



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

2 **January 13, 2025**

3 **NO. S-1-AO-2025-00002**

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

1 (80%) of the previous year’s Internal Revenue Service mileage rate, the same rate
2 established for the Executive Branch by the Department of Finance and
3 Administration in Regulation 2.42.2.11;

4 WHEREAS, 2.42.2 NMAC was repealed and replaced by 2.42.2 NMAC
5 adopted January 3, 2024, and effective on January 16, 2024;

6 WHEREAS, 2.42.2.11 NMAC, established for the Executive Branch by the
7 Department of Finance and Administration, now provides for “one hundred percent
8 of the internal revenue service standard mileage rate set January 1 of the previous
9 year”;

10 WHEREAS, the CY24 Internal Revenue Service mileage rate was increased
11 to \$0.67 per mile effective on January 1, 2024; and

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

15 NOW, THEREFORE, IT IS ORDERED that the March 14, 2018 order (No.
16 18-800-004) reinstating and setting the standard mileage reimbursement rate for
17 public officers and employees of the Judicial Branch of Government for each mile

1 traveled in a privately-owned vehicle if the travel is necessary to the discharge of
2 one's office duties to eighty (80%) of the Internal Revenue Service standard mileage
3 rate established on January 1 of the previous year is RESCINDED;

4 IT IS FURTHER ORDERED that the January 4, 2024 order (No. S-1-AO-
5 2024-00001) setting the mileage reimbursement rate is hereby RESCINDED with
6 limited application to process mileage reimbursement requests for travel occurring
7 on or before December 31, 2024;

8 IT IS FURTHER ORDERED that effective for travel occurring on or after
9 January 1, 2025, the standard mileage reimbursement rate for public officers and
10 employees of the Judicial Branch of Government for each mile traveled in a
11 privately-owned vehicle if the travel is necessary to the discharge of one's official
12 duties is one hundred (100%) of the Internal Revenue Service standard mileage rate
13 established on January 1 of the previous year shall be revised accordingly each year
14 hereafter, until further order of the Court; and

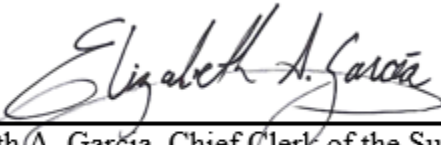
15 IT IS FURTHER ORDERED that the standard mileage reimbursement rate
16 for the Judicial Branch of Government shall apply to payments from the
17 Administrative Office of the Courts' Jury and Witness Fee Fund, and to any mileage
18 payments made by any judicial entity pursuant to contracts or otherwise, for travel

1 occurring on or after January 1, 2025.

2 IT IS SO ORDERED.



WITNESS, the Honorable David K. Thomson, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 13th day of January, 2025.


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

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Elizabeth A. Garcia
Chief Clerk of the Supreme Court
of the State of New Mexico