

# License Vendor Fees



Administrative Services Division

# Statutory Vendor Fee Requirements

Vendor fees are established in statute §17-3-7(C) & §17-3-5(D)

**§17-3-7(C)**: A license collector may collect and retain a vendor fee for each license or permit issued; provided the fee shall be just and reasonable, as determined by regulation of the state game commission, and shall not exceed one dollar (\$1.00) for each license or permit issued; and provided further that no such fee shall be collected by the department of game and fish from the purchaser of a special license.

**§17-3-5(D)**: Each license vendor authorized to sell licenses via telephone or internet may collect the actual cost, not to exceed five dollars (\$5.00), of shipping and handling the application and license issuance.



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# SGC Rule Vendor Fee Requirements

Vendor fees are established in SGC rule 19 NMAC 30.9.8(C)

## 19 NMAC 30.9.8(C):

### **C. Vendor fee:**

- (1) Standard fee: Each license vendor shall collect \$1.00 per license, permit or stamp document sold or issued.
  - a) The Department will pay the vendor fees earned by the vendor for the previous month license sales, no later the tenth business day of the next month, to the vendor,
  - b) The vendor shall be required to be registered in the State of New Mexico's central accounting system.



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# Statutory License Fee Requirements

## § 17-3-2 Classes of licenses

## § 17-3-13 License fees

## §17-1-14 General powers and duties of state game commission; game protection fund.

- (A) The state game commission shall have general control over the collection and disbursement of all money collected or received under the state laws for the protection and propagation of game and fish... Chapter 17 NMSA 1978 shall be guaranty to the person who pays for hunting and fishing licenses and permits that the money in that fund shall not be used for any purpose other than as provided in Chapter 17 NMSA 1978.
- (B)(13) Establish licenses, permits and certificates not otherwise provided for in Section [17-3-13](#) NMSA 1978 and charge and collect just and reasonable fees for them; provided the fees shall not exceed the costs of administration associated with the licenses, permits or certificates;



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# Federal Requirements

The Department “assent” legislation to all federal laws governing the federal Sport Fish and Wildlife Restoration Acts is established under:

**§17-1-28** Assent to act of congress concerning wildlife restoration projects.

**§17-1-29** Distribution of moneys received from United States government.

**§17-4-30** Federal aid

**§17-4-31** Federal funds; disbursement



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# Federal Requirements

The Department is required to follow the guidance as set forth in the federal code of regulations: 50 CFR 80 (Part 80 — Administrative Requirements, Pittman-Robertson Wildlife Restoration And Dingell-Johnson Sport Fish Restoration Acts)

## 50 CFR 80.4 Diversion of license fees

(a) Revenues from license fees paid by hunters and fishermen shall not be diverted to purposes other than administration of the State fish and wildlife agency. Revenues from license fees paid by hunters and fishermen are any revenues the State receives from the sale of licenses issued by the State conveying to a person the privilege to pursue or take wildlife or fish. For the purpose of this rule, revenue with respect to license sales by vendors, is considered to be the net income to the State after deducting reasonable vendor fees or similar amounts retained by sales agents.



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# Web-based Sales System

- Beginning April 1, 2014, all license sales will occur via the Department's web-based sales system
- Multiple benefits for license buyers, vendors, and the Department
- More efficient, accurate and timely data capture



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# Where do we go from here?

## Recommendations:

- Complete one full year of license sales through web-based sales
  - ✓ Assess the web-based sales system
  - ✓ Feedback from license vendors
  - ✓ Identify necessary upgrades to facilitate system use
- Determine if changes to the vendor fee statute & rule are necessary based on verifiable administrative costs to sell licenses



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