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AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROVIDING THAT A PARK MODEL RECREATIONAL VEHICLE SHALL BE
TREATED THE SAME AS A MANUFACTURED HOME FOR PURPOSES OF THE
MOTOR VEHICLE EXCISE TAX ACT, THE PROPERTY TAX CODE AND THE
MOTOR VEHICLE CODE.

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

SECTION 1. Section 7-14-2 NMSA 1978 (being Laws 1988,
Chapter 73, Section 12) is amended to read:

"7-14-2. DEFINITIONS.--As used in the Motor Vehicle
Excise Tax Act:

A. "department" means the taxation and revenue
department, the secretary of taxation and revenue or an
employee of that department exercising authority lawfully
delegated to that employee by the secretary;

B. "manufactured home" means a structure that
exceeds either a width of eight feet or a length of thirty-
two feet, when equipped for the road;

C. "motor vehicle" means every vehicle that is
self-propelled and every vehicle that is propelled by
electric power obtained from batteries or from overhead
trolley wires but not operated upon rails;

D. "park model recreational vehicle" means "park
model recreational vehicle" as that term is defined in the

1 Motor Vehicle Code;

2 E. "person" means any individual, estate, trust,
3 receiver, cooperative association, club, corporation,
4 company, firm, partnership, joint venture or syndicate;
5 "person" also means, to the extent permitted by law, any
6 federal, state or other governmental unit or subdivision or
7 an agency, department or instrumentality thereof;

8 F. "secretary" means the secretary of taxation and
9 revenue or the secretary's delegate;

10 G. "tax" means the motor vehicle excise tax
11 imposed under the Motor Vehicle Excise Tax Act; and

12 H. "vehicle" means every device in, upon or by
13 which any person or property is or may be transported or
14 drawn upon a highway, including any frame, chassis or body of
15 any vehicle or motor vehicle, except devices moved by human
16 power or used exclusively upon stationary rails or tracks."

17 **SECTION 2.** Section 7-14-3 NMSA 1978 (being Laws 1988,
18 Chapter 73, Section 13, as amended) is amended to read:

19 "7-14-3. IMPOSITION OF MOTOR VEHICLE EXCISE TAX.--An
20 excise tax, subject to the credit provided by Section
21 7-14-7.1 NMSA 1978, is imposed upon the sale in this state of
22 every vehicle, except as otherwise provided in Section
23 7-14-7.1 NMSA 1978, park model recreational vehicles and
24 manufactured homes, required under the Motor Vehicle Code to
25 be registered in this state. To prevent evasion of the

1 excise tax imposed by the Motor Vehicle Excise Tax Act and
2 the duty to collect it, it is presumed that the issuance of
3 every original and subsequent certificate of title for
4 vehicles of a type required to be registered under the
5 provisions of the Motor Vehicle Code constitutes a sale for
6 tax purposes, unless specifically exempted by the Motor
7 Vehicle Excise Tax Act or unless there is shown proof
8 satisfactory to the department that the vehicle for which the
9 certificate of title is sought came into the possession of
10 the applicant as a voluntary transfer without consideration
11 or as a transfer by operation of law. The excise tax imposed
12 by this section shall be known as the "motor vehicle excise
13 tax".

14 SECTION 3. Section 7-35-2 NMSA 1978 (being Laws 1973,
15 Chapter 258, Section 2, as amended by Laws 1994, Chapter 9,
16 Section 1 and by Laws 1994, Chapter 9, Section 2) is amended
17 to read:

18 "7-35-2. DEFINITIONS.--As used in the Property Tax
19 Code:

20 A. "department" or "division" means the taxation
21 and revenue department, the secretary of taxation and revenue
22 or any employee of the department exercising authority
23 lawfully delegated to that employee by the secretary;

24 B. "director" means the secretary;

25 C. "livestock" means cattle, buffalo, horses,

1 mules, sheep, goats, swine, ratites and other domestic
2 animals useful to man;

3 D. "manufactured home" means a manufactured home
4 as that term is defined in Section 66-1-4.11 NMSA 1978;

5 E. "net taxable value" means the value of property
6 upon which the tax is imposed and is determined by deducting
7 from taxable value the amount of any exemption authorized by
8 the Property Tax Code;

9 F. "nonresidential property" means property that
10 is not residential property;

11 G. "owner" means the person in whom is vested any
12 title to property;

13 H. "park model recreational vehicle" means "park
14 model recreational vehicle" as that term is defined in the
15 Motor Vehicle Code;

16 I. "person" means an individual or any other legal
17 entity;

18 J. "property" means tangible property, real or
19 personal;

20 K. "residential property" means property
21 consisting of one or more dwellings together with appurtenant
22 structures, the land underlying both the dwellings and the
23 appurtenant structures and a quantity of land reasonably
24 necessary for parking and other uses that facilitate the use
25 of the dwellings and appurtenant structures. As used in this

1 subsection, "dwellings" includes manufactured homes, park
2 model recreational vehicles and other structures when used
3 primarily for permanent human habitation, but the term does
4 not include structures when used primarily for temporary or
5 transient human habitation such as hotels, motels and similar
6 structures;

7 L. "secretary" means the secretary of taxation and
8 revenue and, except for purposes of Section 7-35-6 NMSA 1978
9 and Paragraphs (1) and (2) of Subsection B of Section
10 9-11-6.2 NMSA 1978, also includes the deputy secretary or a
11 division director or deputy division director delegated by
12 the secretary;

13 M. "tax" means the property tax imposed under the
14 Property Tax Code;

15 N. "taxable value" means the value of property
16 determined by applying the tax ratio to the value of the
17 property determined for property taxation purposes;

18 O. "tax rate" means the rate of the tax expressed
19 in terms of dollars per thousand dollars of net taxable value
20 of property;

21 P. "tax ratio" means the percentage established
22 under the Property Tax Code that is applied to the value of
23 property determined for property taxation purposes in order
24 to derive taxable value; and

25 Q. "tax year" means the calendar year."

1 SECTION 4. Section 7-36-8 NMSA 1978 (being Laws 1973,
2 Chapter 373, Section 1, as amended) is amended to read:

3 "7-36-8. TANGIBLE PERSONAL PROPERTY EXEMPT FROM
4 PROPERTY TAX--EXCEPTIONS.--

5 A. Except as provided in Subsection B of this
6 section, tangible personal property owned by a person is
7 exempt from property taxation.

8 B. The following tangible personal property owned
9 by a person is subject to valuation and taxation under the
10 Property Tax Code:

- 11 (1) livestock;
- 12 (2) manufactured homes;
- 13 (3) park model recreational vehicles;
- 14 (4) aircraft not registered under the
15 Aircraft Registration Act;
- 16 (5) private railroad cars, the earnings of
17 which are not taxed under the provisions of the Railroad Car
18 Company Tax Act;
- 19 (6) tangible personal property subject to
20 valuation under Sections 7-36-22 through 7-36-25 and 7-36-27
21 through 7-36-32 NMSA 1978;
- 22 (7) vehicles not registered under the
23 provisions of the Motor Vehicle Code and for which the owner
24 has claimed a deduction for depreciation for federal income
25 tax purposes during any federal income taxable year occurring

1 in whole or in part during the twelve months immediately
2 preceding the first day of the property tax year; and

3 (8) other tangible personal property not
4 specified in Paragraphs (1) through (7) of this subsection:

5 (a) that is used, produced,
6 manufactured, held for sale, leased or maintained by a person
7 for purposes of the person's profession, business or
8 occupation; and

9 (b) for which the owner has claimed a
10 deduction for depreciation for federal income tax purposes
11 during any federal income taxable year occurring in whole or
12 in part during the twelve months immediately preceding the
13 first day of the property tax year."

14 SECTION 5. Section 7-36-15 NMSA 1978 (being Laws 1975,
15 Chapter 165, Section 2, as amended) is amended to read:

16 "7-36-15. METHODS OF VALUATION FOR PROPERTY TAXATION
17 PURPOSES--GENERAL PROVISIONS.--

18 A. Property subject to valuation for property
19 taxation purposes under this article of the Property Tax Code
20 shall be valued by the methods required by this article of
21 the Property Tax Code whether the determination of value is
22 made by the department or the county assessor. The same or
23 similar methods of valuation shall be used for valuation of
24 the same or similar kinds of property for property taxation
25 purposes.

1 B. Unless a method or methods of valuation are
2 authorized in Sections 7-36-20 through 7-36-33 NMSA 1978, the
3 value of property for property taxation purposes shall be its
4 market value as determined by application of the sales of
5 comparable property, income or cost methods of valuation or
6 any combination of these methods. In using any of the
7 methods of valuation authorized by this subsection, the
8 valuation authority:

9 (1) shall apply generally accepted appraisal
10 techniques; and

11 (2) in determining the market value of
12 residential housing, shall consider any decrease in the value
13 that would be realized by the owner in a sale of the property
14 because of the effects of any affordable housing subsidy,
15 covenant or encumbrance imposed pursuant to a federal, state
16 or local affordable housing program that restricts the future
17 use of the property or the resale price of the property or
18 would otherwise prohibit the owner from fully benefiting from
19 any enhanced value of the property. As used in this
20 paragraph:

21 (a) "subsidy, covenant or encumbrance
22 imposed pursuant to a federal, state or local affordable
23 housing program" includes those imposed by a nonprofit entity
24 approved by a governmental entity as a qualifying grantee
25 pursuant to the Affordable Housing Act; and

1 (b) "residential housing" means any
2 building, structure or portion thereof that is primarily
3 occupied, or designed or intended primarily for occupancy, as
4 a residence by one or more households and any real property
5 that is offered for sale or lease for the construction or
6 location thereon of such a building, structure or portion
7 thereof. "Residential housing" includes congregate housing,
8 manufactured homes, park model recreational vehicles, housing
9 intended to provide or providing transitional or temporary
10 housing for homeless persons and common health care, kitchen,
11 dining, recreational and other facilities primarily for use
12 by residents of a residential housing project.

13 C. Dams, reservoirs, tanks, canals, irrigation
14 wells, installed irrigation pumps, stock-watering wells and
15 pumps, similar structures and equipment used for irrigation
16 or stock-watering purposes, water rights and private roads
17 shall not be valued separately from the land they serve. The
18 foregoing improvements and rights shall be considered as
19 appurtenances to the land they serve, and their value shall
20 be included in the determination of value of the land.

21 D. The department shall adopt regulations to
22 implement the methods of valuation authorized in this article
23 of the Property Tax Code."

24 SECTION 6. Section 7-36-26 NMSA 1978 (being Laws 1973,
25 Chapter 258, Section 27, as amended) is amended to read:

1 "7-36-26. SPECIAL METHOD OF VALUATION--MANUFACTURED
2 HOMES--PARK MODEL RECREATIONAL VEHICLES.--

3 A. The owner of a manufactured home or park model
4 recreational vehicle subject to valuation for property
5 taxation purposes shall report the home or vehicle annually
6 for valuation to the county assessor of the county in which
7 the home or vehicle is located on January 1. The report
8 shall be in a form and contain the information required by
9 department regulation and shall be made no later than the
10 last day of February of the tax year in which the property is
11 subject to valuation.

12 B. The valuation method used for determining the
13 value of manufactured homes or park model recreational
14 vehicles for property taxation purposes shall be a cost
15 method applying generally accepted appraisal techniques and
16 shall generally provide for:

17 (1) the determination of initial cost of a
18 manufactured home or park model recreational vehicle based
19 upon classifications of manufactured homes or park model
20 recreational vehicles and sales prices for the various
21 classifications;

22 (2) deductions from initial cost for
23 allowable depreciation, which allowances for depreciation
24 shall be developed by the department; and

25 (3) deduction from initial cost of other

1 justifiable factors, including functional and economic
2 obsolescence.

3 C. Whether or not the presence of a manufactured
4 home or park model recreational vehicle is declared and
5 reported by the owner to a county assessor as required by
6 this section, the county assessor shall determine the value
7 for property taxation purposes of each home or vehicle
8 located in the county and subject to valuation. County
9 assessors shall use the information required to be furnished
10 them under Sections 66-6-10 and 66-7-413 NMSA 1978 to ensure
11 that accurate records of locations of the homes and vehicles
12 are maintained.

13 D. Any person who intentionally refuses to make a
14 report required under this section or who knowingly makes a
15 false statement in a report required under this section is
16 guilty of a misdemeanor and shall be punished by the
17 imposition of a fine of not more than one thousand dollars
18 (\$1,000).

19 E. Any person who fails to make a report required
20 under this section is liable for a civil penalty in an amount
21 equal to five percent of the property taxes ultimately
22 determined to be due on the property for the tax year or
23 years for which the person failed to make the required
24 report.

25 F. Any person who intentionally refuses to make a

1 report required under this section with the intent to evade
2 any tax or who fails to make a report required under this
3 section with the intent to evade any tax is liable for a
4 civil penalty in an amount equal to twenty-five percent of
5 the property taxes ultimately determined to be due on the
6 property for the tax year or years for which the person
7 refused or failed to make the required report.

8 G. The civil penalties authorized under
9 Subsections E and F of this section shall be imposed and
10 collected at the time and in the manner that the tax is
11 imposed and collected. In order to assist in the imposition
12 and collection of the penalties, the assessor having
13 responsibility for determining the value of the property
14 shall make an entry in the valuation records indicating the
15 liability for any penalties due under this section."

16 SECTION 7. Section 7-38-8 NMSA 1978 (being Laws 1973,
17 Chapter 258, Section 48, as amended) is amended to read:

18 "7-38-8. REPORTING OF PROPERTY FOR VALUATION--PENALTIES
19 FOR FAILURE TO REPORT.--

20 A. All property subject to valuation for property
21 taxation purposes by the department shall be reported
22 annually to the department. The report required by this
23 subsection shall be made by the owner of the property or such
24 other person as may be authorized by rules of the department.
25 The report shall be in a form and contain the information

1 required by rules of the department. It shall be made not
2 later than the last day of February in the tax year in which
3 the property is subject to valuation. Claims of economic
4 obsolescence or functional obsolescence on properties not
5 regulated by the federal government shall be made at the time
6 the annual report is filed; however, the department shall
7 accept supplements to the annual report containing claims of
8 economic obsolescence or functional obsolescence on
9 properties regulated by the federal energy regulatory
10 commission or its successor agency at the time the annual
11 commission report becomes available, but no later than April
12 15 of the tax year or at a later time allowed by an extension
13 granted by the department. In the case of the failure or
14 refusal to file the report required under this subsection,
15 the department shall determine the value of the property
16 subject to valuation from the best information available.

17 B. Except as provided in Subsection D of this
18 section, all property subject to valuation for property
19 taxation purposes by the county assessor shall be reported as
20 follows:

21 (1) property valued in the 1974 tax year by
22 the county assessor need not be reported for any subsequent
23 tax year unless required to be reported under Paragraph (3)
24 of this subsection;

25 (2) property not valued in the 1974 tax year

1 by the county assessor but that becomes subject to valuation
2 by the county assessor in any subsequent tax year shall be
3 reported to the county assessor not later than the last day
4 of February of the tax year in which it becomes subject to
5 valuation, but such property need not be reported for any
6 year subsequent to the year in which initially reported
7 unless required to be reported under Paragraph (3) of this
8 subsection;

9 (3) property once valued by a county
10 assessor in a tax year, but that is not valued for a year
11 subsequent to the year of initial valuation because it is not
12 subject to valuation for that subsequent year by the county
13 assessor, shall be reported to the county assessor not later
14 than the last day of February in a tax year in which it again
15 becomes subject to valuation by the county assessor; and

16 (4) reports required under Paragraphs (2)
17 and (3) of this subsection shall be in a form and contain the
18 information required by rules of the department.

19 C. Not later than the last day of February of each
20 tax year, every owner of real property who made, or caused to
21 be made, in the preceding calendar year improvements costing
22 more than ten thousand dollars (\$10,000) to that real
23 property shall report to the county assessor the property
24 improved, the improvements made, the cost of the improvements
25 and such other information as the department may require.

1 D. Manufactured homes, park model recreational
2 vehicles, livestock and land used for agricultural purposes
3 shall be reported for valuation for property taxation
4 purposes to the county assessor at the times and in the
5 manner prescribed under Sections 7-36-26, 7-36-21 and 7-36-20
6 NMSA 1978 and rules promulgated by the department.

7 E. Property subject to valuation by the county
8 assessor for property taxation purposes and improvements to
9 such property that are required to be reported under
10 Subsection C of this section shall be reported to the county
11 assessor of the county in which the property is required to
12 be valued under Section 7-36-14 NMSA 1978. Reports shall be
13 made either by the owner of the property, the owner's
14 authorized agent or any person having control or management
15 of the property and shall be in a form and contain the
16 information required by rules of the department.

17 F. Reports required by this section shall be made
18 by the declarant under oath, and the secretary, employees of
19 the department, the assessor and the assessor's employees are
20 empowered to administer oaths for this purpose.

21 G. A person who intentionally refuses to make a
22 report required under the provisions of Subsection A, B or C
23 of this section or who knowingly makes a false statement in a
24 report required under the provisions of Subsection A, B or C
25 of this section is guilty of a misdemeanor and upon

1 conviction shall be punished by the imposition of a fine of
2 not more than one thousand dollars (\$1,000).

3 H. A person who fails to make a report required
4 under the provisions of Subsection A or B of this section is
5 liable for a civil penalty in an amount equal to five percent
6 of the property taxes ultimately determined to be due on the
7 property for the tax year or years for which the person
8 failed to make the required report.

9 I. A person who intentionally refuses to make a
10 report required under the provisions of Subsection A or B of
11 this section with the intent to evade any tax or who fails to
12 make a report required under the provisions of Subsection A
13 or B of this section with the intent to evade any tax is
14 liable for a civil penalty in an amount equal to twenty-five
15 percent of the property taxes ultimately determined to be due
16 on the property for the tax year or years for which the
17 person refused or failed to make the required report.

18 J. A person who is required to make a report under
19 the provisions of Subsection C of this section and who fails
20 to do so is personally liable for a civil penalty in an
21 amount equal to the greater of twenty-five dollars (\$25.00)
22 or twenty-five percent of the difference between the property
23 taxes ultimately determined to be due and the property taxes
24 originally paid for the tax year or years for which the
25 person failed to make the required report. This penalty

1 shall not be considered a delinquent property tax, and the
2 provisions of the Property Tax Code for the enforcement and
3 collection of delinquent property taxes through the sale of
4 the property do not apply. However, the county treasurer may
5 use all other methods provided by law to collect the property
6 tax or penalty due. Notwithstanding any other provision of
7 the Property Tax Code, amounts collected pursuant to the
8 penalty provided by this subsection shall be distributed
9 among jurisdictions imposing tax on the property in the same
10 proportion as the amount of tax ultimately determined to be
11 due for the jurisdiction bears to the total due for all such
12 jurisdictions.

13 K. The civil penalties authorized under
14 Subsections H and I of this section shall be imposed and
15 collected at the time and in the manner that the tax is
16 imposed and collected. In order to assist in the imposition
17 and collection of the penalties, the persons having
18 responsibility for determining the value of the property
19 shall make an entry in the valuation records indicating the
20 liability for any penalties due under this section.

21 L. For the purposes of this section:

22 (1) "improvement" means the construction of
23 any new structure permanently affixed to the land or the
24 repair, rehabilitation or alteration of an existing structure
25 permanently affixed to the land that, for property used for

1 any commercial purpose, is required or allowed to be
2 capitalized under the Internal Revenue Code and, for other
3 properties, any similar construction, repair, rehabilitation
4 or alteration; and

5 (2) "owner of real property" includes every
6 owner of improvements who does not own the land upon which
7 the improvements are made."

8 **SECTION 8.** Section 7-38-52 NMSA 1978 (being Laws 1973,
9 Chapter 258, Section 92, as amended) is amended to read:

10 "7-38-52. NOTIFICATION TO MOTOR VEHICLE DIVISION OF
11 UNPAID PROPERTY TAXES ON MANUFACTURED HOMES--PARK MODEL
12 RECREATIONAL VEHICLES--NOTICE OF FILING CONSTITUTES LIEN ON
13 VEHICLE.--

14 A. In the preparation of the tax delinquency
15 notices, the county treasurer shall ascertain which persons
16 have failed to pay taxes on manufactured homes or park model
17 recreational vehicles.

18 B. In addition to the information required under
19 Section 7-38-51 NMSA 1978, delinquency notices sent to the
20 persons determined under Subsection A of this section shall
21 include the location and vehicle identification number of the
22 manufactured home or park model recreational vehicle.

23 C. A copy of the delinquency notice of unpaid
24 taxes on a manufactured home or park model recreational
25 vehicle shall be sent to the motor vehicle division of the

1 department. Upon receipt and filing of the notice by the
2 motor vehicle division, the unpaid taxes, penalty and
3 interest constitute a security interest in and a lien on the
4 vehicle in accordance with Section 66-3-204 NMSA 1978. The
5 delinquency notice sent to the owner of the home or vehicle
6 shall notify the owner of the mailing of the copy of the
7 notification to the motor vehicle division and of the legal
8 effect of the filing of the notice by that division.

9 D. When the delinquent taxes, penalty and interest
10 are fully paid, the county treasurer shall certify the fact
11 of payment and shall prepare a notification of certified
12 payment. The original notification shall be sent to the
13 motor vehicle division of the department, and a copy shall be
14 sent to the owner of the manufactured home or park model
15 recreational vehicle.

16 E. The lien provided for in this section is in
17 addition to any other remedy available to the state for the
18 collection of delinquent property taxes."

19 **SECTION 9.** Section 7-38-68 NMSA 1978 (being Laws 1973,
20 Chapter 258, Section 108, as amended) is amended to read:

21 "7-38-68. **INSTALLMENT AGREEMENTS.--**

22 A. The department may enter into an installment
23 agreement for the payment of all delinquent property taxes,
24 penalties, interest and costs due with respect to real
25 property or a manufactured home or park model recreational

1 vehicle with the owner of the real property, manufactured
2 home or park model recreational vehicle whose taxes have
3 become delinquent and whose account for all or part of the
4 delinquent taxes has been transferred for collection to the
5 department. Execution of an installment agreement under this
6 section by a property owner is an irrevocable admission of
7 liability for all taxes that are the subject of the
8 agreement. The installment agreement shall be in writing and
9 shall not extend for a period of more than thirty-six months.
10 Interest shall accrue on the unpaid balance during the period
11 of the installment agreement. The rate of interest shall be
12 one percent a month, and no other interest on that portion of
13 the principal representing unpaid taxes shall accrue while an
14 installment agreement is in effect. The department shall not
15 enter into an installment agreement with a property owner on
16 or after the date of the initial sale of real property or
17 manufactured home or park model recreational vehicle for
18 delinquent taxes whether or not the real property,
19 manufactured home or park model recreational vehicle is sold
20 and a deed issued as a result of that sale. The department
21 shall promulgate regulations establishing requirements for a
22 minimum down payment and substantially equal monthly payments
23 for installment agreements.

24 B. An installment agreement prevents any further
25 action to collect the delinquent taxes stated in the

1 agreement as long as the terms of the agreement are met.

2 C. The department may proceed under the Property
3 Tax Code to collect the property taxes, penalties, interest
4 and costs due and unpaid if:

5 (1) installment payments are not made on or
6 before the dates specified in the agreement;

7 (2) the property owner fails to pay other
8 property taxes when required; or

9 (3) any other condition contained in the
10 agreement is not met.

11 D. For the purpose of computing the time when real
12 property or a manufactured home or park model recreational
13 vehicle may be sold for delinquent taxes, the date of
14 original delinquency shall be used when the delinquent taxes
15 have been the subject of an installment agreement that was
16 subsequently breached by the property owner.

17 E. If an owner of real property or a manufactured
18 home or park model recreational vehicle enters into an
19 installment agreement and subsequently breaches the agreement
20 under this section, the department shall not enter into
21 another installment agreement with that property owner for
22 the payment of the delinquent taxes that were the subject of
23 the installment agreement.

24 F. Alphabetically indexed and serially numbered
25 records of installment agreements must be kept in the office

1 of the director and made available for public inspection."

2 SECTION 10. Section 66-1-4.4 NMSA 1978 (being Laws
3 1990, Chapter 120, Section 5, as amended) is amended to read:

4 "66-1-4.4. DEFINITIONS.--As used in the Motor Vehicle
5 Code:

6 A. "day" means calendar day, unless otherwise
7 provided in the Motor Vehicle Code;

8 B. "dealer", except as specifically excluded,
9 means any person who sells or solicits or advertises the sale
10 of new or used motor vehicles, manufactured homes, park model
11 recreational vehicles or trailers subject to registration in
12 this state; "dealer" does not include:

13 (1) receivers, trustees, administrators,
14 executors, guardians or other persons appointed by or acting
15 under judgment, decree or order of any court;

16 (2) public officers while performing their
17 duties as such officers;

18 (3) persons making casual sales of their own
19 vehicles;

20 (4) finance companies, banks and other
21 lending institutions making sales of repossessed vehicles; or

22 (5) licensed brokers under the Manufactured
23 Housing Act who, for a fee, commission or other valuable
24 consideration, engage in brokerage activities related to the
25 sale, exchange or lease purchase of pre-owned manufactured

1 homes or park model recreational vehicles on a site installed
2 for a consumer;

3 C. "declared gross weight" means the maximum gross
4 vehicle weight or gross combination vehicle weight at which a
5 vehicle or combination will be operated during the
6 registration period, as declared by the registrant for
7 registration and fee purposes; the vehicle or combination
8 shall have only one declared gross weight for all operating
9 considerations;

10 D. "department" means the taxation and revenue
11 department, the secretary of taxation and revenue or any
12 employee of the department exercising authority lawfully
13 delegated to that employee by the secretary;

14 E. "designated accessible parking space for
15 persons with significant mobility limitation" means any
16 space, including an access aisle, that is marked and reserved
17 for the parking of a passenger vehicle that carries
18 registration plates or a parking placard with the
19 international symbol of access issued in accordance with
20 Section 66-3-16 NMSA 1978 and that is designated by a
21 conspicuously posted sign bearing the international symbol of
22 access and, if the parking space is paved, by a clearly
23 visible depiction of this symbol painted in blue on the
24 pavement of the space;

25 F. "director" means the secretary;

1 G. "disqualification" means a prohibition against
2 driving a commercial motor vehicle;

3 H. "distinguishing number" means the number
4 assigned by the department to a vehicle whose identifying
5 number has been destroyed or obliterated or the number
6 assigned by the department to a vehicle that has never had an
7 identifying number;

8 I. "distributor" means a person who distributes or
9 sells new or used motor vehicles to dealers and who is not a
10 manufacturer;

11 J. "division", without further specification,
12 "division of motor vehicles" or "motor vehicle division"
13 means the department;

14 K. "driver" means every person who drives or is in
15 actual physical control of a motor vehicle, including a
16 motorcycle, upon a highway, who is exercising control over or
17 steering a vehicle being towed by a motor vehicle or who
18 operates or is in actual physical control of an off-highway
19 motor vehicle;

20 L. "driver's license" means a license or a class
21 of license issued by a state or other jurisdiction pertaining
22 to the authorizing of persons to operate motor vehicles and
23 that meets federal requirements to be accepted by federal
24 agencies for official federal purposes;

25 M. "driveaway-towaway operation" means an

1 operation in which any motor vehicle, new or used, is the
2 item being transported when one set or more of wheels of any
3 such motor vehicle is on the roadway during the course of
4 transportation, whether or not the motor vehicle furnishes
5 the motive power; and

6 N. "driving authorization card" means a card
7 issued or recognized under the laws of New Mexico pertaining
8 to the authorizing of persons to operate motor vehicles and
9 not intended to be accepted by federal agencies for official
10 federal purposes."

11 SECTION 11. Section 66-1-4.6 NMSA 1978 (being Laws
12 1990, Chapter 120, Section 7, as amended) is amended to read:

13 "66-1-4.6. DEFINITIONS.--As used in the Motor Vehicle
14 Code:

15 A. "farm tractor" means every motor vehicle
16 designed and used primarily as a farm implement for drawing
17 plows, mowing machines and other implements of husbandry;

18 B. "financial responsibility" means the ability to
19 respond in damages for liability resulting from traffic
20 accidents arising out of the ownership, maintenance or use of
21 a motor vehicle of a type subject to registration under the
22 laws of New Mexico, in amounts not less than specified in the
23 Mandatory Financial Responsibility Act or having in effect a
24 motor vehicle insurance policy. "Financial responsibility"
25 includes a motor vehicle insurance policy, a surety bond or

1 evidence of a sufficient cash deposit with the state
2 treasurer;

3 C. "first offender" means a person who for the
4 first time under state or federal law or a municipal
5 ordinance or a tribal law has been adjudicated guilty of the
6 charge of driving a motor vehicle while under the influence
7 of intoxicating liquor or any other drug that renders the
8 person incapable of safely driving a motor vehicle,
9 regardless of whether the person's sentence was suspended or
10 deferred;

11 D. "flammable liquid" means any liquid that has a
12 flash point of seventy degrees Fahrenheit or less, as
13 determined by a tagliabue or equivalent closed-cup test
14 device;

15 E. "foreign jurisdiction" means any jurisdiction
16 other than a state of the United States or the District of
17 Columbia;

18 F. "foreign vehicle" means every vehicle of a type
19 required to be registered under the provisions of the Motor
20 Vehicle Code brought into this state from another state,
21 territory or country; and

22 G. "freight trailer" means any trailer,
23 semitrailer or pole trailer drawn by a truck tractor or road
24 tractor, and any trailer, semitrailer or pole trailer drawn
25 by a truck that has a gross vehicle weight of more than

1 twenty-six thousand pounds, but "freight trailer" does not
2 include manufactured homes, park model recreational vehicles,
3 trailers of less than one-ton carrying capacity used to
4 transport animals or fertilizer trailers of less than three
5 thousand five hundred pounds empty weight."

6 SECTION 12. Section 66-1-4.14 NMSA 1978 (being Laws
7 1990, Chapter 120, Section 15, as amended) is amended to
8 read:

9 "66-1-4.14. DEFINITIONS.--As used in the Motor Vehicle
10 Code:

11 A. "park" or "parking" means the standing of a
12 vehicle, whether occupied or not, other than temporarily for
13 the purpose of and while actually engaged in loading and
14 unloading;

15 B. "park model recreational vehicle" means a
16 recreational vehicle or trailer that is:

- 17 (1) built on a single chassis;
18 (2) mounted on wheels or was originally
19 mounted on wheels but the wheels have been removed;
20 (3) primarily designed to resemble the
21 appearance of a housing structure for temporary,
22 semipermanent or seasonal use as living quarters; and
23 (4) made to comply with the certification
24 requirements of a nationally recognized standards and
25 conformity assessment system that promotes and facilitates

1 voluntary consensus standards for the park model recreational
2 vehicle industry;

3 C. "parking lot" means a parking area provided for
4 the use of patrons of any office of state or local government
5 or of any public accommodation, retail or commercial
6 establishment;

7 D. "parts car" means a motor vehicle generally in
8 nonoperable condition that is owned by a collector to furnish
9 parts that are usually nonobtainable from normal sources,
10 thus enabling a collector to preserve, restore and maintain a
11 motor vehicle of historic or special interest;

12 E. "pedestrian" means any natural person on foot;

13 F. "person" means every natural person, firm,
14 copartnership, association, corporation or other legal
15 entity;

16 G. "personal information" means information that
17 identifies an individual, including an individual's
18 photograph, social security number, driver identification
19 number, name, address other than zip code, telephone number
20 and medical or disability information, but "personal
21 information" does not include information on vehicles,
22 vehicle ownership, vehicular accidents, driving violations or
23 driver status;

24 H. "placard" or "parking placard" means a card-
25 like device that identifies the vehicle as being currently in

1 use to transport a person with severe mobility impairment and
2 issued pursuant to Section 66-3-16 NMSA 1978 to be displayed
3 inside a motor vehicle so as to be readily visible to an
4 observer outside the vehicle;

5 I. "pneumatic tire" means every tire in which
6 compressed air is designed to support the load;

7 J. "pole trailer" means any vehicle without motive
8 power, designed to be drawn by another vehicle and attached
9 to the towing vehicle by means of a reach or pole or by being
10 boomed or otherwise secured to the towing vehicle and
11 ordinarily used for transporting long or irregularly shaped
12 loads such as poles, structures, pipes and structural members
13 capable, generally, of sustaining themselves as beams between
14 the supporting connections;

15 K. "police or peace officer" means every officer
16 authorized to direct or regulate traffic or to make arrests
17 for violations of the Motor Vehicle Code;

18 L. "private road or driveway" means every way or
19 place in private ownership used for vehicular travel by the
20 owner and those having express or implied permission from the
21 owner, but not other persons; and

22 M. "property owner" means the owner of a piece of
23 land or the agent of that property owner."

24 **SECTION 13.** Section 66-1-4.15 NMSA 1978 (being Laws
25 1990, Chapter 120, Section 16, as amended) is amended to

1 read:

2 "66-1-4.15. DEFINITIONS.--As used in the Motor Vehicle
3 Code:

4 A. "railroad" means a carrier of persons or
5 property upon cars operated upon stationary rails;

6 B. "railroad sign or signal" means any sign,
7 signal or device erected by authority of a public body or
8 official or by a railroad and intended to give notice of the
9 presence of railroad tracks or the approach of a railroad
10 train;

11 C. "railroad train" means a steam engine, electric
12 or other motor, with or without cars coupled thereto,
13 operated upon rails;

14 D. "reconstructed vehicle" means any vehicle
15 assembled or constructed largely by means of essential parts,
16 new or used, derived from other vehicles or which, if
17 originally otherwise assembled or constructed, has been
18 materially altered by the removal of essential parts, new or
19 used;

20 E. "recreational travel trailer" means a camping
21 body designed to be drawn by another vehicle;

22 F. "recreational vehicle" means a vehicle with a
23 camping body that has its own motive power, is affixed to or
24 is drawn by another vehicle and includes motor homes, travel
25 trailers and truck campers. "Recreational vehicle" does not

1 include a park model recreational vehicle;

2 G. "registration" means registration certificates
3 and registration plates issued under the laws of New Mexico
4 pertaining to the registration of vehicles;

5 H. "registration number" means the number assigned
6 upon registration by the division to the owner of a vehicle
7 or motor vehicle required to be registered by the Motor
8 Vehicle Code;

9 I. "registration plate" means the plate, marker,
10 sticker or tag assigned by the division for the
11 identification of the registered vehicle;

12 J. "residence district" means the territory
13 contiguous to and including a highway not comprising a
14 business district when the property on the highway for a
15 distance of three hundred feet or more is in the main
16 improved with residences or residences and buildings in use
17 for business;

18 K. "revocation" means that the driver's license
19 and privilege to drive a motor vehicle on the public highways
20 are terminated and shall not be renewed or restored, except
21 that an application for a new license may be presented to and
22 acted upon by the division after the expiration of at least
23 one year after date of revocation;

24 L. "right of way" means the privilege of the
25 immediate use of the roadway;

1 M. "road tractor" means every motor vehicle
2 designed and used primarily for drawing other vehicles and
3 constructed not to carry a significant load on the road
4 tractor, either independently or as any part of the weight of
5 a vehicle or load drawn; and

6 N. "roadway" means that portion of a street or
7 highway improved, designed or ordinarily used for vehicular
8 travel, exclusive of the berm or shoulder; when a highway
9 includes two or more separate roadways, the term "roadway"
10 refers to each roadway separately but not to all of the
11 roadways collectively."

12 SECTION 14. Section 66-1-4.18 NMSA 1978 (being Laws
13 1990, Chapter 120, Section 19) is amended to read:

14 "66-1-4.18. DEFINITIONS.--As used in the Motor Vehicle
15 Code:

16 A. "unclaimed vehicle or motor vehicle" means a
17 vehicle or motor vehicle that has been placed in an impound
18 lot by a law enforcement agency or removed to any storage lot
19 by a property owner and to which no owner or lienholder of
20 record has asserted a valid claim; and

21 B. "utility trailer" means any trailer,
22 semitrailer or pole trailer, but does not include freight
23 trailers, manufactured homes, park model recreational
24 vehicles, trailers of less than one-ton carrying capacity
25 used to transport animals or fertilizer trailers of less than

1 three thousand five hundred pounds empty weight."

2 SECTION 15. Section 66-3-1 NMSA 1978 (being Laws 1978,
3 Chapter 35, Section 21, as amended) is amended to read:

4 "66-3-1. VEHICLES SUBJECT TO REGISTRATION--
5 EXCEPTIONS.--

6 A. With the exception of vehicles identified in
7 Subsection B of this section, every motor vehicle,
8 manufactured home, park model recreational vehicle, trailer,
9 semitrailer and pole trailer when driven or moved upon a
10 highway and every off-highway motor vehicle is subject to the
11 registration and certificate of title provisions of the Motor
12 Vehicle Code except:

13 (1) any such vehicle driven or moved upon a
14 highway in conformance with the provisions of the Motor
15 Vehicle Code relating to manufacturers, dealers, lien holders
16 or nonresidents;

17 (2) any such vehicle that is driven or moved
18 upon a highway only for the purpose of crossing the highway
19 from one property to another;

20 (3) an implement of husbandry that is only
21 incidentally operated or moved upon a highway;

22 (4) special mobile equipment;

23 (5) a vehicle that is propelled exclusively
24 by electric power obtained from overhead trolley wires though
25 not operated upon rails;

1 (6) a freight trailer if it is:

2 (a) properly registered in another
3 state;

4 (b) identified by a proper base
5 registration plate that is properly displayed; and

6 (c) identified by other registration
7 documents that are in the possession of the operator and
8 exhibited at the request of a police officer;

9 (7) a freight trailer or utility trailer
10 owned and used by:

11 (a) a nonresident solely for the
12 transportation of farm products purchased by the nonresident
13 from growers or producers of the farm products and
14 transported in the trailer out of the state;

15 (b) a farmer or a rancher who
16 transports to market only the produce, animals or fowl
17 produced by that farmer or rancher or who transports back to
18 the farm or ranch supplies for use thereon; or

19 (c) a person who transports animals to
20 and from fairs, rodeos or other places, except racetracks,
21 where the animals are exhibited or otherwise take part in
22 performances, in trailers drawn by a motor vehicle or truck
23 of less than ten thousand pounds gross vehicle weight rating
24 bearing a proper registration plate, but in no case shall the
25 owner of an unregistered trailer described in this paragraph

1 perform such uses for hire;

2 (8) a moped;

3 (9) an electric personal assistive mobility
4 device;

5 (10) a vehicle moved on a highway by a
6 towing service as defined in Section 59A-50-2 NMSA 1978; and

7 (11) an off-highway motor vehicle exempted
8 pursuant to Section 66-3-1005 NMSA 1978.

9 B. A certificate of title required pursuant to
10 Subsection A of this section is not required for a vehicle of
11 a type subject to registration owned by:

12 (1) the government of the United States; or

13 (2) a carrier that is from a jurisdiction
14 that is not a participant in the International Fuel Tax
15 Agreement, that is authorized by the United States government
16 or an agency of the United States government to conduct
17 cross-border operations beyond the commercial border zone
18 pursuant to the provisions of the North American Free Trade
19 Agreement and that identifies New Mexico as the carrier's
20 base jurisdiction.

21 C. A person who violates the provisions of this
22 section is guilty of a misdemeanor as provided in Section
23 66-8-7 NMSA 1978. A person charged with violating this
24 section shall not be convicted if the person produces, in
25 court, evidence of compliance valid at the time of issuance

1 of the citation."

2 SECTION 16. Section 66-3-4 NMSA 1978 (being Laws 1978,
3 Chapter 35, Section 24, as amended by Laws 2007, Chapter 319,
4 Section 16 and by Laws 2007, Chapter 320, Section 2) is
5 amended to read:

6 "66-3-4. APPLICATION FOR REGISTRATION AND CERTIFICATE
7 OF TITLE--NONREPAIRABLE VEHICLE CERTIFICATE.--

8 A. Except for a vehicle owned by a carrier that is
9 from a jurisdiction that is not a participant in the
10 International Fuel Tax Agreement, that is authorized by the
11 United States government or an agency of the United States
12 government to conduct cross-border operations beyond the
13 commercial border zone pursuant to the provisions of the
14 North American Free Trade Agreement and that identifies New
15 Mexico as the carrier's base jurisdiction, every owner of a
16 vehicle of a type required to be registered in this state
17 shall make application to the division for the registration
18 and issuance of a certificate of title for the vehicle.

19 Applications shall be upon the appropriate forms furnished by
20 the division and shall bear the signature of the owner
21 written with pen and ink. All applications presented to the
22 division shall contain:

23 (1) for a vehicle other than a recreational
24 vehicle, the name, bona fide New Mexico residence address and
25 mail address of the owner or, if the owner is a firm,

1 association or corporation, the name, bona fide New Mexico
2 business address and mail address of the firm, association or
3 corporation and for a recreational vehicle, the name, bona
4 fide residence address and mail address of the owner and
5 proof of delivery in New Mexico;

6 (2) a description of the vehicle including,
7 to the extent that the following specified data may exist
8 with respect to a given vehicle, the make, model, type of
9 body, number of cylinders, type of fuel used, serial number
10 of the vehicle, odometer reading, engine or other
11 identification number provided by the manufacturer of the
12 vehicle, whether new or used and, if a vehicle not previously
13 registered, date of sale by the manufacturer or dealer to the
14 person intending to operate the vehicle. In the event a
15 vehicle is designed, constructed, converted or rebuilt for
16 the transportation of property, the application shall include
17 a statement of its rated capacity as established by the
18 manufacturer of the chassis or the complete vehicle;

19 (3) a statement of the applicant's title and
20 of all liens or encumbrances upon the vehicle and the names
21 and addresses of all persons having an interest in the
22 vehicle, the nature of each interest and the name and address
23 of the person to whom the certificate of title shall be
24 delivered by the division;

25 (4) if the vehicle required to be registered

1 is a house trailer, as defined in the Motor Vehicle Code, a
2 certificate from the treasurer or assessor of the county in
3 which the house trailer is located showing that either:

4 (a) all property taxes due or to become
5 due on the house trailer for the current tax year or any past
6 tax years have been paid; or

7 (b) no liability for property taxes on
8 the house trailer exists for the current year or any past tax
9 years; and

10 (5) further information as may reasonably be
11 required by the division to enable it to determine whether
12 the vehicle is lawfully entitled to registration and the
13 owner entitled to a certificate of title.

14 B. The owner of a vehicle subject to registration
15 that has never been registered in this state and that has
16 been registered in another state, except manufactured homes
17 and park model recreational vehicles, shall have the vehicle
18 examined and inspected for its identification number or
19 engine number by the division or an officer or a designated
20 agent of the division incident to securing registration,
21 reregistration or a certificate of title from the division.

22 C. When an application refers to a vehicle not
23 previously registered and the vehicle is purchased from a
24 dealer licensed in this state or a dealer licensed or
25 recognized as such in any other state, territory or

1 possession of the United States, the application shall be
2 accompanied by a manufacturer's certificate of origin duly
3 assigned by the dealer to the purchaser. In the event that a
4 vehicle not previously registered is sold by the manufacturer
5 to a dealer in a state not requiring a manufacturer's
6 certificate of origin and in the event that the vehicle is
7 subsequently purchased by a dealer or any person in this
8 state, the application for title shall be accompanied by the
9 evidence of title accepted by the state in which the vehicle
10 was sold by the manufacturer to a dealer in that state
11 together with evidence of subsequent transfers.

12 D. Prior to the sale or disposal of a
13 nonrepairable vehicle, the owner, owner's agent or salvage
14 pool shall obtain a properly endorsed nonrepairable vehicle
15 certificate from the department and deliver it to the
16 purchaser within twenty days after payment in full for the
17 nonrepairable vehicle and shall also comply with Section
18 66-3-10.1 NMSA 1978. The department shall accept the
19 endorsed nonrepairable vehicle certificate in lieu of the
20 certificate of ownership or other evidence of ownership when
21 accompanied by an application and other documents and fees as
22 may be required by the department. A vehicle for which a
23 nonrepairable vehicle certificate has been issued shall not
24 be titled or registered for use on the highways of this
25 state.

1 E. If an insurance company makes a total loss
2 settlement on a nonrepairable vehicle and takes possession of
3 that vehicle, either itself or through an agent or salvage
4 pool, the insurance company or an authorized agent of the
5 insurance company shall:

6 (1) stamp the face of the title or
7 manufacturer's certificate of origin with the word
8 "NONREPAIRABLE", in letters no less than one-half inch high,
9 at an angle of approximately forty-five degrees to the text
10 of the title or manufacturer's certificate of origin; and

11 (2) within twenty days after receipt of
12 title by the insurer, free and clear of all liens, submit a
13 copy of the branded title or manufacturer's certificate of
14 title to the department together with documents explaining
15 the reason for branding, and shall forward a properly
16 endorsed certificate of title or manufacturer's certificate
17 of origin or other evidence of ownership acceptable to the
18 department together with the proper fee to the department.
19 The department, upon receipt of the title or manufacturer's
20 certificate of origin or other evidence of ownership, shall
21 issue a nonrepairable vehicle certificate for the vehicle.

22 F. If an owner of a nonrepairable vehicle elects
23 to retain possession of the vehicle, the insurance company
24 shall notify the department of the retention on a form
25 prescribed by the department. The insurance company shall

1 also notify the insured or owner of the insured's or owner's
2 responsibility to comply with this section. The owner shall,
3 within twenty days from the date of settlement of the loss,
4 forward a properly endorsed certificate of title or
5 manufacturer's certificate of origin or other evidence of
6 ownership acceptable to the department together with the
7 proper fee to the department. The department, upon receipt
8 of the title or manufacturer's certificate of origin or other
9 evidence of ownership, shall issue a nonrepairable vehicle
10 certificate for the vehicle.

11 G. If a nonrepairable vehicle is not the subject
12 of an insurance settlement, the owner shall, within twenty
13 days from the date of the loss, forward a properly endorsed
14 certificate of title or manufacturer's certificate of origin
15 or other evidence of ownership acceptable to the department
16 together with the proper fee to the department. The
17 department, upon receipt of the title or manufacturer's
18 certificate of origin or other evidence of ownership, shall
19 issue a nonrepairable vehicle certificate for the vehicle.

20 H. The department shall not issue a new
21 registration card and certificate of ownership pursuant to
22 Subsection A, B or C of this section on a vehicle that has
23 been issued a nonrepairable vehicle certificate pursuant to
24 Subsections E, F and G of this section."

25 SECTION 17. Section 66-3-6 NMSA 1978 (being Laws 1978,

1 Chapter 35, Section 26, as amended) is amended to read:

2 "66-3-6. TEMPORARY REGISTRATION PERMITS, DEMONSTRATION
3 PERMITS AND TRANSPORT PERMITS.--

4 A. The department may issue a temporary
5 registration permit to individuals to operate a vehicle
6 pending action by the department upon an application for
7 registration and certificate of title or renewal of
8 registration when the application is accompanied by the
9 proper fees and taxes. The temporary registration permit
10 shall be valid for a period not to exceed thirty business
11 days from the day it is validated by the department.

12 Temporary registration permits shall not be extended nor
13 another issued except for good cause shown.

14 B. The department may issue a demonstration permit
15 to individuals and financing institutions to operate a
16 vehicle for the purpose of demonstrating the vehicle for
17 resale. The demonstration permit shall be valid for a period
18 not to exceed five business days from the day it is validated
19 by the department. Demonstration permits shall not be
20 extended nor another issued except for good cause shown.

21 C. The department may issue a transport permit to
22 a manufacturer of vehicles or transporter of manufactured
23 homes or park model recreational vehicles for the purpose of
24 demonstrating or transporting the vehicle to a dealer's
25 location. The transport permit shall be valid for a period

1 not to exceed ten business days, shall state the number of
2 days for which the transport permit is valid and shall be
3 validated by the signature of the manufacturer or
4 transporter. Transport permits shall not be extended nor
5 another issued except for good cause shown.

6 D. The department shall issue transport permits to
7 dealers licensed pursuant to Section 66-4-1 NMSA 1978.

8 Transport permits shall be used only on vehicles held in the
9 inventory of the dealer to whom the transport permits are
10 issued. The transport permits shall be used only for
11 importing vehicles into this state or for transporting
12 vehicles between dealers intrastate. Use of transport
13 permits pursuant to this section shall be deemed compliance
14 with the requirements of Section 66-3-4 NMSA 1978. The
15 transport permits shall be valid for not more than five
16 business days from the date of validation. Transport permits
17 shall:

18 (1) name the dealer to whom the transport
19 permits are issued;

20 (2) name the authorized driver of the
21 vehicle;

22 (3) show the point of origin and termination
23 of the trip covered by the transport permit; and

24 (4) be signed and dated by the dealer who
25 executed the transport permit.

1 E. The department shall issue temporary
2 registration permits to dealers licensed pursuant to Section
3 66-4-1 NMSA 1978. Temporary registration permits shall be
4 used only on vehicles sold at retail by the dealer to whom
5 the temporary registration permits are issued and shall not
6 be extended nor another issued for the same vehicle except
7 for good cause shown. Use of the temporary registration
8 permits pursuant to this section shall be deemed compliance
9 with the provisions of Section 66-3-4 NMSA 1978. The
10 temporary registration permits shall be valid for not more
11 than thirty days from the date of validation. Temporary
12 registration permits shall:

13 (1) name the dealer to whom the temporary
14 registration permits are issued;

15 (2) name the person to whom the vehicle has
16 been sold; and

17 (3) be signed and dated by the dealer who
18 executed the temporary registration permit.

19 F. The department shall issue demonstration
20 permits to dealers licensed pursuant to Section 66-4-1 NMSA
21 1978. Demonstration permits shall be used only on vehicles
22 included in the inventory of the dealer to whom the
23 demonstration permits are issued. The demonstration permits
24 shall be used to allow the operation of vehicles for the
25 limited purposes of testing, demonstrating or preparing a

1 vehicle for sale or lease. Demonstration permits may not be
2 used on work or service vehicles, as that term is defined in
3 Section 66-3-401 NMSA 1978, that are owned, used or held in
4 inventory by a dealer. Use of the demonstration permits
5 pursuant to this section shall be deemed compliance with the
6 provisions of Section 66-3-4 NMSA 1978. A demonstration
7 permit, after being affixed to a specific vehicle, shall be
8 valid for as long as the vehicle is held in the dealer's
9 inventory. A dealer who uses demonstration permits is
10 required to maintain a list showing the date on which the
11 dealer assigned the permit to a vehicle and the name and a
12 description of the vehicle, including its make, model, model
13 year and vehicle identification number. A dealer shall
14 maintain the list for three years from the end of the year in
15 which the dealer issued the permit and must make it available
16 to the department or its agents and to law enforcement
17 officers during reasonable business hours. When a vehicle is
18 sold, the dealer shall keep demonstration permits with other
19 records of the sale. A demonstration permit shall:

20 (1) name the dealer to whom the
21 demonstration permit is issued; and

22 (2) display a unique identification number
23 assigned by the department.

24 G. The department may authorize in writing dealers
25 licensed pursuant to Section 66-4-1 NMSA 1978 to print and

1 use at their own cost demonstration permits in conformance
2 with the provisions of Subsection F of this section, subject
3 to reasonable requirements established by the department.

4 H. The department may authorize agents of the
5 division, in writing, to print and issue demonstration
6 permits to be used by dealers in conformance with the
7 provisions of Subsection F of this section, subject to
8 reasonable requirements established by the department.

9 Agents who issue demonstration permits shall maintain a list
10 showing the date on which the permit was issued and the name
11 of the dealer to whom it was issued. Agents shall maintain
12 the list for three years from the end of the year in which
13 they issued the permit and shall make it available to the
14 department or its agents, and to law enforcement officers,
15 during reasonable business hours. A demonstration permit
16 shall:

17 (1) name the dealer to whom the permit is
18 issued; and

19 (2) display a unique identification number
20 assigned by the department.

21 I. The department shall prescribe the size, shape
22 and content of all temporary registration permits,
23 demonstration permits and transport permits authorized by
24 this section. A temporary registration permit, demonstration
25 permit or transport permit is not valid until affixed to the

1 vehicle for which it is validated in a manner prescribed by
2 the department.

3 J. For the misuse of a temporary registration
4 permit, demonstration permit or transport permit authorized
5 by this section by an individual, financing institution,
6 manufacturer of vehicles, transporter of manufactured homes
7 or park model recreational vehicles, dealer or auto recycler,
8 the secretary may revoke or suspend the use of that type of
9 permit after a hearing as provided in Section 66-2-17 NMSA
10 1978.

11 K. The department shall collect the administrative
12 fee imposed in Section 66-2-16 NMSA 1978 in addition to the
13 actual cost of the temporary registration permit,
14 demonstration permit or transport permit for each permit
15 issued by the department pursuant to this section to
16 individuals, financial institutions, manufacturers,
17 transporters or auto recyclers.

18 L. The department may issue temporary registration
19 permits, demonstration permits and transport permits to
20 dealers in units of not less than one hundred at a fee
21 established by the department to cover the actual cost of the
22 permits. An administrative fee shall not be charged by the
23 department when permits are issued by the department pursuant
24 to the provisions of this subsection.

25 M. The fees authorized by Subsections K and L of

1 this section to cover the actual cost of the permits are
2 appropriated to the department to defray the costs of
3 administering the permits program. The department shall
4 remit the administrative fee revenues of this section to the
5 motor vehicle suspense fund to be distributed in accordance
6 with Section 66-6-23 NMSA 1978."

7 **SECTION 18.** Section 66-3-8 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 28, as amended) is amended to read:

9 "66-3-8. EXAMINATION OF REGISTRATION RECORDS AND INDEX
10 OF STOLEN AND RECOVERED VEHICLES.--The department, upon
11 receiving application for original registration of a vehicle
12 or a certificate of title, except a title issued on a
13 manufactured home or a park model recreational vehicle, shall
14 first check the engine or other standard identification
15 number provided by the manufacturer of the vehicle shown in
16 the application against its own records, the records of the
17 national crime information center and other records as
18 appropriate."

19 **SECTION 19.** Section 66-3-19 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 39, as amended by Laws 1995, Chapter 44,
21 Section 2 and also by Laws 1995, Chapter 135, Section 12) is
22 amended to read:

23 "66-3-19. RENEWAL OF REGISTRATION--STAGGERED PERIOD FOR
24 VEHICLES--EXCEPTION FOR MANUFACTURED HOMES, PARK MODEL
25 RECREATIONAL VEHICLES AND FREIGHT TRAILERS--LATE

1 REGISTRATION.--

2 A. The department, in order to operate a more
3 uniform system of vehicle registration, is authorized for
4 certain or all vehicles to:

5 (1) prorate registration fees by quarterly
6 increments for periods in excess of twelve months, but not
7 exceeding twenty-four months;

8 (2) determine the specific registered
9 vehicle owners and the numbers of these to be assigned to
10 each registration period in order to maintain the system;

11 (3) notify each registered vehicle owner by
12 mail at the last known address within an appropriate period
13 prior to the expiration of the current registration period.

14 The notice shall include a renewal-of-registration
15 application form specifying the amount of registration fees
16 due and the specific dates of the registration period covered
17 by the renewal application;

18 (4) provide for the retention of
19 registration plates;

20 (5) provide for the issuance of validating
21 stickers to be affixed either to retained registration plates
22 or elsewhere on the vehicles as prescribed by the department
23 to signify the registration of the vehicles for the current
24 registration period; and

25 (6) provide for identification purposes

1 clearly recognizable distinctions between current and expired
2 registration plates and validation stickers. To this end,
3 the department, by whatever system or device the secretary
4 may direct that is approved by the chief of the New Mexico
5 state police division of the department of public safety,
6 shall ensure a practicable display of the proper and current
7 registration of vehicles.

8 B. Certificates of title need not be renewed
9 annually but shall remain valid until canceled by the
10 department for cause or upon transfer of any interest shown
11 in the certificate of title.

12 C. The vehicle registration of vehicles registered
13 under the provisions of Subsection A of this section expires
14 on the last day of the period for which the vehicle has been
15 registered. Every vehicle registration other than vehicles
16 registered in accordance with Subsection A of this section,
17 manufactured homes, park model recreational vehicles and
18 freight trailers expires December 31. The department may
19 receive applications for renewal of registration and may
20 issue new registration evidence and registration plates or
21 validating stickers at any time prior to expiration of the
22 current registration.

23 D. The registration of a manufactured home, park
24 model recreational vehicle or freight trailer need not be
25 renewed annually, and the initial registration shall be

1 effective and considered a current registration for the
2 purpose of the Motor Vehicle Code as long as the ownership of
3 the vehicle is not transferred. The transfer of title
4 provisions of the Motor Vehicle Code do apply to manufactured
5 homes, park model recreational vehicles and freight trailers,
6 and the transferee is required to register the vehicle in
7 accordance with Section 66-3-103 NMSA 1978. The department
8 is authorized and directed to issue distinctive registration
9 plates for manufactured homes, park model recreational
10 vehicles and freight trailers that identify the plates as
11 permanent registration plates.

12 E. It is unlawful to operate or transport or cause
13 to be transported upon any highways in this state any
14 vehicle, except a commercial motor vehicle registered in
15 another state, a manufactured home or a park model
16 recreational vehicle, subject to registration under the
17 provisions of the Motor Vehicle Code without having paid the
18 registration fee or without having secured and constantly
19 displayed the registration plate required by the Motor
20 Vehicle Code. If a vehicle, other than a manufactured home
21 or park model recreational vehicle, is operated or
22 transported after the expiration of the vehicle registration,
23 the owner of the vehicle is subject to a penalty of the
24 greater of ten dollars (\$10.00) or, if the vehicle is
25 operated or transported thirty-one or more days after the

1 expiration of the registration, an amount equal to seventy-
2 five percent of the registration fee. Any duly appointed
3 deputy or agent of the department has the authority to seize
4 the vehicle and hold it until the fee, penalty and any fine
5 that may be imposed for violation of law are paid and may
6 sell the vehicle in the manner provided by law for the
7 distraint and sale of personal property.

8 F. It is unlawful to operate, transport or cause
9 to be transported upon any highways in this state or to
10 maintain in any place in this state a manufactured home or
11 park model recreational vehicle subject to registration under
12 the provisions of the Motor Vehicle Code without having paid
13 the registration fee or without having secured and constantly
14 displayed the registration plate required by the Motor
15 Vehicle Code. Violation of this subsection subjects the
16 owner to a penalty of five dollars (\$5.00), and no other
17 administrative penalty for failure to register under the
18 Motor Vehicle Code shall be imposed on manufactured homes or
19 park model recreational vehicles that are subject to the
20 provisions of Section 66-6-10 NMSA 1978. Any duly appointed
21 deputy or agent of the department has authority to seize the
22 home or vehicle and hold it until the fee, penalties and any
23 fine that may be imposed for violation of law are paid and
24 may sell the home or vehicle in the manner provided by law
25 for the distraint and sale of personal property.

1 G. This section authorizes a staggered system of
2 registration of vehicles."

3 **SECTION 20.** Section 66-3-110 NMSA 1978 (being Laws
4 1978, Chapter 35, Section 57, as amended) is amended to read:

5 "66-3-110. WHEN DIVISION TO REREGISTER VEHICLE AND
6 ISSUE NEW CERTIFICATE.--

7 A. The division upon receipt of a properly
8 endorsed certificate of title, current registration evidence
9 and proper application for registration or transfer of
10 registration accompanied by the required fee and when
11 satisfied as to the genuineness and regularity of the
12 transfer and of the right of the transferee to a certificate
13 of title shall reregister the vehicle as upon a new
14 registration in the name of the new owner and issue a new
15 certificate of title as upon an original application.

16 B. If the vehicle is a manufactured home or park
17 model recreational vehicle, the division shall require in
18 addition to those conditions set out in Subsection A of this
19 section a certificate from the treasurer or assessor of the
20 county in which the home or vehicle is located showing that
21 either:

22 (1) all property taxes due or to become due
23 on the home or vehicle for the current tax year or any past
24 tax years have been paid; or

25 (2) no liability for property taxes on the

1 home or vehicle exists for the current year or any past tax
2 years.

3 C. The division shall retain and appropriately
4 file every surrendered certificate of title. The file shall
5 be so maintained as to permit the tracing of title of the
6 vehicles designated therein."

7 SECTION 21. Section 66-3-201 NMSA 1978 (being Laws
8 1978, Chapter 35, Section 73, as amended) is amended to read:

9 "66-3-201. FILING SECURITY INTERESTS.--

10 A. A security interest in a vehicle of a type
11 required to be titled and registered in New Mexico is not
12 valid against attaching creditors, subsequent transferees or
13 lienholders unless perfected as provided by this section.
14 This provision does not apply to liens dependent upon
15 possession nor to property tax liens on manufactured homes or
16 park model recreational vehicles perfected under Section
17 66-3-204 NMSA 1978.

18 B. Title applications may be submitted
19 electronically to the department, but all title applications
20 shall be accompanied by the certificate of title last issued
21 for the vehicle and shall contain the name and address of any
22 lienholder, the date the security agreement was executed and
23 the maturity date of the agreement.

24 C. Upon receipt of a title application, the
25 department shall record the date it was received. When

1 satisfied as to the genuineness of the application, the
2 department shall file it and issue a new certificate of title
3 showing the owner's name and all liens existing against the
4 vehicle.

5 D. No security interest filed in any state [~~which~~]
6 that does not show all liens on the certificate of title
7 shall be valid against any person in this state other than
8 the parties to the security agreement or those persons who
9 take with actual notice of the agreement."

10 SECTION 22. Section 66-3-202 NMSA 1978 (being Laws
11 1978, Chapter 35, Section 74, as amended) is amended to read:

12 "66-3-202. FILING EFFECTIVE TO GIVE NOTICE.--

13 A. On or after June 1, 1996, the filing of an
14 application with the division and the issuance of a new
15 certificate of title by the division as provided in Section
16 66-3-201 NMSA 1978 shall constitute constructive notice of
17 all security interests in the vehicle described in the
18 application. Except for a manufactured home, park model
19 recreational vehicle or recreational vehicle, if the
20 application is received by the division within ten days after
21 the date the security agreement was executed, constructive
22 notice shall be effective as of the date of the execution of
23 the security agreement, and the security interest shall be
24 deemed to have been filed and perfected as of that date and
25 shall have priority over other liens attached or filed

1 subsequent to that date, except for tax liens filed by the
2 state, county or federal governments. In the case of a
3 manufactured home, park model recreational vehicle or
4 recreational vehicle, if the application is received by the
5 division within sixty days after the date the security
6 agreement was executed, constructive notice shall be
7 effective as of the date of the execution of the security
8 agreement, and the security agreement shall be deemed to have
9 been filed and perfected as of that date and shall have
10 priority over other liens attached or filed subsequent to
11 that date, except for tax liens filed by the state, county or
12 federal governments. In all other cases, constructive notice
13 shall be effective as of the date of receipt noted on the
14 title application.

15 B. The method provided in this article for
16 perfecting a security interest shall be exclusive except as
17 to liens dependent upon possession and property tax liens on
18 manufactured homes or park model recreational vehicles
19 perfected under Section 66-3-204 NMSA 1978.

20 C. The constructive notice provided for in this
21 section terminates twelve months after the maturity date of
22 the debt. Unless refiled in a manner prescribed by the
23 division within twelve months after the maturity date, the
24 division may ignore the security interest in the issuance of
25 all subsequent certificates of title."

1 SECTION 23. Section 66-3-204 NMSA 1978 (being Laws
2 1978, Chapter 35, Section 76, as amended) is amended to read:

3 "66-3-204. PROPERTY TAX LIENS ON MANUFACTURED HOMES OR
4 PARK MODEL RECREATIONAL VEHICLES--FILING--EFFECT.--

5 A. Upon receipt of a notification of unpaid taxes
6 on a manufactured home or park model recreational vehicle
7 required by Section 7-38-52 NMSA 1978, the division shall
8 file the notification and indicate on it the date and time of
9 receipt. It shall maintain an index and file of the
10 notifications by vehicle registration number.

11 B. From the date and time of receipt of a
12 notification, the unpaid taxes, penalty and interest
13 certified by the county treasurer constitute a lien on and a
14 security interest in the manufactured home or park model
15 recreational vehicle on behalf of the state until paid. The
16 lien is valid against holders of prior perfected security
17 interests, attaching creditors and subsequent transferees and
18 when perfected by filing in accordance with this section
19 constitutes constructive notice of the lien claimed. When a
20 lien is perfected under this section, the division shall send
21 written notification of the lien to all holders of prior
22 perfected security interests as shown on the vehicle's
23 certificate of title. The notice shall be sent no later than
24 ten days after the filing of the lien.

25 C. Upon receipt of a certified notice from a

1 county treasurer showing that the taxes, penalty and interest
2 for which a lien is claimed have been paid, the division
3 shall indicate in writing on the filed notification the fact
4 of payment, shall attach the notice of payment to the
5 original notification, shall remove both documents from its
6 lien file to a separate file and shall make a written entry
7 in its index indicating the satisfaction of the lien. At the
8 same time, it shall send written notification to the
9 registered owner of the manufactured home or park model
10 recreational vehicle of the action it has taken."

11 SECTION 24. Section 66-6-10 NMSA 1978 (being Laws 1978,
12 Chapter 35, Section 345, as amended) is amended to read:

13 "66-6-10. REGISTRATION FEES FOR MANUFACTURED HOMES,
14 PARK MODEL RECREATIONAL VEHICLES AND TRAVEL TRAILERS--
15 DIVISION TO NOTIFY COUNTY ASSESSOR OF MANUFACTURED HOME OR
16 PARK MODEL RECREATIONAL VEHICLE REGISTRATION.--

17 A. For the registration of each manufactured home
18 or park model recreational vehicle, the division shall
19 collect a fee of seven dollars (\$7.00).

20 B. The division shall compile and transmit to each
21 county assessor each year a list of the manufactured homes
22 and park model recreational vehicles that are registered with
23 the division showing the assessor's county as the principal
24 location of the home or vehicle. The listing shall include
25 all data pertinent to and necessary for the county assessor

1 to value the homes or vehicles in accordance with valuation
2 rules promulgated by the property tax division pursuant to
3 Section 7-36-26 NMSA 1978. The listing required by this
4 subsection shall be transmitted no later than thirty days
5 following the close of the annual registration process and
6 shall be supplemented no less often than every thirty days to
7 provide information to the appropriate county assessors on
8 registrations occurring throughout the year.

9 C. At the time a person registers a manufactured
10 home or park model recreational vehicle and pays the fee
11 required by this section, the person shall be notified in
12 writing by the division that the information required by
13 Subsection B of this section will be furnished to the county
14 assessor of the county of the principal location of the home
15 or vehicle and that the home or vehicle is subject to
16 property taxation under the Property Tax Code."

17 SECTION 25. Section 66-7-413 NMSA 1978 (being Laws
18 1978, Chapter 35, Section 484, as amended) is amended to
19 read:

20 "66-7-413. PERMITS FOR EXCESSIVE SIZE AND WEIGHT--
21 SPECIAL NOTIFICATION REQUIRED ON MOVEMENT OF MANUFACTURED
22 HOMES AND PARK MODEL RECREATIONAL VEHICLES.--

23 A. The department of public safety and local
24 highway authorities may, in their discretion, upon
25 application in writing and good cause being shown, issue a

1 special permit in writing authorizing the applicant to
2 operate or move a vehicle or load of a size or weight
3 exceeding the maximum specified in Sections 66-7-401 through
4 66-7-416 NMSA 1978 on a highway under the jurisdiction of the
5 state transportation commission or local authorities. Except
6 for the movement of manufactured homes and park model
7 recreational vehicles, a permit may be granted, in cases of
8 emergency, for the transportation of loads on a certain unit
9 or combination of equipment for a specified period of time
10 not to exceed one year, and the permit shall contain the
11 route to be traversed, the type of load to be transported and
12 any other restrictions or conditions deemed necessary by the
13 body granting the permit. In every other case, the permit
14 shall be issued for a single trip and may designate the route
15 to be traversed and contain any other restrictions or
16 conditions deemed necessary by the body granting the permit.
17 Every permit shall be carried in the vehicle to which it
18 refers and shall be opened for inspection to any peace
19 officer. It is a misdemeanor for a person to violate a
20 condition or term of the special permit.

21 B. The department of public safety shall
22 promulgate rules in accordance with the State Rules Act
23 pertaining to safety practices, liability insurance and
24 equipment for escort vehicles provided by the motor carrier
25 and for escort vehicles provided by a private business in

1 this state.

2 (1) The department of public safety shall
3 provide the escort personnel with a copy of applicable rules
4 and shall inspect the escort vehicles for the safety
5 equipment required by the rules. If the escort vehicles and
6 personnel meet the requirements set forth in the rules, the
7 department of public safety shall issue the special permit.

8 (2) The movement of vehicles upon the
9 highways of this state requiring a special permit and
10 required to use an escort of the type noted in Paragraph (1)
11 of this subsection is subject to department of public safety
12 authority and inspection at all times.

13 (3) The department of transportation shall
14 conduct engineering investigations and engineering
15 inspections to determine which four-lane highways are safe
16 for the operation or movement of manufactured homes or park
17 model recreational vehicles without an escort. After making
18 that determination, the department of transportation shall
19 hold public hearings in the area of the state affected by the
20 determination, after which it may adopt rules designating
21 those four-lane highways as being safe for the operation or
22 movement of manufactured homes or park model recreational
23 vehicles without an escort. If a portion of such a four-lane
24 highway lies within the boundaries of a municipality, the
25 department of transportation, after obtaining the approval of

1 the municipal governing body, shall include such portions in
2 its rules.

3 C. Except for the movement of manufactured homes
4 and park model recreational vehicles, special permits may be
5 issued for a single vehicle or combination of vehicles by the
6 department of public safety for a period not to exceed one
7 year for a fee of two hundred fifty dollars (\$250). The
8 special permits may allow excessive height, length and width
9 for a vehicle or combination of vehicles or load thereon and
10 may include a provision for excessive weight if the weight of
11 the vehicle or combination of vehicles is not greater than
12 one hundred forty thousand pounds. Utility service vehicles,
13 operating with special permits pursuant to this subsection,
14 shall be exempt from prohibitions or restrictions relating to
15 hours or days of operation or restrictions on movement
16 because of poor weather conditions.

17 D. Special permits for a single trip for a vehicle
18 or combination of vehicles or load thereon of excessive
19 weight, width, length and height may be issued by the
20 department of public safety for a single vehicle for a fee of
21 twenty-five dollars (\$25.00) plus the product of two and one-
22 half cents (\$.025) for each two thousand pounds in excess of
23 eighty-six thousand four hundred pounds or major fraction
24 thereof multiplied by the number of miles to be traveled by
25 the vehicle or combination of vehicles on the highways of

1 this state.

2 E. If a vehicle for which a permit is issued
3 pursuant to this section is a manufactured home or park model
4 recreational vehicle, the department of public safety or
5 local highway authority issuing the permit shall furnish the
6 following information to the property tax division of the
7 taxation and revenue department, which shall forward the
8 information:

9 (1) to the county assessor of a county from
10 which a manufactured home or park model recreational vehicle
11 is being moved, the date the permit was issued, the location
12 being moved from, the location being moved to if within the
13 same county, the name of the owner of the home or vehicle and
14 the identification and registration numbers of the home or
15 vehicle;

16 (2) to the county assessor of any county in
17 this state to which a manufactured home or park model
18 recreational vehicle is being moved, the date the permit was
19 issued, the location being moved from, the location being
20 moved to, the name of the owner of the home or vehicle and
21 the registration and identification numbers of the home or
22 vehicle; and

23 (3) to the owner of a manufactured home or
24 park model recreational vehicle having a destination in this
25 state, notification that the information required in

1 Paragraphs (1) and (2) of this subsection is being given to
2 the respective county assessors and that the homes or
3 vehicles are subject to property taxation.

4 F. Except as provided in Subsection G of this
5 section, if the movement of a manufactured home or park model
6 recreational vehicle originates in this state, a permit shall
7 not be issued pursuant to Subsection E of this section until
8 the owner of the home or vehicle or the authorized agent of
9 the owner obtains and presents to the department of public
10 safety proof that a certificate has been issued by the county
11 assessor or treasurer of the county in which the home or
12 vehicle movement originates showing that either:

13 (1) all property taxes due or to become due
14 on the home or vehicle for the current tax year or any past
15 tax years have been paid, except for homes or vehicles
16 located on an Indian reservation; or

17 (2) liability for property taxes on the home
18 or vehicle does not exist for the current tax year or a past
19 tax year, except for homes or vehicles located on an Indian
20 reservation.

21 G. The movement of a manufactured home or park
22 model recreational vehicle from the lot or business location
23 of a manufactured home or park model recreational vehicle
24 dealer to its destination designated by an owner-purchaser is
25 not subject to the requirements of Subsection F of this

1 section if the movement of the home or vehicle originates
2 from the lot or business location of the dealer and the home
3 or vehicle was part of the dealer's inventory prior to the
4 sale to the owner-purchaser; however, the movement of a home
5 or vehicle by a dealer or the dealer's authorized agent as a
6 result of a sale or trade-in from a nondealer-owner is
7 subject to the requirements of Subsection F of this section
8 whether the destination is the business location of a dealer
9 or some other destination.

10 H. A permit shall not be issued pursuant to this
11 section for movement of a manufactured home or park model
12 recreational vehicle whose width exceeds eighteen feet with
13 no more than a six-inch roof overhang on the left side or
14 twelve inches on the right side in addition to the eighteen-
15 foot width of the home or vehicle. Homes or vehicles
16 exceeding the limitations of this section shall only be moved
17 on dollies placed on the front and the rear of the structure.

18 I. The secretary of public safety may by rule
19 provide for movers of manufactured homes or park model
20 recreational vehicles to self-issue permits for certain sizes
21 of those homes or vehicles over specific routes. The cost of
22 a permit shall not be less than twenty-five dollars (\$25.00).

23 J. The secretary of public safety may provide by
24 rule for dealers of implements of husbandry to self-issue
25 permits for the movement of certain sizes of implements of

1 husbandry from the lot or business location of the dealer
2 over specific routes with specific escort requirements, if
3 necessary, to a destination designated by an owner-purchaser
4 or for purposes of a working demonstration on the property of
5 a proposed owner-purchaser. The department of public safety
6 shall charge a fee for each self-issued permit not to exceed
7 fifteen dollars (\$15.00).

8 K. A private motor carrier requesting an oversize
9 or overweight permit shall provide proof of insurance in at
10 least the following amounts:

11 (1) bodily injury liability, providing:

12 (a) fifty thousand dollars (\$50,000)

13 for each person; and

14 (b) one hundred thousand dollars

15 (\$100,000) for each accident; and

16 (2) property damage liability, providing
17 twenty-five thousand dollars (\$25,000) for each accident.

18 L. A motor carrier requesting an oversize permit
19 shall produce a copy of a warrant or a single state
20 registration receipt as evidence that the motor carrier
21 maintains the insurance minimums prescribed by the public
22 regulation commission.

23 M. The department of public safety may provide by
24 rule the time periods during which a vehicle or load of a
25 size or weight exceeding the maximum specified in Sections

1 66-7-401 through 66-7-416 NMSA 1978 may be operated or moved
2 by a motor carrier on a highway under the jurisdiction of the
3 state transportation commission or local authorities.

4 N. An applicant for a special permit to operate a
5 vehicle or combination of vehicles with a gross weight not
6 exceeding ninety-six thousand pounds within six miles of the
7 port of entry at the border with Mexico at Santa Teresa or
8 within a circular quadrant starting at that port of entry
9 with an east boundary line running due north twelve miles
10 from the Santa Teresa port of entry to a point, then along an
11 arc to the west with a twelve-mile radius and central angle
12 of approximately ninety degrees to a point on the
13 international boundary with Mexico, then returning due east
14 twelve miles to the starting point at that port of entry, and
15 twelve miles of other ports of entry on the border with
16 Mexico shall not be required to demonstrate to the department
17 of public safety that the load cannot be reduced as a
18 condition of the issuance of the permit.

19 O. Revenue from fees for special permits
20 authorizing vehicles and loads of excessive size or weight to
21 operate or move upon a highway under the jurisdiction of the
22 state transportation commission or local authorities shall be
23 collected for the department of transportation and
24 transferred to the state road fund."

25 SECTION 26. APPLICABILITY.--The provisions of Sections

1 3 through 9 of this act apply to property tax years beginning
2 January 1, 2018.

3 SECTION 27. EFFECTIVE DATE.--The effective date of the
4 provisions of this act is July 1, 2017.=====

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