

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 11 ALCOHOLIC BEVERAGES LICENSING
PART 28 LICENSES AND PERMITS - BED AND BREAKFAST LICENSE

15.11.28.1 ISSUING AGENCY: The New Mexico Regulation and Licensing Department, Alcoholic Beverage Control Division
[15.11.28.1 NMAC - N, 4/25/2017; A, 9/28/2021]

15.11.28.2 SCOPE: These rules apply to all special bed and breakfast dispensing licensees and applicants for special bed and breakfast dispensing licensure under the act.
[15.11.28.2 NMAC - N, 4/25/2017]

15.11.28.3 STATUTORY AUTHORITY: Section 60-3A-10 NMSA 1978 of the act authorizes the director to make and adopt such rules as necessary to carry out the duties of the division.
[15.11.28.3 NMAC - N, 4/25/2017]

15.11.28.4 DURATION: Permanent.
[15.11.28.4 NMAC - N, 4/25/2017]

15.11.28.5 EFFECTIVE DATE: April 25, 2017 unless a later date is cited at the end of a section.
[15.11.28.5 NMAC - N, 4/25/2017]

15.11.28.6 OBJECTIVE: These rules are intended to establish standards and guidelines applicable to persons obtaining special bed and breakfast dispensing licenses under the act.
[15.11.28.6 NMAC - N, 4/25/2017]

15.11.28.7 DEFINITIONS: Unless otherwise defined in 15.10.2 NMAC, terms in this part has the same meaning as set forth in the act.
[15.11.28.7 NMAC - N, 4/25/2017]

15.11.28.8 BED AND BREAKFAST LICENSE: The owner or operator of a bed and breakfast, as defined in 15.10.2 NMAC, may apply for and receive a special bed and breakfast dispensing license.

A. Service of beer and wine is permitted in common areas only in conjunction with the service of food. Service of up to two 12-ounce servings of beer or two six-ounce servings of wine per 24 hours of lodging is allowed to each registered guest over 21 years of age.

B. Unless otherwise provided in this rule, service of alcohol shall be in accordance with the provisions of the act and division rules.
[15.11.28.8 NMAC - N, 4/25/2017]

15.11.28.9 APPLICATION REQUIREMENTS FOR BED AND BREAKFAST LICENSE: Before a special bed and breakfast dispensing license may be issued, an application shall be submitted to the division and shall contain the following fees and documentation:

- A.** the application fee of \$100.00, which shall not be pro-rated;
- B.** a completed application on the form prescribed by the division, signed by the applicant and notarized; and
- C.** proof that applicant meets the definition of “bed and breakfast” contained in 15.10.2 NMAC, requiring applicant to be a business establishment that offers temporary lodging with meals included and has a guest capacity of 20 or fewer persons.

[15.11.28.9 NMAC - N, 4/25/2017]

HISTORY OF 15.11.28 NMAC: [RESERVED]