

**MOTOR TRANSPORTATION
POLICE DIVISION
POLICIES & PROCEDURES**



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| POLICY NUMBER | |
| MTD 05.00 | |
| EFFECTIVE DATE: 03/04/2012 | ORIGINAL ISSUED ON: 05/01/2001 |
| REVISION NO: 1 | |

SUBJECT: Credential Checks

I. PURPOSE

The purpose of this policy is to standardize the procedures for conducting credential check on motor carriers by Motor Transportation Police Division employees.

II. POLICY

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

III. APPLICABILITY

This policy applies to all Motor Transportation Police Division employees.

IV. REFERENCES

NONE

V. DEFINITIONS

Commercial Motor Vehicle: As defined in Chapter 66, Article 1 of the New Mexico Statutes Annotated, 1978

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 NMAC1978.

For Hire: Means transporting goods for compensation of any kind.

International Fuel Tax Agreement (IFTA): The IFTA is a base jurisdiction fuel tax program. The program allows carriers to file one fuel report per quarter for all participating IFTA jurisdictions.

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 IPR jurisdictions for which the registrant has registered and the gross weight for each jurisdiction.

Interstate: The trade, traffic or transportation of commodities or the movement of vehicles across state and/or national boundaries.

Intrastate: The trade, traffic or transportation of commodities or the movement of vehicles entirely within one state.

MVD: Motor Vehicle Division of the New Mexico Taxation and Revenue Department

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.

NMPRC: New Mexico Public Regulatory Commission

Shipping Papers: A formal document that details the commodities being transported.

Unified Carrier Registration (UCR): Any motor carrier that operates in interstate commerce is subject to the Unified Carrier Registration Agreement fees.

VIN: Vehicle Identification Number

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 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.

VI. SUMMARY

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 or registered gross vehicle weight exceeding 26,000 lbs 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 26,000 lbs or less:
 - a. A valid NM vehicle registration
2. Vehicles having a registered gross vehicle weight or an actual gross vehicle weight greater than 26,000 lbs:
 - a. A valid NM vehicle registration
 - b. A New Mexico E-File permit
 - 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 12,001 lbs to 26,000 lbs:
 - 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 26,000 lbs:
 - a. An IPR 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
 - 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

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

D. Special Fuel Tax and Fuel Permit

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

APPROVAL

APPROVED BY:  DATE: 03/04/2012
Deputy Chief M. C. Rowley