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AN ACT

RELATING TO TRANSPORTATION; PROVIDING THAT FEES IMPOSED BY THE FEDERAL UNIFIED CARRIER REGISTRATION ACT OF 2005 SHALL BE DEPOSITED IN THE MOTOR TRANSPORTATION FEE FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 65-2A-16 NMSA 1978 (being Laws 2003, Chapter 359, Section 16, as amended by Laws 2013, Chapter 73, Section 15 and by Laws 2013, Chapter 77, Section 15) is amended to read:

"65-2A-16. INTERSTATE MOTOR CARRIERS.--

A. Foreign and domestic motor carriers, motor private carriers, leasing companies, brokers and freight forwarders shall not operate in interstate commerce in this state without first registering with a base state and paying all fees as required under the federal Unified Carrier Registration Act of 2005. The commission is authorized to register applicants and collect all fees without notice or a public hearing.

B. The commission is authorized to follow rules and collect fee assessments set by the federal secretary of transportation from foreign and domestic motor carriers, motor private carriers, leasing companies, brokers and freight forwarders and do all things necessary to enable New

1 Mexico to participate in the federal unified carrier  
2 registration system pursuant to the federal Unified Carrier  
3 Registration Act of 2005, including the collection of an  
4 equal amount of revenue as was collected by the commission in  
5 the last registration year under Section 4005 of the federal  
6 Intermodal Surface Transportation Efficiency Act of 1991 and  
7 the collection of an equal amount of revenue annually from  
8 all other sources allowed under the federal Unified Carrier  
9 Registration Act of 2005 in the last year that such  
10 collections were not prohibited by federal law.

11 C. The commission is the state agency in New  
12 Mexico responsible for operation of the federal Unified  
13 Carrier Registration Act of 2005, including participating in  
14 the development, implementation and administration of the  
15 unified carrier registration agreement. The commission is  
16 authorized to follow rules governing the unified carrier  
17 registration agreement issued under the unified carrier  
18 registration plan by its board of directors.

19 D. Revenue remitted to the state from fees imposed  
20 by the federal Unified Carrier Registration Act of 2005 shall  
21 be remitted to the state treasurer, who shall deposit the  
22 revenue in the motor transportation fee fund.

23 E. Compliance by an interstate motor carrier with  
24 the provisions of the federal Unified Carrier Registration  
25 Act of 2005 shall not authorize a carrier to provide

1 intrastate transportation services in New Mexico. An  
2 interstate motor carrier wishing to provide compensated  
3 transportation in intrastate commerce shall apply for the  
4 appropriate intrastate operating authority from the  
5 commission. A taxicab service or shuttle service traveling  
6 to or from a federally licensed airport terminal facility  
7 located in the state of New Mexico is engaged in nonexempt  
8 intrastate business within the state regardless of a prior  
9 exemption if its service provides, with regard to any service  
10 run, for both:

11 (1) initiation of the transportation of one  
12 or more passengers within this state; and

13 (2) delivery to a departure point within  
14 this state of one or more passengers whose transportation on  
15 that service run was initiated at a point within this state."

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