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SENATE BILL 924

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO FIREFIGHTERS; PROVIDING FOR A DISTRIBUTION TO THE
FIREFIGHTERS' SURVIVORS FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-422 NMSA 1978 (being Laws 1998,
Chapter 21, Section 1, as amended) is amended to read:

"66-3-422. SPECIAL REGISTRATION PLATES FOR FIREFIGHTERS
AND VOLUNTEER FIREFIGHTERS. --

A. The department shall issue special registration
plates to ~~[any]~~ a person employed as a New Mexico firefighter,
upon the submission by the person of proof satisfactory to the
~~[division]~~ department that ~~[he]~~ the person is currently
employed as a New Mexico firefighter, including submission of
a signed consent form from the fire chief.

B. The department shall issue special registration

underscored material = new
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1 plates to ~~[any]~~ a person who is an active volunteer
2 firefighter with a volunteer fire department recognized by the
3 state fire ~~[marshal's office]~~ marshal upon the submission by
4 the person of proof satisfactory to the department that ~~[he]~~
5 the person is currently an active member of a recognized
6 volunteer fire department. Such proof shall include the
7 submission of a signed consent form from the fire chief.

8 C. ~~[No]~~ A person shall ~~[represent himself to be]~~
9 not make any representation as being a New Mexico firefighter
10 or volunteer firefighter if ~~[he]~~ the person is not, in fact,
11 ~~[not]~~ a New Mexico firefighter or volunteer firefighter. The
12 secretary shall determine what constitutes satisfactory proof
13 of employment as a New Mexico firefighter or status as a
14 volunteer firefighter.

15 D. A person who violates the provisions of
16 Subsection C of this section is guilty of a petty misdemeanor
17 and shall be sentenced pursuant to Section 31-19-1 NMSA 1978.

18 E. A fee of twenty-five dollars (\$25.00), which
19 ~~[shall be]~~ is in addition to the regular motor vehicle
20 registration fee, shall be collected by the department for the
21 original issuance of the special registration plate for New
22 Mexico firefighters and volunteer firefighters.

23 F. Ten dollars (\$10.00) of the fee collected
24 pursuant to Subsection E of this section shall be retained by
25 the department and ~~[shall be]~~ is appropriated to the

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1 department to defray the cost of making and issuing special
2 registration plates for New Mexico firefighters and volunteer
3 firefighters.

4 G. The amount of the fee collected pursuant to
5 this section less any amount distributed pursuant to
6 Subsection F of this section shall be deposited in the [~~motor~~
7 ~~vehicle suspense fund for distribution in accordance with~~
8 ~~Section 66-6-23 NMSA 1978~~] firefighters' survivors fund.

9 H. The secretary shall approve the final plate
10 design for the special registration plates for New Mexico
11 firefighters in accordance with New Mexico law. The secretary
12 shall approve and issue a separate and distinctive plate
13 clearly marked as "volunteer" for issuance to volunteer
14 firefighters.

15 I. When [~~the firefighter~~] a person holding a
16 special plate pursuant to this section ceases to be employed
17 as a firefighter or serve as an active volunteer
18 firefighter, [~~he~~] the person shall immediately remove the
19 plate from the vehicle and return it to the secretary, at
20 which time it shall be exchanged for a regular registration
21 plate. [~~When~~] A firefighter [~~holding~~] who holds a special
22 plate and retires [~~from his position as firefighter, he~~] may
23 retain the special plate. "

24 Section 2. EFFECTIVE DATE-- CONTINGENCY. --

25 A. Except as provided in Subsection B of this

1 section, the effective date of the provisions of this act is
2 July 1, 2007.

3 B. This act is contingent upon the enactment
4 into law of House Bill 377 or Senate Bill 329 or a
5 substantially similar bill of the first session of the
6 forty-eighth legislature that creates the firefighters'
7 survivors fund. If no such bill is enacted into law, the
8 provisions of this act shall not become effective.

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