

TITLE 3: TAXATION
CHAPTER 2: GROSS RECEIPTS TAXES
PART 230: DEDUCTION - GROSS RECEIPTS TAX - RENTAL OR LEASE OF VEHICLES USED IN INTERSTATE COMMERCE

3.2.230.1 ISSUING AGENCY: Taxation and Revenue Department, Joseph M. Montoya Building, 1100 South St. Francis Drive, P.O. Box 630, Santa Fe NM 87504-0630
[11/15/96; 3.2.230.1 NMAC - Rn, 3 NMAC 2.70.1, 6/14/01]

3.2.230.2 SCOPE: This part applies to each person engaging in business in New Mexico.
[11/15/96; 3.2.230.2 NMAC - Rn, 3 NMAC 2.70.2, 6/14/01]

3.2.230.3 STATUTORY AUTHORITY: Section 9-11-6.2 NMSA 1978.
[11/15/96; 3.2.230.3 NMAC - Rn, 3 NMAC 2.70.3, 6/14/01]

3.2.230.4 DURATION: Permanent.
[11/15/96; 3.2.230.4 NMAC - Rn, 3 NMAC 2.70.4, 6/14/01]

3.2.230.5 EFFECTIVE DATE: 11/15/96, unless a later date is cited at the end of a section, in which case the later date is the effective date.
[11/15/96; 3.2.230.5 NMAC - Rn, 3 NMAC 2.70.5 & A, 6/14/01]

3.2.230.6 OBJECTIVE: The objective of this part is to interpret, exemplify, implement and enforce the provisions of the Gross Receipts and Compensating Tax Act.
[11/15/96; 3.2.230.6 NMAC - Rn, 3 NMAC 2.70.6, 6/14/01]

3.2.230.7 DEFINITIONS: [Reserved.]
[11/15/96; 3.2.230.7 NMAC - Rn, 3 NMAC 2.70.7, 6/14/01]

3.2.230.8 WHEN FEDERAL AUTHORITY REQUIRED:

A. If a federal agency must grant authority for a person to engage lawfully in interstate transportation of persons or property, any person claiming a deduction under Section 7-9-70 NMSA 1978 must have rented or leased the vehicle to a person who holds federal authority for the transportation of passengers or property for hire in interstate commerce and who uses the vehicle for such purposes. The deduction under Section 7-9-70 NMSA 1978 is available to the lessor, not the lessee.

B. [Repealed.]
[12/5/69, 3/9/72, 11/20/72, 3/20/74, 7/26/76, 6/18/79, 4/7/82, 5/4/84, 4/2/86, 11/26/90, 11/15/96; 4/30/99; 3.2.230.8 NMAC - Rn, 3 NMAC 2.70.8 & A, 6/14/01]

HISTORY OF 3.2.230 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center: BOR 67-2, NM Gross Receipts and Compensating Tax Regulations, September 1967, filed 9/29/67.

BOR 69-4, Regulations in Effect and Pertaining to the New Mexico Gross Receipts and Compensating Tax Act, 12-5-69, filed 12/5/69.

BOR 72-4, Regulations in Effect and Pertaining to the New Mexico Gross Receipts and Compensating Tax Act, 3/9/72, filed 3/9/72.

BOR 74-2, Regulations in Effect and Pertaining to the New Mexico Gross Receipts and Compensating Tax Act, 12/15/73, filed 3/20/74.

BOR 76-1, Regulations in Effect and Pertaining to the New Mexico Gross Receipts and Compensating Tax Act, 7/26/76, filed 7/26/76.

R.D.79-1, Gross Receipts and Compensating Tax Act Regulations, filed 6/18/79.

R.D. Rule No. 82, Regulations Pertaining to the Gross Receipts and Compensating Tax Act, Sections 7-9-1 to 7-9-80.1 NMSA 1978, filed 4/7/82.

R.D. Rule No. 84, Regulations Pertaining to the Gross Receipts and Compensating Tax Act, Sections 7-9-1 to 7-9-80.1 NMSA 1978, filed 5/4/84.

TRD Rule No. 9-86, Regulations Pertaining to the Gross Receipts and Compensating Tax Act, Sections 7-9-1 to 7-9-80.1 NMSA 1978, filed 4/2/86.

TRD Rule GR-90, Regulations Pertaining to the Gross Receipts and Compensating Tax Act, Sections 7-9-1 to 7-9-80.1 NMSA 1978, filed 11/26/90.

History of Repealed Material: [RESERVED]

NMAC History:

3 NMAC 2.70, Deduction - Gross Receipts Tax -Rental or Lease of Vehicles Used in Interstate Commerce, filed 11/4/96.

3.2.223 NMAC, Deduction - Gross Receipts Tax -Rental or Lease of Vehicles Used in Interstate Commerce, filed 6/4/2001.