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SENATE BILL 9

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Carlos R. Cisneros and Roberto "Bobby" J. Gonzales

AN ACT

RELATING TO TAXATION; CREATING THE ELECTRIC VEHICLE INCOME TAX CREDIT; CREATING THE ELECTRIC VEHICLE CHARGING UNIT INCOME TAX CREDIT AND THE ELECTRIC VEHICLE CHARGING UNIT CORPORATE INCOME TAX CREDIT; REQUIRING AN ADDITIONAL REGISTRATION FEE FOR AN ELECTRIC VEHICLE; PROVIDING FOR THE ADDITIONAL REGISTRATION FEE TO BE DISTRIBUTED TO THE STATE ROAD FUND.

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

SECTION 1. A new section of the Income Tax Act is enacted to read:

"[NEW MATERIAL] ELECTRIC VEHICLE INCOME TAX CREDIT.--

A. Prior to January 1, 2021, a taxpayer who is not a dependent of another individual and who purchases or leases a qualified electric vehicle is eligible for a credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act

1 in the amount of two thousand five hundred dollars (\$2,500).
2 The tax credit provided by this section may be referred to as
3 the "electric vehicle income tax credit".

4 B. The purpose of the electric vehicle income tax
5 credit is to encourage consumers to purchase or lease qualified
6 electric vehicles that may help to decrease the presence of
7 greenhouse gas, carbon monoxide and ozone precursor emissions
8 in the environment.

9 C. Subject to the limitation in Subsection D of
10 this section, a taxpayer may claim the electric vehicle income
11 tax credit provided in this section for each taxable year in
12 which the taxpayer:

- 13 (1) purchases a qualified electric vehicle; or
14 (2) begins a new lease with a term of at least
15 two years for a qualified electric vehicle; provided that a
16 taxpayer who is an individual shall not claim more than one
17 electric vehicle income tax credit.

18 D. The aggregate amount of electric vehicle income
19 tax credit claims that may be authorized for payment in any
20 fiscal year is two million dollars (\$2,000,000). The date a
21 claim for an electric vehicle income tax credit is received by
22 the department shall determine the order that a tax credit
23 claim is authorized for payment by the department.

24 E. That portion of an electric vehicle income tax
25 credit approved by the department that exceeds a taxpayer's

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1 income tax liability in the taxable year in which an electric
2 vehicle income tax credit is claimed shall be refunded to the
3 taxpayer.

4 F. Married individuals filing separate returns for
5 a taxable year for which they could have filed a joint return
6 may each claim only one-half of the electric vehicle income tax
7 credit that would have been claimed on a joint return.

8 G. A taxpayer may be allocated the right to claim
9 an electric vehicle income tax credit in proportion to the
10 taxpayer's ownership interest if the taxpayer owns an interest
11 in a business entity that is taxed for federal income tax
12 purposes as a partnership and that business entity has met all
13 of the requirements to be eligible for the tax credit. The
14 total tax credit claimed by all members of the partnership or
15 limited liability company shall not exceed the allowable tax
16 credit pursuant to Subsection A of this section.

17 H. A taxpayer shall submit to the department
18 information required by the department with respect to the
19 purchase or lease of a qualified electric vehicle by the
20 taxpayer during the taxable year for which the electric vehicle
21 income tax credit is claimed.

22 I. A taxpayer allowed an electric vehicle income
23 tax credit shall report the amount of the tax credit to the
24 department in a manner required by the department.

25 J. The department shall compile an annual report on

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1 the electric vehicle income tax credit that shall include the
2 number of taxpayers approved by the department to receive the
3 tax credit, the aggregate amount of tax credits approved and
4 any other information necessary to evaluate the effectiveness
5 of the tax credit. Beginning in 2019 and every five years
6 thereafter that the tax credit is in effect, the department
7 shall compile and present the annual reports to the revenue
8 stabilization and tax policy committee and the legislative
9 finance committee, with an analysis of the effectiveness and
10 cost of the tax credit and of whether the tax credit is
11 performing the purpose for which it was created.

12 K. The department shall adopt rules establishing
13 procedures to certify the purchase or lease of a qualified
14 electric vehicle for purposes of obtaining an electric vehicle
15 income tax credit.

16 L. As used in this section:

17 (1) "plug-in hybrid electric vehicle" means a
18 vehicle that uses both an internal combustion engine and an
19 electric motor, has a battery pack that holds at least four
20 kilowatt-hours and is capable of operation without the use of
21 the internal combustion engine for an all-electric range of at
22 least ten miles; and

23 (2) "qualified electric vehicle" means a motor
24 vehicle or plug-in hybrid electric vehicle with four wheels
25 that:

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- 1 (a) is made by a manufacturer;
- 2 (b) is manufactured primarily for use on
3 public streets, roads or highways;
- 4 (c) has not been modified from the
5 original manufacturer specifications;
- 6 (d) is purchased or leased by a consumer
7 from a dealer for the first time after delivery from the
8 manufacturer to the dealer;
- 9 (e) is rated at not less than two
10 thousand two hundred pounds unloaded base weight and not more
11 than eight thousand five hundred pounds unloaded base weight;
- 12 (f) has a maximum speed capability of at
13 least sixty-five miles per hour; and
- 14 (g) is propelled to a significant extent
15 by an electric motor that draws electricity from a battery
16 that: 1) has a capacity of not less than four kilowatt-hours;
17 and 2) is capable of being recharged from an external source of
18 electricity."

19 SECTION 2. A new section of the Income Tax Act is enacted
20 to read:

21 "[NEW MATERIAL] ELECTRIC VEHICLE CHARGING UNIT INCOME TAX
22 CREDIT.--

23 A. Prior to January 1, 2021, a taxpayer who is not
24 a dependent of another individual and who purchases and
25 installs an electric vehicle charging unit that has passed

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1 inspection by a state-authorized construction-permitting
2 governmental entity may apply for, and the department may
3 allow, a credit against the taxpayer's tax liability imposed
4 pursuant to the Income Tax Act. The tax credit provided by
5 this section may be referred to as the "electric vehicle
6 charging unit income tax credit".

7 B. The purpose of the electric vehicle charging
8 unit income tax credit is to encourage businesses to purchase
9 and install electric vehicle charging units to provide the
10 infrastructure necessary to support the acceptance of electric
11 vehicles that may help to decrease the presence of greenhouse
12 gas, carbon monoxide and ozone precursor emissions in the
13 environment.

14 C. The electric vehicle charging unit income tax
15 credit shall not exceed:

16 (1) three thousand dollars (\$3,000) or thirty
17 percent of the cost to purchase and install an electric vehicle
18 charging unit, whichever is less; or

19 (2) if the electric vehicle charging unit is
20 powered primarily by solar power, five thousand dollars
21 (\$5,000) or thirty percent of the cost to purchase and install
22 the electric vehicle charging unit that is powered primarily by
23 solar power, whichever is less.

24 D. The department may allow a maximum annual
25 aggregate of one million dollars (\$1,000,000) in electric

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1 vehicle charging unit income tax credits and electric vehicle
2 charging unit corporate income tax credits pursuant to Section
3 3 of this 2015 act per fiscal year. Applications for the tax
4 credits shall be considered in the order received by the
5 department.

6 E. A taxpayer may claim an electric vehicle
7 charging unit income tax credit for the taxable year in which
8 the taxpayer purchases and installs an electric vehicle
9 charging unit. To receive an electric vehicle charging unit
10 income tax credit, a taxpayer shall submit a completed
11 application to the department on forms and in the manner
12 prescribed by the department; provided that a completed
13 application shall include:

14 (1) a receipt for the purchase of an electric
15 vehicle charging unit;

16 (2) a copy of the data sheet that specifies
17 the connector type, plug type, voltage and current of the
18 purchased electric vehicle charging unit; and

19 (3) a final and approved electrical inspection
20 document issued by the construction industries division of the
21 regulation and licensing department or other state-authorized
22 construction-permitting governmental entity.

23 F. That portion of an electric vehicle charging
24 unit income tax credit that exceeds a taxpayer's income tax
25 liability in the taxable year in which an electric vehicle

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1 charging unit income tax credit is claimed shall be refunded to
2 the taxpayer.

3 G. Married individuals filing separate returns for
4 a taxable year for which they could have filed a joint return
5 may each claim only one-half of the electric vehicle charging
6 unit income tax credit that would have been claimed on a joint
7 return.

8 H. A taxpayer may be allocated the right to claim
9 an electric vehicle charging unit income tax credit in
10 proportion to the taxpayer's ownership interest if the taxpayer
11 owns an interest in a business entity that is taxed for federal
12 income tax purposes as a partnership and that business entity
13 has met all of the requirements to be eligible for the tax
14 credit. The total tax credit claimed by all members of the
15 partnership or limited liability company shall not exceed the
16 allowable tax credit pursuant to Subsection C of this section.

17 I. A taxpayer allowed a tax credit pursuant to this
18 section shall report the amount of the tax credit to the
19 department in a manner required by the department.

20 J. The department shall compile an annual report on
21 the electric vehicle charging unit income tax credit that shall
22 include the number of taxpayers approved by the department to
23 receive the tax credit, the aggregate amount of tax credits
24 approved and any other information necessary to evaluate the
25 effectiveness of the tax credit. Beginning in 2019 and every

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1 five years thereafter that the tax credit is in effect, the
2 department shall compile and present the annual reports to the
3 revenue stabilization and tax policy committee and the
4 legislative finance committee with an analysis of the
5 effectiveness and cost of the tax credit and whether the tax
6 credit is performing the purpose for which it was created.

7 K. As used in this section, "electric vehicle
8 charging unit" means a wall-mounted or pedestal-style device
9 that:

10 (1) is used to provide electricity to an
11 electric vehicle;

12 (2) is designed to create a connection between
13 an electric grid and the electric vehicle;

14 (3) communicates with the electric vehicle's
15 control system to ensure that electricity flows at an
16 appropriate voltage and current level; and

17 (4) is installed on nonresidential property
18 located in the state."

19 SECTION 3. A new section of the Corporate Income and
20 Franchise Tax Act is enacted to read:

21 "[NEW MATERIAL] ELECTRIC VEHICLE CHARGING UNIT CORPORATE
22 INCOME TAX CREDIT.--

23 A. Prior to January 1, 2021, a taxpayer that files
24 a New Mexico corporate income tax return that purchases and
25 installs an electric vehicle charging unit that has passed

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1 inspection by a state-authorized construction-permitting
2 governmental entity may apply for, and the department may
3 allow, a credit against the taxpayer's tax liability imposed
4 pursuant to the Corporate Income and Franchise Tax Act. The
5 tax credit provided by this section may be referred to as the
6 "electric vehicle charging unit corporate income tax credit".

7 B. The purpose of the electric vehicle charging
8 unit corporate income tax credit is to encourage businesses to
9 purchase and install electric vehicle charging units to provide
10 the infrastructure necessary to support the acceptance of
11 electric vehicles that may help to decrease the presence of
12 greenhouse gas, carbon monoxide and ozone precursor emissions
13 in the environment.

14 C. The electric vehicle charging unit corporate
15 income tax credit shall not exceed:

16 (1) three thousand dollars (\$3,000) or thirty
17 percent of the cost to purchase and install an electric vehicle
18 charging unit, whichever is less; or

19 (2) if the electric vehicle charging unit is
20 powered primarily by solar power, five thousand dollars
21 (\$5,000) or thirty percent of the cost to purchase and install
22 the electric vehicle charging unit that is powered primarily by
23 solar power, whichever is less.

24 D. The department may allow a maximum annual
25 aggregate of one million dollars (\$1,000,000) in electric

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1 vehicle charging unit corporate income tax credits and electric
2 vehicle charging unit income tax credits pursuant to Section 2
3 of this 2015 act per fiscal year. Applications for the tax
4 credits shall be considered in the order received by the
5 department.

6 E. A taxpayer may claim an electric vehicle
7 charging unit corporate income tax credit for the taxable year
8 in which the taxpayer purchases and installs an electric
9 vehicle charging unit. To receive an electric vehicle charging
10 unit corporate income tax credit, a taxpayer shall apply to the
11 department on forms and in the manner prescribed by the
12 department; provided that a completed application shall
13 include:

14 (1) a receipt for the purchase of an electric
15 vehicle charging unit;

16 (2) a copy of the data sheet that specifies
17 the connector type, plug type, voltage and current of the
18 purchased electric vehicle charging unit; and

19 (3) a final and approved electrical inspection
20 document issued by the construction industries division of the
21 regulation and licensing department or other state-authorized
22 construction-permitting governmental entity.

23 F. That portion of an electric vehicle charging
24 unit corporate income tax credit that exceeds a taxpayer's
25 liability, pursuant to the Corporate Income and Franchise Tax

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1 Act, in the taxable year in which an electric vehicle charging
2 unit corporate income tax credit is claimed shall be refunded
3 to the taxpayer.

4 G. A taxpayer allowed a tax credit pursuant to this
5 section shall report the amount of the tax credit to the
6 department in a manner required by the department.

7 H. The department shall compile an annual report on
8 the electric vehicle charging unit corporate income tax credit
9 that shall include the number of taxpayers approved by the
10 department to receive the tax credit, the aggregate amount of
11 tax credits approved and any other information necessary to
12 evaluate the effectiveness of the tax credit. Beginning in
13 2019 and every five years thereafter that the tax credit is in
14 effect, the department shall compile and present the annual
15 reports to the revenue stabilization and tax policy committee
16 and the legislative finance committee with an analysis of the
17 effectiveness and cost of the tax credit and whether the tax
18 credit is performing the purpose for which it was created.

19 I. As used in this section, "electric vehicle
20 charging unit" means a wall-mounted or pedestal-style device
21 that:

22 (1) is used to provide electricity to an
23 electric vehicle;

24 (2) is designed to create a connection between
25 an electric grid and the electric vehicle;

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1 (3) communicates with the electric vehicle's
2 control system to ensure that electricity flows at an
3 appropriate voltage and current level; and

4 (4) is installed on nonresidential property
5 located in the state."

6 SECTION 4. Section 66-6-6.1 NMSA 1978 (being Laws 2001,
7 Chapter 282, Section 1, as amended) is amended to read:

8 "66-6-6.1. ADDITIONAL REGISTRATION FEE.--

9 A. For registration of vehicles subject to the
10 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
11 1978, there is imposed an additional fee of two dollars (\$2.00)
12 for each twelve-month period for which a vehicle with a gross
13 vehicle weight under twenty-six thousand pounds is registered.
14 Amounts collected pursuant to this ~~[section]~~ subsection are
15 appropriated to the department and may be expended in fiscal
16 year 2010 and subsequent fiscal years for the purposes of
17 enforcing the provisions of the Mandatory Financial
18 Responsibility Act and for creating and maintaining a
19 multilanguage noncommercial driver's license testing program.
20 After those purposes are met, the balance of the registration
21 fees collected pursuant to this section shall be used by the
22 department to defray the costs of operating the motor vehicle
23 division and for the purposes set forth in the provisions of
24 Subsection F of Section 66-6-13 NMSA 1978. At the end of a
25 fiscal year, unexpended and unencumbered balances of the

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1 amounts collected pursuant to this [~~section~~] subsection shall
2 not revert to the general fund.

3 B. For registration of vehicles subject to the
4 registration fees imposed by Section 66-6-2 NMSA 1978, there is
5 imposed an additional annual fee of thirty dollars (\$30.00) for
6 which an electric vehicle is registered. All fees collected
7 pursuant to this subsection shall be paid to the state
8 treasurer to the credit of the motor vehicle suspense fund with
9 distribution in accordance with Section 66-6-23 NMSA 1978. For
10 purposes of this subsection, "electric vehicle" means a motor
11 vehicle with four wheels that:

12 (1) is made by a manufacturer;

13 (2) is manufactured primarily for use on
14 public streets, roads or highways;

15 (3) has not been modified from the original
16 manufacturer specifications;

17 (4) is purchased or leased by a consumer from
18 a dealer for the first time after delivery from the
19 manufacturer to the dealer;

20 (5) is rated at not less than two thousand two
21 hundred pounds unloaded base weight and not more than eight
22 thousand five hundred pounds unloaded base weight;

23 (6) has a maximum speed capability of at least
24 sixty-five miles per hour; and

25 (7) is propelled to a significant extent by an

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1 electric motor that draws electricity from a battery that:

2 (a) has a capacity of not less than four
3 kilowatt-hours; and

4 (b) is capable of being recharged from
5 an external source of electricity."

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

8 "66-6-23. DISPOSITION OF FEES.--

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

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

16 (a) an amount equal to six dollars
17 (\$6.00) per driver's license and five dollars (\$5.00) per
18 identification card or motor vehicle or motorboat registration
19 or title transaction performed;

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

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

7 (c) to each military installation
8 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
9 1978, an amount equal to one dollar fifty cents (\$1.50) in
10 addition to the amount distributed pursuant to Subparagraph (a)
11 of this paragraph for each administrative service fee remitted
12 by the military installation to the department pursuant to
13 Subsection A of Section 66-2-16 NMSA 1978;

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

23 (3) to the state road fund:

24 (a) an amount equal to the fees
25 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA

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1 1978;

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

4 (c) the remainder of each driver's
5 license fee collected by the department employees from an
6 applicant to whom a license is granted after deducting from the
7 driver's license fee the amount of the distribution authorized
8 in Paragraph (1) of this subsection with respect to that
9 collected driver's license fee; ~~and~~

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

12 (e) an amount collected pursuant to
13 Subsection B of Section 66-6-6.1 NMSA 1978;

14 (4) to the local governments road fund, the
15 amount of the fees collected pursuant to Subsection B of
16 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
17 collected pursuant to Subsection A of Section 66-5-408 NMSA
18 1978;

19 (5) to the department:

20 (a) any amounts reimbursed to the
21 department pursuant to Subsection D of Section 66-2-14.1 NMSA
22 1978;

23 (b) an amount equal to two dollars
24 (\$2.00) of each motorcycle registration fee collected pursuant
25 to Section 66-6-1 NMSA 1978;

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1 (c) an amount equal to the fees provided
2 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E
3 of Section 66-2-16 NMSA 1978, Subsections K and L of Section
4 66-3-6 NMSA 1978 other than the administrative fee, Subsection
5 C of Section 66-5-44 NMSA 1978 and Subsection B of Section
6 66-5-408 NMSA 1978;

7 (d) the amounts due to the department
8 for the manufacture and issuance of a special registration
9 plate collected pursuant to the section of law authorizing the
10 issuance of the specialty plate;

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

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

23 (g) an amount equal to one dollar
24 twenty-five cents (\$.25) for each administrative fee collected
25 by the department or any of its agents other than a county or

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1 municipality operating a motor vehicle field office pursuant to
2 Subsection A of Section 66-2-16 NMSA 1978; and

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

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

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

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

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

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

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

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

14 (a) fifty cents (\$.50) of the tire
15 recycling fee collected pursuant to the provisions of Section
16 66-6-1 NMSA 1978;

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

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

23 (13) to the highway infrastructure fund:

24 (a) fifty cents (\$.50) of the tire
25 recycling fee collected pursuant to the provisions of Section

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1 66-6-1 NMSA 1978;

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

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

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

14 (15) to the litter control and beautification
15 fund, an amount equal to the fees collected pursuant to Section
16 66-6-6.2 NMSA 1978;

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

25 (17) to the Cumbres and Toltec scenic railroad

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

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

7 C. If any of the paragraphs, subsections or
8 sections referred to in Subsection A of this section are
9 recompiled or otherwise redesignated without a corresponding
10 change to Subsection A of this section, the reference in
11 Subsection A of this section shall be construed to be the
12 recompiled or redesignated paragraph, subsection or section."

13 SECTION 6. APPLICABILITY.--The provisions of this act
14 apply to taxable years beginning on or after January 1, 2014.

15 SECTION 7. EFFECTIVE DATE.--The effective date of the
16 provisions of Sections 4 and 5 of this act is January 1, 2016.