

HOUSE TAXATION AND REVENUE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 636

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO TRANSPORTATION; IMPOSING A MOTOR VEHICLE  
REGISTRATION SURCHARGE; PROVIDING FOR A DISTRIBUTION TO THE  
STATE ROAD FUND; MAKING AN APPROPRIATION.

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

Section 1. Section 66-6-2 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 337, as amended) is amended to read:

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

A. for a vehicle whose gross factory shipping  
weight is not more than two thousand pounds:

(1) a registration fee of twenty-seven dollars

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1 (\$27.00); provided, however, that after five years of  
2 registration, calculated from the date when the vehicle was  
3 first registered in this or another state, the fee is twenty-  
4 one dollars (\$21.00); and

5 (2) a registration surcharge of seven dollars  
6 fifty cents (\$7.50);

7 B. for a vehicle whose gross factory shipping  
8 weight is more than two thousand but not more than three  
9 thousand pounds:

10 (1) a registration fee of thirty-nine dollars  
11 (\$39.00); provided, however, that after five years of  
12 registration, calculated from the date when the vehicle was  
13 first registered in this or another state, the fee is thirty-  
14 one dollars (\$31.00); and

15 (2) a registration surcharge of ten dollars  
16 (\$10.00);

17 C. for a vehicle whose gross factory shipping  
18 weight is more than three thousand pounds:

19 (1) a registration fee of fifty-six dollars  
20 (\$56.00); provided, however, that after five years of  
21 registration, calculated from the date when the vehicle was  
22 first registered in this or another state, the fee is forty-  
23 five dollars (\$45.00); and

24 (2) a registration surcharge of twenty-eight  
25 dollars fifty cents (\$28.50); and

1 D. for a vehicle registered pursuant to the  
 2 provisions of this section, a tire recycling fee of one dollar  
 3 fifty cents (\$1.50)."

4 Section 2. Section 66-6-4 NMSA 1978 (being Laws 1978,  
 5 Chapter 35, Section 339, as amended) is amended to read:

6 "66-6-4. REGISTRATION FEES AND SURCHARGES--TRUCKS, TRUCK  
 7 TRACTORS, ROAD TRACTORS AND BUSES.--

8 A. Within their respective jurisdictions, the motor  
 9 vehicle division and the motor transportation division of the  
 10 department of public safety shall charge registration fees and  
 11 surcharges for trucks, truck tractors, road tractors and buses,  
 12 except as otherwise provided by law, according to the  
 13 [~~schedule~~] schedules of [~~Subsection~~] Subsections B and C of  
 14 this section.

| B. Declared Gross Weight | Fee  |
|--------------------------|------|
| 001 to 4,000             | \$40 |
| 4,001 to 6,000           | 55   |
| 6,001 to 8,000           | 69   |
| 8,001 to 10,000          | 84   |
| 10,001 to 12,000         | 99   |
| 12,001 to 14,000         | 113  |
| 14,001 to 16,000         | 128  |
| 16,001 to 18,000         | 143  |
| 18,001 to 20,000         | 157  |
| 20,001 to 22,000         | 172  |

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|    |                                 |                  |
|----|---------------------------------|------------------|
| 1  | 22,001 to 24,000                | 187              |
| 2  | 24,001 to 26,000                | 201              |
| 3  | 26,001 to 48,000                | 118              |
| 4  | 48,001 and over                 | 172.             |
| 5  | <u>C. Declared Gross Weight</u> | <u>Surcharge</u> |
| 6  | <u>001 to 4,000</u>             | <u>\$28</u>      |
| 7  | <u>4,001 to 6,000</u>           | <u>40</u>        |
| 8  | <u>6,001 to 8,000</u>           | <u>52.50</u>     |
| 9  | <u>8,001 to 10,000</u>          | <u>64</u>        |
| 10 | <u>10,001 to 12,000</u>         | <u>76</u>        |
| 11 | <u>12,001 to 14,000</u>         | <u>91.50</u>     |
| 12 | <u>14,001 to 16,000</u>         | <u>96.50</u>     |
| 13 | <u>16,001 to 18,000</u>         | <u>110.50</u>    |
| 14 | <u>18,001 to 20,000</u>         | <u>118.50</u>    |
| 15 | <u>20,001 to 22,000</u>         | <u>122.50</u>    |
| 16 | <u>22,001 to 24,000</u>         | <u>133</u>       |
| 17 | <u>24,001 to 26,000</u>         | <u>147</u>       |
| 18 | <u>26,001 to 48,000</u>         | <u>162.50</u>    |
| 19 | <u>48,001 and over</u>          | <u>200.</u>      |

20 ~~[G.]~~ D. All trucks whose declared gross weight or  
21 whose gross vehicle weight is less than twenty-six thousand  
22 pounds, after five years of registration, calculated from the  
23 date when the vehicle was first registered in this or another  
24 state, shall be charged registration fees at eighty percent of  
25 the rate set out in Subsection B of this section.

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1           ~~[D.]~~ E. All trucks with a gross vehicle weight of  
2 more than twenty-six thousand pounds and all truck tractors and  
3 road tractors used to tow freight trailers shall be registered  
4 on the basis of gross combination vehicle weight.

5           ~~[E.]~~ F. All trucks with a gross vehicle weight of  
6 twenty-six thousand pounds or less shall be registered on the  
7 basis of gross vehicle weight. A trailer, semitrailer or pole  
8 trailer towed by a truck of such gross vehicle weight shall be  
9 classified as a utility trailer for registration purposes  
10 unless otherwise provided by law.

11           ~~[F.]~~ G. All farm vehicles having a declared gross  
12 weight of more than six thousand pounds shall be charged  
13 registration fees of two-thirds of the rate of the respective  
14 fees provided in Subsection B of this section and shall be  
15 issued distinctive registration plates. "Farm vehicle" means a  
16 vehicle owned by a person whose principal occupation is farming  
17 or ranching and which vehicle is used principally in the  
18 transportation of farm and ranch products to market and farm  
19 and ranch supplies and livestock from the place of purchase to  
20 farms and ranches in this state; provided that the vehicle is  
21 not used for hire.

22           ~~[G.]~~ H. In addition to other registration fees  
23 imposed by this section, beginning July 1, 1994, an annual tire  
24 recycling fee of one dollar fifty cents (\$1.50) is imposed at  
25 the time of registration on each vehicle subject to a

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1 registration fee pursuant to this section, except for vehicles  
2 with a declared gross weight of greater than twenty-six  
3 thousand pounds upon which registration fees are imposed by  
4 Subsection B of this section.

5 ~~[H.]~~ I. Three percent of registration fees ~~[of]~~  
6 imposed by Subsection B of this section on trucks having from  
7 twenty-six thousand one pounds to forty-eight thousand pounds  
8 declared gross vehicle weight is to be transferred to the  
9 recycling and illegal dumping fund pursuant to the provisions  
10 of Section 66-6-23 NMSA 1978.

11 ~~[I.]~~ J. Three and seventy-five hundredths percent  
12 of registration fees ~~[of]~~ imposed by Subsection B of this  
13 section on trucks in excess of forty-eight thousand pounds  
14 declared gross vehicle weight is to be transferred to the  
15 recycling and illegal dumping fund pursuant to the provisions  
16 of Section 66-6-23 NMSA 1978."

17 Section 3. Section 66-6-23 NMSA 1978 (being Laws 1978,  
18 Chapter 35, Section 358, as amended) is amended to read:

19 "66-6-23. DISPOSITION OF FEES.--

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

25 (1) to each municipality, county or fee agent

1 operating a motor vehicle field office:

2 (a) an amount equal to six dollars  
3 (\$6.00) per driver's license and five dollars (\$5.00) per  
4 identification card or motor vehicle or motorboat registration  
5 or title transaction performed; and

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

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

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1 Subsection A of Section 66-2-16 NMSA 1978;

2 (3) to the state road fund:

3 (a) an amount equal to the fees  
4 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA  
5 1978;

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

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

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

16 (e) an amount equal to the registration  
17 surcharges collected pursuant to Sections 66-6-2 and 66-6-4  
18 NMSA 1978, which shall be used for maintenance of state  
19 highways, as approved by the legislature through the budget  
20 process;

21 (4) to the local governments road fund, the  
22 amount of the fees collected pursuant to Subsection B of  
23 Section 66-5-33.1 NMSA 1978 and the remainder of the fees  
24 collected pursuant to Subsection A of Section 66-5-408 NMSA  
25 1978;

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1 (5) to the department:

2 (a) any amounts reimbursed to the  
3 department pursuant to Subsection C of Section 66-2-14.1 NMSA  
4 1978;

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

8 (c) an amount equal to the fees provided  
9 for in Subsection D of Section 66-2-7 NMSA 1978, Subsection E  
10 of Section 66-2-16 NMSA 1978, Subsections [~~J and~~] K and L of  
11 Section 66-3-6 NMSA 1978 other than the administrative fee,  
12 Subsection C of Section 66-5-44 NMSA 1978 and Subsection B of  
13 Section 66-5-408 NMSA 1978;

14 (d) the amounts due to the department  
15 for the manufacture and issuance of a special registration  
16 plate collected pursuant to the section of law authorizing the  
17 issuance of the specialty plate;

18 (e) an amount equal to the registration  
19 fees collected pursuant to Section 66-6-6.1 NMSA 1978 for the  
20 purposes of enforcing the provisions of the Mandatory Financial  
21 Responsibility Act and for creating and maintaining a  
22 multilanguage noncommercial driver's license testing program;  
23 and after those purposes are met, the balance of the  
24 registration fees shall be distributed to the department to  
25 defray the costs of operating the motor vehicle division;

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

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

10 (h) an amount equal to the royalties or  
11 other consideration paid by commercial users of databases of  
12 motor vehicle-related records of the department pursuant to  
13 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of  
14 defraying the costs of maintaining databases of motor vehicle-  
15 related records of the department; and after that purpose is  
16 met, the balance of the royalties and other consideration shall  
17 be distributed to the department to defray the costs of  
18 operating the motor vehicle division;

19 (6) to each New Mexico institution of higher  
20 education, an amount equal to that part of the fees distributed  
21 pursuant to Paragraph (2) of Subsection D of Section 66-3-416  
22 NMSA 1978 proportionate to the number of special registration  
23 plates issued in the name of the institution to all such  
24 special registration plates issued in the name of all  
25 institutions;

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

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

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

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

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

18 (12) to the recycling and illegal dumping  
19 fund:

20 (a) fifty cents (\$.50) of the tire  
21 recycling fee collected pursuant to the provisions of Section  
22 66-6-1 NMSA 1978;

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

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

4 (13) to the highway infrastructure fund:

5 (a) fifty cents (\$.50) of the tire  
6 recycling fee collected pursuant to the provisions of Section  
7 66-6-1 NMSA 1978;

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

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

14 (14) to each county, an amount equal to fifty  
15 percent of the fees collected pursuant to Section 66-6-19 NMSA  
16 1978 multiplied by a fraction, the numerator of which is the  
17 total mileage of public roads maintained by the county and the  
18 denominator of which is the total mileage of public roads  
19 maintained by all counties in the state;

20 (15) to the litter control and beautification  
21 fund, an amount equal to the fees collected pursuant to Section  
22 66-6-6.2 NMSA 1978;

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

6 (17) to the Cumbres and Toltec scenic railroad  
7 commission, twenty-five dollars (\$25.00) collected pursuant to  
8 the Cumbres and Toltec scenic railroad special registration  
9 plate.

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

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

19 Section 5. EFFECTIVE DATE.--The effective date of the  
20 provisions of this act is July 1, 2009.