

1 SENATE BILL 183

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

4 Roberto "Bobby" J. Gonzales

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10 AN ACT

11 RELATING TO ELECTRIC MOTOR VEHICLES; REQUIRING AN ADDITIONAL
12 REGISTRATION FEE FOR ELECTRIC AND PLUG-IN HYBRID ELECTRIC
13 VEHICLES; PROVIDING THAT THE ADDITIONAL REGISTRATION FEES BE
14 DISTRIBUTED TO THE STATE ROAD FUND AND THE TRANSPORTATION
15 PROJECT FUND.

16
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. A new section of the Motor Vehicle Code is
19 enacted to read:

20 "[NEW MATERIAL] ADDITIONAL REGISTRATION FEE--ELECTRIC AND
21 PLUG-IN HYBRID ELECTRIC VEHICLES.--

22 A. For registration of vehicles subject to the
23 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
24 1978, there is imposed an additional annual fee of one hundred
25 twenty dollars (\$120) for which an electric vehicle with a

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1 gross vehicle weight of twenty-six thousand pounds or less is
2 registered.

3 B. For registration of vehicles subject to the
4 registration fees imposed by Sections 66-6-2 and 66-6-4 NMSA
5 1978, there is imposed an additional annual fee of sixty
6 dollars (\$60.00) for which a plug-in hybrid electric vehicle
7 with a gross vehicle weight of twenty-six thousand pounds or
8 less is registered.

9 C. All fees collected pursuant to this section
10 shall be paid to the state treasurer to the credit of the motor
11 vehicle suspense fund with distribution in accordance with
12 Section 66-6-23 NMSA 1978.

13 D. As used in this section:

14 (1) "electric vehicle" means a motor vehicle
15 that derives all of the vehicle's power from electricity stored
16 in a battery that:

17 (a) has a capacity of not less than six
18 kilowatt-hours;

19 (b) is capable of powering the vehicle
20 for a range of at least forty miles; and

21 (c) is capable of being recharged from
22 an external source of electricity; and

23 (2) "plug-in hybrid electric vehicle" means a
24 motor vehicle that derives part of the vehicle's power from
25 electricity stored in a battery that:

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1 (a) has a capacity of not less than six
2 kilowatt-hours;

3 (b) is capable of powering the vehicle
4 for a range of at least forty miles; and

5 (c) is capable of being recharged from
6 an external source of electricity."

7 SECTION 2. Section 66-6-23 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 358, as amended) is amended to read:

9 "66-6-23. DISPOSITION OF FEES.--

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

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

17 (a) an amount equal to six dollars
18 (\$6.00) per driver's license and five dollars (\$5.00) per
19 identification card or motor vehicle or motorboat registration
20 or title transaction performed;

21 (b) for each such agent determined by
22 the secretary pursuant to Section 66-2-16 NMSA 1978 to have
23 performed ten thousand or more transactions in the preceding
24 fiscal year, other than a class A county with a population
25 exceeding three hundred thousand or a municipality with a

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1 population exceeding three hundred thousand that has been
2 designated as an agent pursuant to Section 66-2-14.1 NMSA 1978,
3 an amount equal to one dollar (\$1.00) in addition to the amount
4 distributed pursuant to Subparagraph (a) of this paragraph for
5 each driver's license, identification card, motor vehicle
6 registration, motorboat registration or title transaction
7 performed; and

8 (c) to each military installation
9 designated as a fee agent pursuant to Section 66-2-14.1 NMSA
10 1978, an amount equal to one dollar fifty cents (\$1.50) in
11 addition to the amount distributed pursuant to Subparagraph (a)
12 of this paragraph for each administrative service fee remitted
13 by the military installation to the department pursuant to
14 Subsection A of Section 66-2-16 NMSA 1978;

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

24 (3) to the state road fund:

25 (a) an amount equal to the fees

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1 collected pursuant to Sections 66-7-413 and 66-7-413.4 NMSA
2 1978;

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

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

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

13 (e) an amount equal to seventy-seven
14 percent of the fees collected pursuant to Section 1 of this
15 2024 act;

16 (4) to the local governments road fund, the
17 amount of the fees collected pursuant to Subsection B of
18 Section 66-5-33.1 NMSA 1978 and the remainder of the fees
19 collected pursuant to Subsection A of Section 66-5-408 NMSA
20 1978;

21 (5) to the transportation project fund, an
22 amount equal to twenty-three percent of the fees collected
23 pursuant to Section 1 of this 2024 act;

24 [~~(5)~~] (6) to the department:

25 (a) any amounts reimbursed to the

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1 department pursuant to Subsection D of Section 66-2-14.1 NMSA
2 1978;

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

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

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

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

24 (f) an amount equal to fifty cents
25 (\$.50) for each administrative fee remitted to the department

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1 by a county or municipality operating a motor vehicle field
2 office pursuant to Subsection A of Section 66-2-16 NMSA 1978;

3 (g) an amount equal to one dollar
4 twenty-five cents (\$1.25) for each administrative fee collected
5 by the department or any of its agents other than a county or
6 municipality operating a motor vehicle field office pursuant to
7 Subsection A of Section 66-2-16 NMSA 1978; and

8 (h) an amount equal to the royalties or
9 other consideration paid by commercial users of databases of
10 motor vehicle-related records of the department pursuant to
11 Subsection C of Section 14-3-15.1 NMSA 1978 for the purpose of
12 defraying the costs of maintaining databases of motor vehicle-
13 related records of the department; and after that purpose is
14 met, the balance of the royalties and other consideration shall
15 be distributed to the department to defray the costs of
16 operating the division or for use pursuant to Subsection F of
17 Section 66-6-13 NMSA 1978;

18 [~~(6)~~] (7) to each New Mexico institution of
19 higher education, an amount equal to that part of the fees
20 distributed pursuant to Paragraph (2) of Subsection D of
21 Section 66-3-416 NMSA 1978 proportionate to the number of
22 special registration plates issued in the name of the
23 institution to all such special registration plates issued in
24 the name of all institutions;

25 [~~(7)~~] (8) to the armed forces veterans license

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

3 ~~[(8)]~~ (9) to the children's trust fund, the
4 amount to be distributed pursuant to Paragraph (2) of
5 Subsection D of Section 66-3-420 NMSA 1978;

6 ~~[(9)]~~ (10) to the department of
7 transportation, an amount equal to the fees collected pursuant
8 to Section 66-5-35 NMSA 1978;

9 ~~[(10)]~~ (11) to the state equalization
10 guarantee distribution made annually pursuant to the general
11 appropriation act, an amount equal to one hundred percent of
12 the driver safety fee collected pursuant to Subsection D of
13 Section 66-5-44 NMSA 1978;

14 ~~[(11)]~~ (12) to the motorcycle training fund,
15 seven dollars (\$7.00) of each motorcycle registration fee
16 collected pursuant to Section 66-6-1 NMSA 1978;

17 ~~[(12)]~~ (13) to the recycling and illegal
18 dumping fund:

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

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

25 (c) twenty-five cents (\$.25) of each of

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1 the tire recycling fees collected pursuant to Sections 66-6-5
2 and 66-6-8 NMSA 1978;

3 ~~[(13)]~~ (14) to the highway infrastructure
4 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)]~~ (15) to each county, an amount equal to
15 fifty percent of the fees collected pursuant to Section 66-6-19
16 NMSA 1978 multiplied by a fraction, the numerator of which is
17 the total mileage of public roads maintained by the county and
18 the denominator of which is the total mileage of public roads
19 maintained by all counties in the state;

20 ~~[(15)]~~ (16) to the litter control and
21 beautification fund, an amount equal to the fees collected
22 pursuant to Section 66-6-6.2 NMSA 1978;

23 ~~[(16)]~~ (17) to the local government division
24 of the department of finance and administration, an amount
25 equal to the fees collected pursuant to Section 66-3-424.3 NMSA

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1 1978 for distribution to each county to support animal control
2 spaying and neutering programs in an amount proportionate to
3 the number of residents of that county who have purchased pet
4 care special registration plates pursuant to Section 66-3-424.3
5 NMSA 1978; and

6 [~~(17)~~] (18) to the Cumbres and Toltec scenic
7 railroad commission, twenty-five dollars (\$25.00) collected
8 pursuant to the Cumbres and Toltec scenic railroad special
9 registration 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 3. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is January 1, 2025.

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