

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **July 11, 2022**

3 **NO. 22-8500-030**

4 **IN THE MATTER OF THE AMENDMENT**
5 **OF THE MILEAGE REIMBURSEMENT**
6 **POLICY FOR THE NEW MEXICO**
7 **JUDICIAL BRANCH OF GOVERNMENT**

8 **ORDER**

9 WHEREAS, NMSA 1978, Section 10-8-4(D) (2009), provides for the
10 reimbursement of every public officer or employee “up to the internal revenue
11 service standard mileage rate set January 1 of the previous year for each mile
12 traveled in a privately owned vehicle...if the travel is necessary to the discharge of
13 the officer’s or employee’s official duties...”;

14 WHEREAS, NMSA 1978, Section 38-5-15 (2017), provides that “[p]ersons
15 summoned for jury service and jurors shall be reimbursed for travel...at the rate
16 allowed public officers and employees per mile of necessary travel”;

17 WHEREAS, on March 14, 2018, this Court issued an order setting the rate of
18 reimbursement for judges, judiciary employees, jurors, interpreters, and others to be
19 reimbursed by the Judicial Branch for travel in private vehicles at eighty percent
20 (80%) of the Internal Revenue Service mileage rate, the same rate established for the

1 Executive Branch by the Department of Finance and Administration in Regulation
2 2.42.2.11;

3 WHEREAS, even though the Internal Revenue Service mileage rate usually
4 does not change until January 1st of each year, the Internal Revenue Service mileage
5 rate was increased to \$0.625 per mile on July 1, 2022 because of a dramatic spike in
6 gasoline prices;

7 WHEREAS, eighty percent (80%) of the Internal Revenue Service standard
8 mileage rate of \$0.625 equals \$0.50 per mile;

9 WHEREAS, in light of the foregoing, and the Court being sufficiently
10 advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David K.
11 Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

12 NOW, THEREFORE, IT IS ORDERED that effective for travel occurring on
13 or after July 1, 2022, the standard mileage reimbursement rate for public officers and
14 employees of the Judicial Branch of Government for each mile traveled in a privately
15 owned vehicle if the travel is necessary to the discharge of one's official duties shall
16 be \$0.50 per mile, which is eighty percent (80%) of the Internal Revenue Service
17 standard mileage rate of \$0.625 per mile, established on July 1, 2022, until further
18 order of the Court; and

1 IT IS FURTHER ORDERED that the standard mileage reimbursement rate
2 for the Judicial Branch of Government shall apply to payments from the
3 Administrative Office of the Courts' Jury and Witness Fee Fund, and to any mileage
4 payments made by any judicial entity pursuant to contracts or otherwise, for travel
5 occurring on or after July 1, 2022.

6 IT IS SO ORDERED.



7 WITNESS, the Honorable C. Shannon Bacon, Chief
8 Justice of the Supreme Court of the State of New Mexico,
9 and the seal of said Court this 11th day of July, 2022.

10 *Elizabeth A. Garcia*

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Elizabeth A. Garcia, Chief Clerk of the Supreme Court
of the State of New Mexico