

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 44 LANDSCAPE ARCHITECTS
PART 10 EXPEDITED LICENSURE

16.44.10.1 ISSUING AGENCY: The New Mexico Board of Landscape Architects.
[16.44.10.1 NMAC - N, 1/18/2023]

16.44.10.2 SCOPE: The provisions in Part 10 of Chapter 44 apply to all applicants for expedited licensure.
[16.44.10.2 NMAC - N, 1/18/2023]

16.44.10.3 STATUTORY AUTHORITY: Part 10 is promulgated pursuant to the Landscape Architects Act, Sections 61-24B-1 to 17, NMSA 1978 (specifically Section 61-24B-7 NMSA 1978) and 61-1-31.1 and Section 61-1-34, NMSA 1978, of the Uniform Licensing Act.
[16.44.10.3 NMAC - N, 1/18/2023]

16.44.10.4 DURATION: Permanent.
[16.44.10.4 NMAC - N, 1/18/2023]

16.44.10.5 EFFECTIVE DATE: January 18, 2023, unless a later date is cited at the end of a section.
[16.44.10.5 NMAC - N, 1/18/2023]

16.44.10.6 OBJECTIVE: The objective of Part 10 is to promote, preserve and protect the public health, safety and welfare by regulating and setting professional standards for applicants for expedited licensure.
[16.44.10.6 NMAC - N, 1/18/2023]

16.44.10.7 DEFINITIONS:

- A. “Eligible jurisdiction”** means:
- (1) any state or territory of the United States and the District of Columbia, except those included in the list of disapproved licensing jurisdictions in 16.44.10.8 NMAC; and
 - (2) any foreign country included in 16.44.10.9 NMAC.
- B. “Expedited license”** means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board.
- C. “Good standing”** means a license or registration is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license.
- D. “License”** has the same meaning as defined in Subsection E of Section 61-1-2 NMSA 1978.
- E. “Licensing fee”** has the same meaning as defined in Paragraph (1) of Subsection E of Section 61-1-34 NMSA 1978.
- F. “Licensing jurisdiction”** has the same meaning as defined in Subsection F of Section 61-1-2 NMSA 1978.
- G. “Military orders”** as pertains to the military service member, means official military orders, including orders from separation or retirement, or any notification, certification or verification from the service member’s commanding officer, with respect to the service member’s current or future military status.
- H. “Military service member”** has the same meaning as defined in Paragraph (2) of Subsection E of Section 61-1-34 NMSA 1978.
- I. “Qualified applicant”** means an applicant who:
- (1) holds a current license in good standing in an eligible jurisdiction as defined in Subsection A of this section.
 - (2) does not have a disqualifying criminal conviction, as defined the board’s rules; and
 - (3) is not subject to pending disciplinary action in New Mexico.
- J. “Veteran”** has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.

[16.44.10.7 NMAC - N, 1/18/2023]

16.44.10.8 LIST OF DISAPPROVED LICENSING JURISDICTIONS; REASONS FOR DISAPPROVAL:

A. Applicants licensed as a landscape architect in the following states and territories of the United States or the District of Columbia shall not be eligible for expedited licensure under Subsection (D) Section 61-24B-9 NMSA 1978 of the Landscape Architects Act:

(1) Colorado, Delaware, Florida, Georgia, Idaho, Massachusetts, Michigan, Mississippi, Nevada, Rhode Island, Wisconsin, and Wyoming, on the grounds that the education or experience requirements are not consistent with New Mexico's minimum requirements for licensure;

(2) District of Columbia, on the grounds that education, experience, and examination requirements cannot be determined; and

(3) American Samoa and the U.S. Virgin Islands, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate landscape architects.

(4) Approved jurisdictions for expedited licensure as landscape architect are: Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Guam, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Northern Mariana Islands, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and West Virginia.

B. Applicants licensed as landscape architect in training in the following states and territories of the United States or the District of Columbia shall not be eligible for expedited licensure under Section 61-24B-9(D), NMSA 1978 of the Landscape Architects Act:

(1) Idaho, Iowa, and Nevada, on the grounds that the education, experience or examination requirements are not consistent with New Mexico's minimum requirements for licensure;

(2) Puerto Rico, on the grounds that education, experience, and examination requirements cannot be determined; and

(3) American Samoa, Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Northern Mariana Islands, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, U.S. Virgin Islands, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate landscape architects in training.

C. Approved jurisdictions for expedited licensure as landscape architect in training: Arizona, Oregon, and Utah.

[16.44.10.8 NMAC - N, 1/18/2023]

16.44.10.9 LIST OF APPROVED FOREIGN JURISDICTIONS: [RESERVED]

16.44.10.10 EXPEDITED LICENSURE APPLICATION:

A. A candidate for expedited licensure under Section 61-1-31.1 NMSA 1978 and Section 61-24B-7 NMSA 1978 must submit to the board a complete application containing all of the following:

(1) a completed and signed application form;

(2) proof of a current license in good standing in an eligible jurisdiction as defined; and

(3) payment of the required application fee.

B. An expedited license application shall not be deemed complete until the applicant has submitted, and the board's staff is in receipt of, all the materials required by subsection A, including documentation from third parties.

C. Upon receipt of a complete application, the board's staff shall process the application and issue the expedited license to a qualified applicant within 30 days.

D. If the applicant has a potentially disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-24B-12 NMSA 1978:

(1) the matter of the applicant's application shall be submitted to the board for consideration and action at its next available regular meeting;

(2) the license may not be issued within 30 days of submission of the complete application; and

(3) the board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

[16.44.10.10 NMAC - N, 1/18/2023]

16.44.10.11 EXPEDITED LICENSURE APPLICATION FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENTS AND VETERANS:

A. A candidate for expedited licensure under Section 61-1-34 NMSA 1978 must submit to the board a complete application containing all the following:

- (1) a completed and signed application form;
- (2) proof of a current license in good standing in another jurisdiction, including a branch of the United States armed forces; and
- (3) submission of the following documentation:
 - (a) for a military service member, a copy of military orders;
 - (b) for a spouse of a military service members: copy of military service member's military orders, and copy of marriage license;
 - (c) for a spouse of a deceased military service member, a copy of decedent's DD 214 and copy of marriage license;
 - (d) for a dependent child of a military service member, a copy of military service member's orders listing dependent child, or a copy of military orders and one of the following: a copy of birth certificate, military service member's federal tax return or other governmental or judicial documentation establishing dependency; or
 - (e) for veterans, retired or separated, proof of honorable discharge such as a copy of DD Form 214, DD Form 215, DD Form 256, DD Form 257, NGB Form 22, military ID card, a driver's license or state ID card with a veteran's designation, or other documentation verifying honorable discharge.

B. An expedited license application shall not be deemed complete until the applicant has submitted, and the board's staff is in receipt of, all the materials required by subsection A, including documentation from third parties.

C. Upon receipt of a complete application, the board's staff shall process the application and issue the expedited license to a qualified applicant within 30 days.

D. If the applicant has a potentially disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-24B-12 NMSA 1978:

- (1) the matter of the applicant's application shall be submitted to the board for consideration and action at its next available regular meeting;
- (2) the license may not be issued within 30 days of submission of the complete application; and
- (3) the board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

E. A military service member or veteran who is issued an expedited license shall not be charged a licensing fee or renewal fee for the first three years of licensure by the board.

[16.44.10.11 NMAC - N, 1/18/2023]

16.44.10.12 EXPEDITED LICENSE DURATION AND RENEWAL:

A. An expedited license shall be valid for the same length of time as a regular initial license issued by the board. Initial licenses, including expedited licenses, may be issued for a period greater than 12, but less than 24 months, in order to align the license expiration date with the board's renewal cycle.

B. A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules, provided that, if the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass the L.A.R.E exam, the licensee shall be required to pass the examination prior to renewing the license.

C. Upon renewal, the board shall issue a regular license to a licensee holding an expedited license issued pursuant to board rules.

[16.44.10.12 NMAC - N, 1/18/2023]

HISTORY OF 16.44.10 NMAC: [RESERVED]