

TITLE 3: TAXATION
CHAPTER 16: MOTOR VEHICLE FUEL TAXES
PART 114: SPECIAL FUELS TAX - SECURITY

3.16.114.1 ISSUING AGENCY: Taxation and Revenue Department, Joseph M. Montoya Building, 1100 South St. Francis Drive, P.O. Box 630, Santa Fe NM 87504-0630
[12/31/96; 3.16.114.1 NMAC - Rn, 3 NMAC 20.15.1, 6/14/01]

3.16.114.2 SCOPE: This part applies to every person receiving or using special fuel in New Mexico.
[12/31/96; 3.16.114.2 NMAC - Rn, 3 NMAC 20.15.2, 6/14/01]

3.16.114.3 STATUTORY AUTHORITY: Section 9-11-6.2 NMSA 1978.
[12/31/96; 3.16.114.3 NMAC - Rn, 3 NMAC 20.15.3, 6/14/01]

3.16.114.4 DURATION: Permanent.
[12/31/96; 3.16.114.4 NMAC - Rn, 3 NMAC 20.15.4, 6/14/01]

3.16.114.5 EFFECTIVE DATE: 12/31/96, unless a later date is cited at the end of a section, in which case the later date is the effective date.
[12/31/96; 3.16.114.5 NMAC - Rn, 3 NMAC 20.15.5 & A, 6/14/01]

3.16.114.6 OBJECTIVE: The objective of this part is to interpret, exemplify, implement and enforce the provisions of the Special Fuels Supplier Tax Act.
[12/31/96; 3.16.114.6 NMAC - Rn, 3 NMAC 20.15.6, 6/14/01]

3.16.114.7 DEFINITIONS: [Reserved.]
[12/31/96; 3.16.114.7 NMAC - Rn, 3 NMAC 20.15.7, 6/14/01]

3.16.114.8 SECURITY:
A. The department may request security in addition to the bond required under Section 7-16A-15 NMSA 1978 as needed.
B. If any person fails to provide the security required by Section 3.16.114.8 NMAC within thirty (30) days, the department may demand, by certified mail or in person, that the security be provided. If the person does not comply within ten (10) days, the department may institute proceedings to enjoin that person from engaging in business in New Mexico in accordance with Section 7-1-53 NMSA 1978 of the Tax Administration Act.
[2/1/93, 12/31/96, 12/31/97; 3.16.114.8 NMAC - Rn, 3 NMAC 20.15.8 & A, 6/14/01]

HISTORY OF 3.16.114 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center: TRD Rule SFS-93, Regulations Pertaining to the Special Fuels Supplier Tax Act, Sections 7-16A-1 to 7-16A-20 NMSA 1978, filed 2/1/93.

History of Repealed Material: [RESERVED]

NMAC History:

3 NMAC 20.15, Special and Alternative Fuels Tax - Security, filed 12/17/96
3.16.114 NMAC, Special Fuels Tax - Security, filed 6/1/01.