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HOUSE BILL 244

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR A STANDARDIZED  
SPECIAL VEHICLE REGISTRATION PLATE WITH A LOGO FOR THE CUMBRES  
AND TOLTEC SCENIC RAILROAD; RECONCILING MULTIPLE AMENDMENTS TO  
THE SAME SECTION OF LAW IN LAWS 2005; MAKING AN APPROPRIATION.

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

Section 1. A new section of the Motor Vehicle Code is  
enacted to read:

"[NEW MATERIAL] CUMBRES AND TOLTEC SCENIC RAILROAD SPECIAL  
REGISTRATION PLATE--PROCEDURES--FEE.--

A. The division shall establish and issue a  
standardized special registration plate with a logo specified  
in Section 66-3-424 NMSA 1978, featuring artwork related to the  
Cumbres and Toltec scenic railroad. The division shall adopt  
procedures for application for and issuance of the special

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1 Cumbres and Toltec scenic railroad registration plate with a  
2 logo.

3 B. The division, in consultation with the Cumbres  
4 and Toltec scenic railroad commission, shall determine the  
5 color and design of the special Cumbres and Toltec scenic  
6 railroad registration logo, and the division shall provide for  
7 its issuance.

8 C. For a fee of forty dollars (\$40.00), which shall  
9 be in addition to the regular motor vehicle registration fees,  
10 any owner of a motor vehicle may apply for the issuance of a  
11 Cumbres and Toltec scenic railroad registration plate. The  
12 owner of a motor vehicle shall apply and pay a fee each year  
13 that the owner wishes to retain and renew the Cumbres and  
14 Toltec scenic railroad registration plate.

15 D. The revenue from the special Cumbres and Toltec  
16 scenic railroad registration plates shall be distributed as  
17 follows:

18 (1) fifteen dollars (\$15.00) of the fee  
19 collected the first year a special Cumbres and Toltec scenic  
20 railroad registration plate is issued shall be retained by the  
21 division and is appropriated to the division for the  
22 manufacture and issuance of the registration plates.

23 Thereafter, that amount of each fee shall be paid to the state  
24 treasurer for credit to the motor vehicle suspense fund for  
25 distribution in accordance with Section 66-6-23 NMSA 1978; and

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1                   (2) twenty-five dollars (\$25.00) of the fee  
2 collected for each registration plate shall be distributed to  
3 the Cumbres and Toltec scenic railroad commission."

4                   Section 2. Section 66-6-23 NMSA 1978 (being Laws 1978,  
5 Chapter 35, Section 358, as amended by Laws 2005, Chapter 20,  
6 Section 3 and by Laws 2005, Chapter 171, Section 21) is amended  
7 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; and

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;

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

16 (3) to the state road fund:

17 (a) an amount equal to the fees  
18 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA  
19 1978;

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

22 (c) the remainder of each driver's  
23 license fee collected by the department employees from an  
24 applicant to whom a license is granted after deducting from the  
25 driver's license fee the amount of the distribution authorized

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1 in Paragraph (1) of this subsection with respect to that  
2 collected driver's license fee; and

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

5 (4) to the local governments road fund, the  
6 amount of the fees collected pursuant to Subsection B of  
7 Section 66-5-33.1 NMSA 1978 and the remainder of the fees  
8 collected pursuant to Subsection A of Section 66-5-408 NMSA  
9 1978;

10 (5) to the department:

11 (a) any amounts reimbursed to the  
12 department pursuant to Subsection C of Section 66-2-14.1 NMSA  
13 1978;

14 (b) an amount equal to two dollars  
15 (\$2.00) of each motorcycle registration fee collected pursuant  
16 to Section 66-6-1 NMSA 1978;

17 (c) an amount equal to the fees provided  
18 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E  
19 of Section 66-2-16 NMSA 1978, Subsections J and K of Section  
20 66-3-6 NMSA 1978 other than the administrative fee, Subsection  
21 C of Section 66-5-44 NMSA 1978 and Subsection B of Section  
22 66-5-408 NMSA 1978;

23 (d) the amounts due to the department  
24 for the manufacture and issuance of a special registration  
25 plate collected pursuant to the section of law authorizing the

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1 issuance of the specialty plate;

2 (e) an amount equal to the registration  
3 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the  
4 purposes of enforcing the provisions of the Mandatory Financial  
5 Responsibility Act and for creating and maintaining a  
6 multilanguage noncommercial driver's license testing program;  
7 and after those purposes are met, the balance of the  
8 registration fees shall be distributed to the department to  
9 defray the costs of operating the motor vehicle division;

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

14 (g) an amount equal to one dollar  
15 twenty-five cents (\$.25) for each administrative fee collected  
16 by the department or any of its agents other than a county or  
17 municipality operating a motor vehicle field office pursuant to  
18 Subsection A of Section 66-2-16 NMSA 1978; and

19 (h) an amount equal to the royalties or  
20 other consideration paid by commercial users of databases of  
21 motor vehicle-related records of the department pursuant to  
22 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of  
23 defraying the costs of maintaining databases of motor vehicle-  
24 related records of the department; and after that purpose is  
25 met, the balance of the royalties and other consideration shall

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1 be distributed to the department to defray the costs of  
2 operating the motor vehicle division;

3 (6) to each New Mexico institution of higher  
4 education, an amount equal to that part of the fees distributed  
5 pursuant to Paragraph (2) of Subsection D of Section 66-3-416  
6 NMSA 1978 proportionate to the number of special registration  
7 plates issued in the name of the institution to all such  
8 special registration plates issued in the name of all  
9 institutions;

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

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

16 (9) to the department of transportation, an  
17 amount equal to the fees collected pursuant to Section  
18 66-5-35 NMSA 1978;

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

24 (11) to the motorcycle training fund, two  
25 dollars (\$2.00) of each motorcycle registration fee collected

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1 pursuant to Section 66-6-1 NMSA 1978;

2 (12) to the recycling and illegal dumping  
3 fund:

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

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

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

13 (13) to the highway infrastructure 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) one dollar (\$1.00) 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 (14) to each county, an amount equal to fifty  
24 percent of the fees collected pursuant to Section 66-6-19 NMSA  
25 1978 multiplied by a fraction, the numerator of which is the  
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1 total mileage of public roads maintained by the county and the  
2 denominator of which is the total mileage of public roads  
3 maintained by all counties in the state;

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

7 (16) to the local government division of the  
8 department of finance and administration, an amount equal to  
9 the fees collected pursuant to Section 66-3-424.3 NMSA 1978 for  
10 distribution to each county to support animal control spaying  
11 and neutering programs in an amount proportionate to the number  
12 of residents of that county who have purchased pet care special  
13 registration plates pursuant to Section 66-3-424.3 NMSA 1978;  
14 and

15 (17) to the Cumbres and Toltec scenic railroad  
16 commission, twenty-five dollars (\$25.00) collected pursuant to  
17 the Cumbres and Toltec scenic railroad special registration  
18 plate.

19 B. The balance, exclusive of unidentified  
20 remittances, shall be distributed in accordance with Section  
21 66-6-23.1 NMSA 1978.

22 C. If any of the paragraphs, subsections or  
23 sections referred to in Subsection A of this section are  
24 recompiled or otherwise redesignated without a corresponding  
25 change to Subsection A of this section, the reference in

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1 Subsection A of this section shall be construed to be the  
2 recompiled or redesignated paragraph, subsection or section."

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