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HOUSE BILL 560

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

John A. Heaton

AN ACT

**RELATING TO MOTOR VEHICLES; PROVIDING FOR DISTRIBUTION OF TIRE
RECYCLING FEES; INCREASING TIRE RECYCLING FEES; MAKING AN
APPROPRIATION.**

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

**Section 1. Section 66-6-1 NMSA 1978 (being Laws 1978,
Chapter 35, Section 336, as amended) is amended to read:**

"66-6-1. MOTORCYCLES--REGISTRATION FEES.--

**A. For the registration of motorcycles, the
department shall collect the following fees for a twelve-month
registration period:**

**(1) for each motorcycle having not more than
two wheels in contact with the ground, eleven dollars
(\$11.00); and**

(2) for each motorcycle having three wheels

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1 in contact with the ground or having a sidecar, eleven dollars
2 (\$11.00).

3 B. In addition to other fees required by this
4 section, the department shall collect, for each motorcycle, an
5 annual tire recycling fee of [~~fifty cents (\$.50)~~] one dollar
6 (\$1.00) for a twelve-month registration period. "

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

9 "66-6-2. PASSENGER VEHICLES--REGISTRATION FEES. --For
10 registration of each motor vehicle other than motorcycles,
11 trucks, buses and tractors, the [~~division~~] department shall
12 collect the following fees for a twelve-month registration
13 period:

14 A. for a vehicle whose gross factory shipping
15 weight is not more than two thousand pounds, twenty dollars
16 (\$20.00); provided, however, that after five years of
17 registration, calculated from the date when the vehicle was
18 first registered in this or another state, the fee is sixteen
19 dollars (\$16.00);

20 B. for a vehicle whose gross factory shipping
21 weight is more than two thousand but not more than three
22 thousand pounds, twenty-nine dollars (\$29.00); provided,
23 however, that after five years of registration, calculated
24 from the date when the vehicle was first registered in this or
25 another state, the fee is twenty-three dollars (\$23.00);

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1 C. for a vehicle whose gross factory shipping
2 weight is more than three thousand pounds, forty-two dollars
3 (\$42.00); provided, however, that after five years of
4 registration, calculated from the date when the vehicle was
5 first registered in this or another state, the fee is
6 thirty-four dollars (\$34.00); and

7 D. [~~beginning July 1, 1994~~] for each vehicle
8 registered pursuant to the provisions of this section, a tire
9 recycling fee of [~~one dollar (\$1.00)~~] one dollar fifty cents
10 (\$1.50) for a twelve-month registration period. "

11 Section 3. Section 66-6-4 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 339, as amended by Laws 1994, Chapter 117,
13 Section 20 and also by Laws 1994, Chapter 126, Section 20) is
14 amended to read:

15 "66-6-4. REGISTRATION FEES--TRUCKS, TRUCK TRACTORS, ROAD
16 TRACTORS AND BUSES. --

17 A. Within their respective jurisdictions, the
18 motor vehicle and motor transportation divisions shall charge
19 registration fees for trucks, truck tractors, road tractors
20 and buses, except as otherwise provided by law, according to
21 the schedule of Subsection B of this section.

B. Declared Gross Weight	Fee
001 to 4,000	\$ 30
4,001 to 6,000	41
6,001 to 8,000	52

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1	8,001 to 10,000	63
2	10,001 to 12,000	74
3	12,001 to 14,000	85
4	14,001 to 16,000	96
5	16,001 to 18,000	107
6	18,001 to 20,000	118
7	20,001 to 22,000	129
8	22,001 to 24,000	140
9	24,001 to 26,000	151
10	26,001 to 48,000	88.50
11	48,001 and over	129.50.

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

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

22 E. All trucks with a gross vehicle weight of
23 twenty-six thousand pounds or less shall be registered on the
24 basis of gross vehicle weight. Any trailer, semitrailer or
25 pole trailer towed by a truck of such gross vehicle weight

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1 shall be classified as a utility trailer for registration
2 purposes unless otherwise provided by law.

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

13 G. In addition to other registration fees imposed
14 by this section, [~~beginning July 1, 1994~~] there is imposed at
15 the time of registration an annual tire recycling fee of [~~one~~
16 ~~dollar (\$1.00)~~] one dollar fifty cents (\$1.50) on each vehicle
17 subject to a registration fee pursuant to this section, except
18 for vehicles with a declared gross weight of greater than
19 twenty-six thousand pounds upon which registration fees are
20 imposed by Subsection B of this section.

21 H. Four percent of registration fees of trucks
22 having a declared gross weight from twenty-six thousand one
23 pounds to forty-eight thousand pounds declared gross vehicle
24 weight is to be transferred to the tire recycling fund
25 pursuant to the provisions of Section 66-6-23 NMSA 1978.

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1 I. Five percent of registration fees of trucks in
2 excess of forty-eight thousand pounds declared gross vehicle
3 weight is to be transferred to the tire recycling fund
4 pursuant to the provisions of Section 66-6-23 NMSA 1978. "

5 Section 4. Section 66-6-5 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 340, as amended by Laws 1994, Chapter 117,
7 Section 21 and also by Laws 1994, Chapter 126, Section 21) is
8 amended to read:

9 "66-6-5. BUS REGISTRATION FEES. --All buses shall pay the
10 registration fees provided in Section 66-6-4 NMSA 1978 except
11 for school buses and buses operated by religious or nonprofit
12 charitable organizations for the express purpose of the
13 organization, for which the annual registration fee is five
14 dollars (\$5.00). In addition to other registration fees
15 imposed by this section, [~~beginning July 1, 1994~~] there is
16 imposed at the time of registration an annual tire recycling
17 fee of [~~twenty-five cents (\$.25)~~] fifty cents (\$.50) per wheel
18 that is in contact with the ground on each vehicle subject to
19 a registration fee pursuant to this section. "

20 Section 5. Section 66-6-8 NMSA 1978 (being Laws 1978,
21 Chapter 35, Section 343, as amended by Laws 1994, Chapter 117,
22 Section 22 and also by Laws 1994, Chapter 126, Section 22) is
23 amended to read:

24 "66-6-8. BUS REGISTRATION--AGRICULTURAL LABOR FEES. --

25 A. Any bus having a normal seating capacity of

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1 forty passengers or less and that is used exclusively for the
2 transportation of agricultural laborers may be registered upon
3 payment to the [~~division~~] department of a fee of twenty-five
4 dollars (\$25.00).

5 B. In addition to the registration fee imposed by
6 this section, there is imposed at the time of registration an
7 annual tire recycling fee of [~~twenty-five cents (\$.25)~~] fifty
8 cents (\$.50) per wheel that is in contact with the ground on
9 each vehicle subject to a registration fee pursuant to this
10 section.

11 C. Application for registration of a bus under
12 this section shall be made in the form prescribed by the
13 [~~division~~] department and shall be accompanied by an affidavit
14 that the bus will be used exclusively for the transportation
15 of agricultural laborers. Upon registration, the bus is
16 exempt from tariff-filing requirements of the [~~state~~
17 corporation] public regulation commission. "

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

20 "66-6-23. DISPOSITION OF FEES. --

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

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

3 (a) an amount equal to six dollars
4 (\$6.00) per driver's license and three dollars (\$3.00) per
5 identification card or motor vehicle or motorboat registration
6 or title transaction performed; and

7 (b) for each such agent determined by
8 the secretary pursuant to [øf] Section 66-2-16 NMSA 1978 to
9 have performed ten thousand or more transactions in the
10 preceding fiscal year, other than a class A county with a
11 population exceeding three hundred thousand or any
12 municipality with a population exceeding three hundred
13 thousand that has been designated as an agent pursuant to
14 Section 66-2-14.1 NMSA 1978, an amount equal to one dollar
15 (\$1.00) in addition to the amount distributed pursuant to
16 Subparagraph (a) of this paragraph for each driver's license,
17 identification card, motor vehicle registration, motorboat
18 registration or title transaction performed;

19 (2) to each municipality or county, other
20 than a class A county with a population exceeding three
21 hundred thousand or a municipality with a population exceeding
22 three hundred thousand designated as an agent pursuant to
23 Section 66-2-14.1 NMSA 1978, operating a motor vehicle field
24 office, an amount equal to fifty cents (\$.50) for each
25 administrative service fee remitted by that county or

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1 municipality to the department pursuant to the provisions of
2 Subsection A of Section 66-2-16 NMSA 1978;

3 (3) to the state road fund:

4 (a) an amount equal to the fee
5 collected pursuant to Section 66-3-417 NMSA 1978;

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

12 (c) an amount equal to fifty percent of
13 the fees collected pursuant to Section 66-6-19 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 C 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
2 provided for in Subsection D of Section 66-2-7 NMSA 1978,
3 Subsection E of Section 66-2-16 NMSA 1978, Subsections J and K
4 of Section 66-3-6 NMSA 1978 other than the administrative fee,
5 Subsection C of Section 66-5-44 NMSA 1978 and Subsection B of
6 Section 66-5-408 NMSA 1978; and

7 (d) the amounts due to the department
8 pursuant to Paragraph (1) of Subsection E of Section 66-3-419
9 NMSA 1978, Subsection E of Section 66-3-422 NMSA 1978 and
10 Subsection E of Section 66-3-423 NMSA 1978;

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

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

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

24 (9) to the state highway and transportation
25 department, an amount equal to the fees collected pursuant to

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1 Section 66-5-35 NMSA 1978;

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

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

10 (12) [~~to the highway infrastructure fund, all~~
11 ~~tire recycling fees collected pursuant to the provisions of~~
12 ~~Sections 66-6-1, 66-6-2, 66-6-4, 66-6-5 and 66-6-8 NMSA 1978]~~
13 to the tire recycling fund, fifty cents (\$.50) and to the
14 highway infrastructure fund, fifty cents (\$.50) of each of the
15 tire recycling fees collected pursuant to the provisions of
16 Section 66-6-1 NMSA 1978; to the tire recycling fund, fifty
17 cents (\$.50) and to the highway infrastructure fund, one
18 dollar (\$1.00) of each of the tire recycling fees collected
19 pursuant to Section 66-6-2 NMSA 1978; to the tire recycling
20 fund, fifty cents (\$.50) and to the highway infrastructure
21 fund, one dollar (\$1.00) of each of the tire recycling fees
22 collected pursuant to Section 66-6-4 NMSA 1978; and to the
23 tire recycling fund, twenty-five cents (\$.25) and to the
24 highway infrastructure fund, twenty-five cents (\$.25) of each
25 of the tire recycling fees collected pursuant to Sections

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1 66-6-5 and 66-6-8 NMSA 1978;

2 (13) to each county, an amount equal to fifty
3 percent of the fees collected pursuant to Section
4 66-6-19 NMSA 1978 multiplied by a fraction, the numerator of
5 which is the total mileage of public roads maintained by the
6 county and the denominator of which is the total mileage of
7 public roads maintained by all counties in the state; and

8 (14) to the litter control and beautification
9 fund, an amount equal to the fees collected pursuant to
10 Section 67-16-14 NMSA 1978.

11 B. The balance, exclusive of unidentified
12 remittances, shall be distributed in accordance with Section
13 66-6-23.1 NMSA 1978.

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

20 Section 7. EFFECTIVE DATE. -- The effective date of the
21 provisions of this act is July 1, 2001.