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SENATE BILL

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

DISCUSSION DRAFT

FOR THE TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING DISTRIBUTIONS OF THE MOTOR VEHICLE EXCISE TAX; INCREASING MOTOR VEHICLE REGISTRATION FEES; REQUIRING AN ADDITIONAL REGISTRATION FEE FOR ELECTRIC AND PLUG-IN HYBRID ELECTRIC VEHICLES.

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

SECTION 1. Section 7-14-10 NMSA 1978 (being Laws 1988, Chapter 73, Section 20, as amended) is amended to read:

"7-14-10. DISTRIBUTION OF PROCEEDS.--

A. The receipts from the tax and any associated interest and penalties shall be deposited in the "motor vehicle suspense fund", hereby created in the state treasury. As of the end of each month, the net receipts attributable to the tax and associated penalties and interest shall be distributed as follows:

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- 1 (1) prior to July 1, 2026:
- 2 (a) thirty-two percent to the general
- 3 fund;
- 4 (b) forty-nine and one-fourth percent to
- 5 the state road fund; and
- 6 (c) eighteen and three-fourths percent
- 7 to the transportation project fund;
- 8 (2) on and after July 1, 2026, except as
- 9 provided in Paragraph (3) of this subsection:
- 10 (a) seventy-five percent to the state
- 11 road fund; and
- 12 (b) twenty-five percent to the
- 13 transportation project fund; and
- 14 (3) if, for any single fiscal year occurring
- 15 after fiscal year 2029 and prior to fiscal year 2040, gross
- 16 receipts tax revenues are less than ninety-five percent of the
- 17 gross receipts tax revenues for the previous fiscal year as
- 18 determined by the secretary of finance and administration,
- 19 beginning on the July 1 following the determination made by the
- 20 secretary of finance and administration:
- 21 ~~[A.]~~ (a) fifty-nine and thirty-nine
- 22 hundredths percent to the general fund;
- 23 ~~[B.]~~ (b) twenty-one and eighty-six
- 24 hundredths percent to the state road fund; and
- 25 ~~[C.]~~ (c) eighteen and seventy-five

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1 hundredths percent to the transportation project fund.

2 B. Between fifty and seventy-five percent of the
3 amount distributed to the state road fund pursuant to this
4 section shall be used for maintenance of transportation
5 infrastructure."

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

8 "66-6-2. PASSENGER VEHICLES--REGISTRATION FEES.--For the
9 registration of motor vehicles other than motorcycles, trucks,
10 buses and tractors, the division shall collect the following
11 fees for each twelve-month registration period:

12 A. for a vehicle whose gross factory shipping
13 weight is not more than two thousand pounds [~~twenty-seven~~
14 ~~dollars (\$27.00); provided, however, that~~]:

15 (1) within five years of registration:

16 (a) prior to July 1, 2026, thirty-one
17 dollars fifty cents (\$31.50); and

18 (b) on and after July 1, 2026, thirty-
19 four dollars (\$34.00); and

20 (2) after five years of registration,
21 calculated from the date when the vehicle was first registered
22 in this or another state [~~the fee is twenty-one dollars~~
23 (~~\$21.00~~)]:

24 (a) prior to July 1, 2026, twenty-four
25 dollars (\$24.00); and

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1	001 to 4,000	[\$40] <u>\$45</u>	<u>\$50</u>
2	4,001 to 6,000	[55] <u>62</u>	<u>69</u>
3	6,001 to 8,000	[69] <u>77.50</u>	<u>86</u>
4	8,001 to 10,000	[84] <u>94.50</u>	<u>105</u>
5	10,001 to 12,000	[99] <u>111.50</u>	<u>124</u>
6	12,001 to 14,000	[113] <u>127</u>	<u>141</u>
7	14,001 to 16,000	[128] <u>144</u>	<u>160</u>
8	16,001 to 18,000	[143] <u>161</u>	<u>179</u>
9	18,001 to 20,000	[157] <u>176.50</u>	<u>196</u>
10	20,001 to 22,000	[172] <u>193.50</u>	<u>215</u>
11	22,001 to 24,000	[187] <u>210.50</u>	<u>234</u>
12	24,001 to 26,000	[201] <u>226</u>	<u>251</u>
13	26,001 to 48,000	[118] <u>133</u>	<u>148</u>
14	48,001 and over	[172] <u>193.50</u>	<u>215.</u>

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

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

25 E. All trucks with a gross vehicle weight of

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

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

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

25 H. Three percent of registration fees of trucks

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

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

10 SECTION 4. A new section of the Motor Vehicle Code is
11 enacted to read:

12 "[NEW MATERIAL] ADDITIONAL REGISTRATION FEE--ELECTRIC AND
13 PLUG-IN HYBRID ELECTRIC VEHICLES.--

14 A. For registration of vehicles subject to the
15 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
16 1978, there is imposed an additional annual fee in the
17 following amounts for which an electric vehicle with a gross
18 vehicle weight of twenty-six thousand pounds or less is
19 registered:

20 (1) prior to July 1, 2026, sixty dollars
21 (\$60.00); and

22 (2) on and after July 1, 2026, one hundred
23 twenty dollars (\$120).

24 B. For registration of vehicles subject to the
25 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA

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1 1978, there is imposed an additional annual fee in the
2 following amounts for which a plug-in hybrid electric vehicle
3 with a gross vehicle weight of twenty-six thousand pounds or
4 less is registered:

5 (1) prior to July 1, 2026, thirty dollars
6 (\$30.00); and

7 (2) on and after July 1, 2026, sixty dollars
8 (\$60.00).

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

13 D. As used in this section:

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

17 (a) has a capacity of not less than six
18 kilowatt-hours;

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

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

23 (2) "plug-in hybrid electric vehicle" means a
24 motor vehicle that derives part of the vehicle's power from
25 electricity stored in a battery that:

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1 (a) has a capacity of not less than six
2 kilowatt-hours;

3 (b) is capable of powering the vehicle
4 for a range of at least forty miles; and

5 (c) is capable of being recharged from
6 an external source of electricity."

7 SECTION 5. EFFECTIVE DATE.--The effective date of the
8 provisions of this act is July 1, 2024.

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