



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER	
OPR: 58	
EFFECTIVE DATE: 07/20/2017	ORIGINAL ISSUED ON: 07/20/2017
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SUBJECT: CREDENTIAL CHECKS

1.0 PURPOSE

The purpose of this policy is to standardize the procedures for conducting credential checks on motor carriers by New Mexico State Police Commercial Vehicle Enforcement (CVE) employees.

2.0 POLICY

It is the policy of the CVE to conduct credential checks at the ports of entry and during field enforcement operations.

3.0 APPLICABILITY

This policy applies to all CVE employees.

4.0 REFERENCES

NONE

5.0 DEFINITIONS

- A. Commercial Motor Vehicle** – As defined in Chapter 66, Article 1 of the New Mexico Statutes Annotated, 1978.
- B. CVE** – Commercial Vehicle Enforcement
- C. Foreign Based Carrier** – A commercial motor vehicle that is titled and licensed in a jurisdiction other than the State of New Mexico as defined in Chapter 66, Article 1 NMAC 1978.
- D. For Hire** – Means transporting goods for compensation of any kind.
- E. International Fuel Tax Agreement (IFTA)** – The IFTA is a base jurisdiction fuel tax program. The program allows carriers to file one (1) fuel report per quarter for all participating IFTA jurisdictions.
- F. International Registration Plan (IRP)** – The IRP is a registration system that allows the registrant to register in their base state while meeting the registration requirements of other IRP member states. The registrant will be issued a cab card (registration) that lists all IRP jurisdictions for which the registrant has registered and the gross weight for each jurisdiction.
- G. Interstate** – The trade, traffic, or transportation of commodities or the movement of vehicles across state and/or national boundaries.

- H. **Intrastate** – The trade, traffic, or transportation of commodities or the movement of vehicles entirely within one (1) state.
- I. **MVD** – Motor Vehicle Division of the New Mexico Taxation and Revenue Department.
- J. **New Mexico Based Carrier** – A commercial motor vehicle that is titled and licensed in the State of New Mexico as defined in Chapter 66, Article 1 NMAC 1978.
- K. **NMPRC** – New Mexico Public Regulatory Commission
- L. **Shipping Papers** – A formal document that details the commodities being transported.
- M. **Unified Carrier Registration (UCR)** – Any motor carrier that operates in interstate commerce is subject to the Unified Carrier Registration Agreement fees.
- N. **VIN** – Vehicle Identification Number
- O. **Weight Distance Tax E-Filing** – The E-File System allows carriers to obtain an electronic permit for a particular vehicle that can be verified through the E-File System by entering the license plate number or US DOT number and the last four (4) numbers of the VIN or by using the entire VIN. The E-File Permit allows a carrier to file their weight distance taxes electronically on a quarterly basis.

6.0 PROCEDURE

Upon being hired as a Transportation Inspector or Officer, new employees will participate in on-the-job training and an FTO program, which are designed to train the employee in the proper procedures for checking credentials that are required to be carried and/or displayed by a motor carrier to operate legally within the State of New Mexico. Additional training will be obtained during subsequent North American Standard Inspector training and certification.

Overview

All **New Mexico Based Carriers** with a gross vehicle weight of, or registered gross vehicle weight exceeding, twenty-six thousand (26,000) pounds are required to display either a New Mexico Weight Distance license plate or New Mexico IRP license plate and **must** have the vehicle(s) listed in the E-File System.

Foreign Based Carriers have the option of listing the vehicles in the E-File System or purchasing a trip permit each time the vehicle enters New Mexico. In order for the E-File permit to be valid for a Foreign Based Carrier, the vehicle **must** be registered in the IRP program and have New Mexico listed as a registered jurisdiction.

A. Required Documents – New Mexico Based Carriers

1. Vehicles having a registered gross vehicle weight, or an actual gross vehicle weight, of twenty-six thousand (26,000) pounds or less:
 - A valid New Mexico vehicle registration.
2. Vehicles having a registered gross vehicle weight, or an actual gross vehicle weight greater than, of twenty-six thousand (26,000) pounds:
 - a. A valid New Mexico vehicle registration;
 - b. A New Mexico E-File permit; and,

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- c. IFTA License and IFTA stickers (optional).

If a New Mexico based carrier does not have a valid IRP or Weight Distance registration, or is not in the NM E-File System, detain the vehicle until a valid registration and/or E-file permit is obtained in accordance with Chapter 65, Article 1, Section 26 NMSA 1978.

B. Required Documents – Foreign Based Carriers

1. Vehicles weighing twelve thousand one (12,001) pounds to twenty-six thousand (26,000) pounds:
 - a. An IRP registration listing New Mexico as a registered jurisdiction and a gross weight equal to, or greater than, the actual weight; or
 - b. A valid non-IRP registration and a NM Trip Tax permit.
2. Vehicles weighing greater than twenty-six thousand (26,000) pounds:
 - a. An IRP registration listing New Mexico as a registered jurisdiction and a NM E-File permit or NM Trip Tax permit;
 - b. A Non-IRP registration and a NM Trip Tax permit; and
 - c. IFTA License and stickers or a NM Temporary Fuel Tax/Fuel Permit

If a foreign based carrier has no current vehicle registration, inform the driver that he/she cannot legally proceed until a valid registration is obtained in accordance with Chapter 65, Article 1, Section 26 NMSA 1978.

If a foreign based carrier has a suspended E-File account collect trip taxes.

NOTE: A commercial motor vehicle subject to, and not in compliance with, the weight distance requirements of the Weight Distance Tax Act may be detained until the tax is paid. A “non-filer” status or an inactive weight distance account is proof of failure to pay the weight distance tax in accordance with Chapter 65, Article 1, Section 26 NMSA 1978. If the carrier has a “pending” status in the E-file system, allow the carrier to proceed.

C. Trip Tax

Computation of the trip tax will be done in accordance with Chapter 7, Article 15 NMSA 1978.

D. Special Fuel Tax and Fuel Permit

Computation of the Special Fuel Tax and Temporary Fuel Permit will be done in accordance to Chapter 7, Article 16A NMSA 1978.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: S/ Scott Weaver DATE: July 20, 2017
DPS Cabinet Secretary