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SENATE BILL

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Leo Jaramillo

AN ACT

RELATING TO TRANSPORTATION; PROVIDING THAT FEES IMPOSED BY THE
FEDERAL UNIFIED CARRIER REGISTRATION ACT OF 2005 SHALL BE
DEPOSITED IN THE MOTOR TRANSPORTATION FEE FUND; MAKING AN
APPROPRIATION.

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

SECTION 1. Section 65-2A-16 NMSA 1978 (being Laws 2003,
Chapter 359, Section 16, as amended by Laws 2013, Chapter 73,
Section 15 and by Laws 2013, Chapter 77, Section 15) is amended
to read:

"65-2A-16. INTERSTATE MOTOR CARRIERS.--

A. Foreign and domestic motor carriers, motor
private carriers, leasing companies, brokers and freight
forwarders shall not operate in interstate commerce in this
state without first registering with a base state and paying

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1 all fees as required under the federal Unified Carrier
2 Registration Act of 2005. The commission is authorized to
3 register applicants and collect all fees without notice or a
4 public hearing.

5 B. The commission is authorized to follow rules and
6 collect fee assessments set by the federal secretary of
7 transportation from foreign and domestic motor carriers, motor
8 private carriers, leasing companies, brokers and freight
9 forwarders and do all things necessary to enable New Mexico to
10 participate in the federal unified carrier registration system
11 pursuant to the federal Unified Carrier Registration Act of
12 2005, including the collection of an equal amount of revenue as
13 was collected by the commission in the last registration year
14 under Section 4005 of the federal Intermodal Surface
15 Transportation Efficiency Act of 1991 and the collection of an
16 equal amount of revenue annually from all other sources allowed
17 under the federal Unified Carrier Registration Act of 2005 in
18 the last year that such collections were not prohibited by
19 federal law.

20 C. The commission is the state agency in New Mexico
21 responsible for operation of the federal Unified Carrier
22 Registration Act of 2005, including participating in the
23 development, implementation and administration of the unified
24 carrier registration agreement. The commission is authorized
25 to follow rules governing the unified carrier registration

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1 agreement issued under the unified carrier registration plan by
2 its board of directors.

3 D. Revenue remitted to the state from fees imposed
4 by the federal Unified Carrier Registration Act of 2005 shall
5 be remitted to the state treasurer, who shall deposit the
6 revenue in the motor transportation fee fund.

7 [~~D.~~] E. Compliance by an interstate motor carrier
8 with the provisions of the federal Unified Carrier Registration
9 Act of 2005 shall not authorize a carrier to provide intrastate
10 transportation services in New Mexico. An interstate motor
11 carrier wishing to provide compensated transportation in
12 intrastate commerce shall apply for the appropriate intrastate
13 operating authority from the commission. A taxicab service or
14 shuttle service traveling to or from a federally licensed
15 airport terminal facility located in the state of New Mexico is
16 engaged in nonexempt intrastate business within the state
17 regardless of a prior exemption if its service provides, with
18 regard to any service run, for both:

19 (1) initiation of the transportation of one or
20 more passengers within this state; and

21 (2) delivery to a departure point within this
22 state of one or more passengers whose transportation on that
23 service run was initiated at a point within this state."