

1 HOUSE BILL 363

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Mark Duncan and Kristina Ortez and Harlan Vincent
5 and John Block and Randall T. Pettigrew
6
7
8
9

10 AN ACT

11 RELATING TO MOTOR VEHICLES; REQUIRING THE MOTOR VEHICLE
12 DIVISION OF THE TAXATION AND REVENUE DEPARTMENT TO APPLY FOR A
13 LICENSE TO USE THE SMOKEY BEAR IMAGE AND NAME; PROVIDING FOR
14 THE ISSUANCE OF A SMOKEY BEAR FIRE PREVENTION SPECIAL
15 REGISTRATION PLATE; PROVIDING FOR CESSATION OF ISSUANCE BASED
16 ON NEW ISSUANCE AND RENEWALS; MAKING AN APPROPRIATION.

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

19 SECTION 1. A new section of the Motor Vehicle Code is
20 enacted to read:

21 "[NEW MATERIAL] SPECIAL SMOKEY BEAR FIRE PREVENTION
22 REGISTRATION PLATE.--

23 A. The division shall apply for a long-term license
24 from the United States department of agriculture forest service
25 to use the image and name of Smokey Bear on a standardized

.224314.2

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 special registration plate to raise fire prevention awareness
2 and to raise money for state forest fire prevention efforts.

3 B. Upon finalizing a license agreement pursuant to
4 Subsection A of this section, the division shall issue a
5 standardized Smokey Bear fire prevention special registration
6 plate with a logo designed pursuant to Section 66-3-424 NMSA
7 1978 indicating that the recipient supports forest fire
8 prevention awareness.

9 C. For an initial fee of fifty dollars (\$50.00),
10 which shall be in addition to the regular motor vehicle
11 registration fees, the owner of a vehicle may apply for
12 issuance of a Smokey Bear fire prevention awareness special
13 registration plate. The vehicle owner shall pay a renewal fee
14 of forty dollars (\$40.00) each year to retain and renew the
15 Smokey Bear forest fire prevention special registration plate.

16 D. After payment for any licensing fee required for
17 the use of the Smokey Bear name or image, the revenue from the
18 additional fee for a Smokey Bear fire prevention special
19 registration plate shall be distributed as follows:

20 (1) ten dollars (\$10.00) of the initial fee
21 collected shall be retained by and is appropriated to the
22 department to defray the cost of making and issuing the special
23 registration plate with the Smokey Bear logo; and

24 (2) the remaining portion of the initial
25 registration fee and the entire portion of subsequent renewal

.224314.2

underscoring material = new
~~[bracketed material] = delete~~

1 fees remaining after payment of licensing fees shall be
2 distributed to the energy, minerals and natural resources
3 department for forest fire prevention.

4 E. Beginning on July 1, 2026, and on July 1 of each
5 subsequent year, the department shall compare the number of the
6 Smokey Bear fire prevention special registration plates issued,
7 or registration renewals for those plates in the previous
8 fiscal year, with the average of the number of such plates
9 issued in fiscal years 2024 and 2025.

10 F. By September 1 of a fiscal year in which the
11 department determines that the number of Smokey Bear fire
12 prevention special registration plates issued, or registration
13 renewals for those plates in the previous fiscal year, is less
14 than fifty percent of the average number of such plates issued
15 in fiscal years 2023 and 2024, the department shall stop
16 issuing Smokey Bear fire prevention special registration
17 plates."

18 SECTION 2. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2023.