

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 a person employed as a New Mexico firefighter, upon the submission by the person of proof satisfactory to the department that 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 plates to a person who is an active volunteer firefighter with a volunteer fire department recognized by the state fire marshal upon the submission by the person of proof satisfactory to the department that the person is currently an active member of a recognized volunteer fire department. Such proof shall include the submission of a signed consent form from the fire chief.

C. A person shall not make any representation as being a New Mexico firefighter or volunteer firefighter if the

person is not, in fact, a New Mexico firefighter or volunteer firefighter. The secretary shall determine what constitutes satisfactory proof of employment as a New Mexico firefighter or status as a volunteer firefighter.

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

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

F. Ten dollars (\$10.00) of the fee collected pursuant to Subsection E of this section shall be retained by the department and is appropriated to the department to defray the cost of making and issuing special registration plates for New Mexico firefighters and volunteer firefighters.

G. The amount of the fee collected pursuant to this section less any amount distributed pursuant to Subsection F of this section shall be deposited in the firefighters' survivors fund.

H. The secretary shall approve the final plate design for the special registration plates for New Mexico firefighters in accordance with New Mexico law. The secretary shall approve and issue a separate and distinctive plate

clearly marked as "volunteer" for issuance to volunteer firefighters.

I. When a person holding a special plate pursuant to this section ceases to be employed as a firefighter or serve as an active volunteer firefighter, the person shall immediately remove the plate from the vehicle and return it to the secretary, at which time it shall be exchanged for a regular registration plate. A firefighter who holds a special plate and retires may retain the special plate."

Section 2. EFFECTIVE DATE--CONTINGENCY.--

A. Except as provided in Subsection B of this section, the effective date of the provisions of this act is July 1, 2007.

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