaining a
21 multilanguage noncommercial driver's license testing program;
22 and after those purposes are met, the balance of the
23 registration fees shall be distributed to the department to
24 defray the costs of operating the [~~motor vehicle~~] division;

25 (f) an amount equal to fifty cents

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1 (\$.50) for each administrative fee remitted to the department
2 by a county or municipality operating a motor vehicle field
3 office pursuant to Subsection A of Section 66-2-16 NMSA 1978;

4 (g) an amount equal to one dollar
5 twenty-five cents (\$1.25) for each administrative fee collected
6 by the department or any of its agents other than a county or
7 municipality operating a motor vehicle field office pursuant to
8 Subsection A of Section 66-2-16 NMSA 1978; and

9 (h) an amount equal to the royalties or
10 other consideration paid by commercial users of databases of
11 motor vehicle-related records of the department pursuant to
12 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
13 defraying the costs of maintaining databases of motor vehicle-
14 related records of the department; and after that purpose is
15 met, the balance of the royalties and other consideration shall
16 be distributed to the department to defray the costs of
17 operating the [~~motor vehicle~~] division or for use pursuant to
18 Subsection F of Section 66-6-13 NMSA 1978;

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

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

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

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

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

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

18 (12) to the recycling and illegal dumping
19 fund:

20 (a) fifty cents (\$.50) of the tire
21 recycling fee collected pursuant to the provisions of Section
22 66-6-1 NMSA 1978;

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

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

4 (13) to the highway infrastructure fund:

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

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

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

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

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

23 (16) to the local government division of the
24 department of finance and administration, an amount equal to
25 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for

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

6 (17) to the Cumbres and Toltec scenic railroad
7 commission, twenty-five dollars (\$25.00) collected pursuant to
8 the Cumbres and Toltec scenic railroad special registration
9 plate.

10 B. The balance, exclusive of unidentified
11 remittances, shall be distributed in accordance with Section
12 66-6-23.1 NMSA 1978.

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

19 **SECTION 3. EFFECTIVE DATE.**--The effective date of the
20 provisions of this act is July 1, 2020.

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