HOUSE BILL 271

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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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 .219438.1
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 Mexico to participate in the federal unified carrier registration system pursuant to the federal Unified Carrier Registration Act of 2005, including the collection of an equal amount of revenue as was collected by the commission in the last registration year under Section 4005 of the federal Intermodal Surface Transportation Efficiency Act of 1991 and the collection of an equal amount of revenue annually from all other sources allowed under the federal Unified Carrier Registration Act of 2005 in the last year that such collections were not prohibited by federal law.

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

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

[D-] E. Compliance by an interstate motor carrier
with the provisions of the federal Unified Carrier Registration
Act of 2005 shall not authorize a carrier to provide intrastate
transportation services in New Mexico. An interstate motor
carrier wishing to provide compensated transportation in
intrastate commerce shall apply for the appropriate intrastate
operating authority from the commission. A taxicab service or
shuttle service traveling to or from a federally licensed
airport terminal facility located in the state of New Mexico is
engaged in nonexempt intrastate business within the state
regardless of a prior exemption if its service provides, with
regard to any service run, for both:

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

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

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