

AN ACT

RELATING TO MOTOR VEHICLES; COMPLYING WITH A REGISTRATION  
RECIPROCITY AGREEMENT PROVIDING FOR PAYMENT OF APPORTIONABLE  
FEES ON THE BASIS OF TOTAL DISTANCE OPERATED.

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

**SECTION 1.** Section 66-1-4.9 NMSA 1978 (being Laws 1990,  
Chapter 120, Section 10, as amended) is amended to read:

"66-1-4.9. DEFINITIONS.--As used in the Motor Vehicle  
Code:

A. "implement of husbandry" means every vehicle  
that is designed for agricultural purposes and exclusively  
used by the owner in the conduct of agricultural operations;

B. "international registration plan" means the  
registration reciprocity agreement among the contiguous states  
of the United States, the District of Columbia and provinces  
of Canada providing for payment of apportionable fees on the  
basis of total distance operated in all jurisdictions. The  
international registration plan is a method of registering  
fleets of vehicles that travel in two or more member  
jurisdictions and complies with the federal Intermodal Surface  
Transportation and Efficiency Act of 1991;

C. "intersection" means:

(1) the area embraced within the  
prolongation or connection of the lateral curb lines or, if

none, then the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; and

(2) where a highway includes two roadways thirty feet or more apart, every crossing of each roadway of that divided highway by an intersecting highway shall be regarded as a separate intersection; in the event that the intersecting highway also includes two roadways thirty feet or more apart, every crossing of two roadways of those highways shall be regarded as a separate intersection;

D. "inventory", when referring to a vehicle dealer, means a vehicle held for sale or lease in the ordinary course of business, the cost of which is used in calculating the dealer's cost of goods sold for federal income tax purposes; and

E. "jurisdiction", without modification, means "state".

**SECTION 2.** Section 66-3-1.1 NMSA 1978 (being Laws 1978, Chapter 18, Section 1, as amended) is amended to read:

"66-3-1.1. MOTOR CARRIERS REQUIRED TO REGISTER WITH THE DEPARTMENT.--

A. All motor carriers desiring and eligible for annual registration provisions relating to the international

registration plan shall register their vehicles with the department. The department shall register all motor carriers who satisfy all New Mexico requirements relating to motor carriers, but may refuse to register any vehicle subject to the federal heavy vehicle use tax imposed by Section 4481 of the United States Internal Revenue Code of 1986 without proof of payment of such tax in the form prescribed by the secretary of the treasury of the United States. Registration of motor carrier vehicles with the department shall remain in force during the calendar registration year as specified in Section 66-3-2.1 NMSA 1978 unless suspended or canceled by the department for noncompliance with any New Mexico motor vehicle or motor carrier requirements.

B. In addition to the provisions of Subsection A of this section, motor carriers operating vehicles subject to the weight distance tax pursuant to the Weight Distance Tax Act or vehicles subject to special fuel user permit requirements pursuant to the Special Fuels Supplier Tax Act shall apply for a tax identification permit."

**SECTION 3.** Section 66-3-1.2 NMSA 1978 (being Laws 1972, Chapter 7, Section 50, as amended) is amended to read:

"66-3-1.2. REGISTRATION--DECLARED GROSS WEIGHT.--Except as otherwise provided by law, the division shall register each truck, truck tractor, road tractor and bus required to be registered under the international registration plan or

reciprocal agreements with other jurisdictions for a declared gross weight not to exceed the legal limitation established by this state."

**SECTION 4.** Section 66-3-2.1 NMSA 1978 (being Laws 1978, Chapter 17, Section 1, as amended) is amended to read:

"66-3-2.1. FULL RECIPROCITY REGISTRATION--APPLICATION--FEE--FORMULA--PAYMENT.--

A. Any owner, except an owner of a one-way rental fleet, may, in lieu of registration of vehicles under the provisions of Sections 66-6-3 and 66-6-4 NMSA 1978, register for operation in this state by filing an application with the division that shall contain the following information and such other information pertinent to vehicle registration as the division may require:

(1) total miles, which is the total number of miles operated in all jurisdictions during the required reporting period by the motor vehicles in the fleet during that year; and

(2) a description and identification of each motor vehicle of the fleet that is to be operated in this state during the registration year for which international registration plan registration is requested.

B. The application for each carrier shall be supported, at the time and in the manner required by the division, by a fee payment computed as follows:

(1) divide the sum of in-state miles by total international registration plan registered vehicle miles;

(2) determine the total amount necessary under Sections 66-6-3 and 66-6-4 NMSA 1978 to register each vehicle for which international registration plan registration is requested, based on the regular annual fees or applicable fees for the unexpired portion of the registration year; and

(3) multiply the sum obtained under Paragraph (2) of this subsection by the fraction obtained under Paragraph (1) of this subsection."

**SECTION 5.** Section 66-3-2.2 NMSA 1978 (being Laws 1972, Chapter 7, Section 34, as amended) is amended to read:

"66-3-2.2. REGISTRATION AND IDENTIFICATION OF VEHICLES REGISTERED UNDER THE INTERNATIONAL REGISTRATION PLAN--FEE--EFFECT OF REGISTRATION.--

A. The division shall register the vehicles so described and identified in an application and may issue a registration plate or a distinctive sticker or other suitable identification device for each vehicle described in the application upon payment of the appropriate fees for the application. The registration card shall bear upon its face information required by the division to identify it as a qualified registered vehicle under the international registration plan and other information required by law and

regulation and shall be carried in the vehicle at all times.

B. Vehicles so registered and identified shall be deemed to be fully registered in this state for any type of movement or operation, provided that all other state requirements have been met."

**SECTION 6.** Section 66-3-2.3 NMSA 1978 (being Laws 1972, Chapter 7, Section 35, as amended) is amended to read:

"66-3-2.3. FULL RECIPROCITY REGISTRATION-- JURISDICTIONS.--The right to the privileges and benefits of registration under the international registration plan extended by Sections 66-3-2.1 through 66-3-2.10 NMSA 1978 or by any contract, agreement or declaration made accordingly shall be subject to the condition that each vehicle registered in this state shall also be properly registered in all other jurisdictions during the registration period."

**SECTION 7.** Section 66-3-2.4 NMSA 1978 (being Laws 1972, Chapter 7, Section 36) is amended to read:

"66-3-2.4. REGISTRATION OF ADDITIONAL MOTOR VEHICLES.-- Motor vehicles acquired by the owner after the commencement of the registration year shall be proportionally registered by applying the "New Mexico mileage percentage", which is the figure resulting from the division of in-state miles by total fleet miles used in the original application, for all of the fleet vehicles for the registration period to the regular registration fees due with respect to the added motor vehicles

for the remainder of the registration year. The registration fee for additional motor vehicles shall be prorated on a quarterly basis."

**SECTION 8.** Section 66-3-2.5 NMSA 1978 (being Laws 1972, Chapter 7, Section 37, as amended) is amended to read:

"66-3-2.5. WITHDRAWAL OF FLEET MOTOR VEHICLES--NOTIFICATION--SURRENDER OF DOCUMENTS.--If any motor vehicle is withdrawn from a full reciprocity registered fleet during the period for which it is registered in this state, the owner of the fleet shall notify the division on forms it has prescribed. The division shall require the owner to surrender registration cards and other identification devices that have been issued with respect to the motor vehicle."

**SECTION 9.** Section 66-3-2.6 NMSA 1978 (being Laws 1972, Chapter 7, Section 38, as amended) is amended to read:

"66-3-2.6. PRESERVATION OF INTERNATIONAL REGISTRATION PLAN RECORDS--AUDIT.--Any owner whose application for registration under the international registration plan has been accepted shall preserve the records on which the application is based either for a period of four years following the year or period upon which the application is based or for any other period required by the state that is considered to be the base state of the vehicle under the terms of a multistate agreement on registration of vehicles to which this state is a party. Upon request of the division, the

owner shall make the records available to the division at the owner's office for audit as to accuracy of computation and payments. If the owner maintains and keeps the owner's records, books or papers at any place outside of the state, the director or the director's authorized agent may examine them at the place where they are kept. The division may make arrangements with agencies of other jurisdictions administering motor vehicle laws for joint audits of any such owners."

**SECTION 10.** Section 66-3-2.7 NMSA 1978 (being Laws 1972, Chapter 7, Section 39, as amended) is amended to read:

"66-3-2.7. NEW REGISTRANT--ESTIMATED MILEAGE.--When a registrant's fleet is considered new under the international registration plan, fees shall be calculated using New Mexico's average per vehicle distance chart. A new registrant shall be registered in all international registration plan jurisdictions."

**SECTION 11.** Section 66-3-2.8 NMSA 1978 (being Laws 1972, Chapter 7, Section 40, as amended) is amended to read:

"66-3-2.8. FLEET REGISTRATION--DENIAL.--The division may refuse to accept full reciprocity registration applications for the registration of vehicles based in another jurisdiction if the division finds that the other jurisdiction does not grant similar registration privileges to fleet vehicles based in or owned by residents of this state."



**SECTION 12.** Section 66-3-2.9 NMSA 1978 (being Laws 1972, Chapter 7, Section 41) is amended to read:

"66-3-2.9. RELATIONSHIP TO OTHER STATE LAWS.--The provisions of Sections 66-3-2.1 through 66-3-2.10 NMSA 1978 constitute complete authority for the registration of fleet vehicles without reference to or application of any other statutes of this state except as expressly provided in the Motor Transportation Act."

**SECTION 13.** Section 66-3-2.10 NMSA 1978 (being Laws 1972, Chapter 7, Section 42, as amended) is amended to read:

"66-3-2.10. REGISTRATION UNDER THE INTERNATIONAL REGISTRATION PLAN NOT EXCLUSIVE.--Nothing contained in the Motor Transportation Act relating to the full reciprocity registration of fleet vehicles shall be construed as requiring any vehicle to be registered pursuant to the international registration plan if it is otherwise registered in this state for the operation in which it is engaged, including, but not by way of limitation, registration, temporary registration permit or trip permit."

**SECTION 14.** Section 66-3-20 NMSA 1978 (being Laws 1978, Chapter 35, Section 40, as amended) is amended to read:

"66-3-20. RENEWAL OF REGISTRATION--VEHICLES REGISTERED BY DECLARED GROSS WEIGHT.--All motor vehicles registered by declared gross weight, including vehicles subject to the international registration plan or registration under

reciprocal agreement with another state, shall be registered with the department on a staggered basis and that registration shall expire at the end of the twelve-month registration period."

**SECTION 15.** EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2015. \_\_\_\_\_