

NOTICE OF EMERGENCY RULEMAKING

The New Mexico Public Regulation Commission (NMPRC) gives notice that on 6/26/2019 it issued an "Emergency Repeal of Void Rules and Order Adopting Emergency Rules" regarding certain State Fire Marshal Rules. That order adopted temporary emergency rules to amend 10.25.1 and 10.25.6 NMAC and to repeal and replace 10.25.3 and 10.25.5 NMAC. Also on 6/26/2019, the NMPRC found it necessary to adopt the emergency rules for Title 10, Chapter 25, Parts 1, 3, 5, and 6 of the New Mexico Administrative Code for the preservation of the peace, health, safety, and general welfare of the public, and further found that the emergency rules shall become effective immediately upon filing with the State Records Administrator or its designee under the authority granted by the State Rules Act.

The NMPRC found that emergency rules are necessary in this case to prevent an imminent peril to the public health, safety, or welfare because the objectives of the emergency rules are: (a) to establish provisions governing fire prevention, control of fires, safe egress from and use of public occupancies (see 10.25.1.6 NMAC); (b) to issue, renew, suspend, or revoke fireworks vendor licenses in compliance with the law (see 10.25.3.6 NMAC); (c) to prescribe minimum requirements for the operation and maintenance of buildings and structures necessary to reasonably project life and property from the hazards created by fire, explosion, and similar emergencies (see 10.25.5.6 NMAC); and (d) to increase the observance of safety precautions in handling fireworks and to decrease the number of fireworks related accidents in New Mexico (see 10.25.6.6 NMAC).

The temporary emergency State Fire Marshal rules are posted on the Rulemaking Proceedings section of the NMPRC's website at <http://www.nmprc.state.nm.us> under case number 18-00323-FM, and are publically available for inspection at the NMPRC's Records Management Bureau at P.O. Box 1269, Santa Fe, NM 87504-1269 or in person at 1120 Paseo de Peralta, Room 406, Santa Fe, NM 87501. A public comment period and a public hearing will be held in order to adopt permanent State Fire Marshal rules within 180 days of the effective dates of the temporary emergency rules. The proposed permanent language revisions to the State Fire Marshal Rules are posted on the NMPRC's website, and are publically available for inspection as described above.