

This is the amendment to 16.28.7 NMAC Sections 7, and 8 effective 3/2/2022.

**16.28.7.7 DEFINITIONS:**

~~A. Military service member: means a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the National guard.~~

~~B. Recent veteran: means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applied for an occupational or professional license pursuant to this section]~~

A. "License" means a license, registration, certificate of registration, certificate, permit or certification.

B. "Licensing fee" means a fee charged at the time an application for a professional or occupational license is submitted to the state agency, board or commission and any fee for the processing of an application for such license; "licensing fee" does not include a fee for an annual inspection or examination of a licensee or a fee charged for copies of documents, replacement license or other expenses related to a professional or occupational license.

C. "Military service member": means a person who is:

(1) serving in the armed forces of the United States as an active duty member or in an active reserve component of the armed forces of the United States including the national guard, or surviving spouse of a member who at the time of the member's death was serving on active duty; or

(2) the spouse of a person who is serving in the armed forces of the United State or in an active reserve component of the armed forces of the United States, including the national guard, or a surviving spouse of a member who at the time of the member's death was serving on active duty; or

(3) the child of a person who is serving in the armed forces of the United States as an active duty member, or in an active reserve component of the armed forces of the United States, including the national guard; provided that the child is also a dependent of that person for federal income tax purposes; and

(4) "veteran" means a person who has received an honorable discharge or separation from military service.

D. "Substantially equivalent" means the determination by the board that the education, examination, and experience requirements contained in the statutes and rules of another jurisdiction are comparable to, or exceed the education, examination, and experience requirements of the Signed Language Interpreting Practices Act, Sections 61-34-1 through -17 NMSA 1978.

[16.28.7.7 NMAC - N, 1/15/2014; A, 3/2/2022]

**16.28.7.8 APPLICATION REQUIREMENTS:**

~~A. Applications for registration shall be completed on a form provided by the [department] board.~~

~~B. The [information] completed application shall include the following information:~~

~~(1) Completed application and fee.~~

~~(2) Satisfactory evidence that the applicant holds a license that is current and in good standing, issued by another jurisdiction, including a branch of armed forces of the United States, that has met the minimal licensing requirements that are substantially equivalent to the licensing requirements for the occupational or professional license the applicant applies for pursuant to Chapter 61, Articles 2 through 34 NMSA 1978.]~~

~~(1) applicant's full name;~~

~~(2) current mailing address;~~

~~(3) current electronic mail address, if any;~~

~~(4) date of birth;~~

~~(5) background check if required; and~~

~~(6) proof as described in subsection C below.~~

~~C. The applicant shall provide the following satisfactory evidence:~~

~~(1) applicant is currently licensed and in good standing in another jurisdiction, including a branch of the United States armed forces;~~

~~(2) applicant has met the minimal licensing requirements in that jurisdiction and the minimal licensing requirements in that jurisdiction are substantially equivalent to the licensing requirements for New Mexico;~~

(3) the following documentation:  
(a) a copy of military orders for military service members;  
(b) a copy of military service member's military orders and a copy of marriage license for spouses of military service members;  
(c) for spouses of deceased military members: a copy of the decedent's DD 214 and a copy of marriage license;  
(d) for dependent children of military service members: a copy of military service member's orders listing the dependent child, or a copy of military orders and one of the following: a copy of a birth certificate, military service member's federal income tax return or other governmental or judicial documentation establishing dependency;  
(e) for veterans (retired or separated): a copy of DD 214 showing proof of honorable discharge.

D. The license shall be issued by the board as soon as is practicable but no later than 30 days after a qualified military service member, spouse, dependent child, or veteran files a complete application and pays any required fees.

E. Military service members and veterans shall not pay, and the board shall not charge a licensing fee for the first three years for a license issued pursuant to this rule.

F. A license issued pursuant to this rule shall be valid for the time period that is specified in the Signed Language Interpreting Practices Act, Sections 61-34-1 to -17 NMSA 1978.

G. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for renewal set forth in 16.28.7.11 NMAC , Section 61-34-10 NMSA 1978. As a courtesy, the board will send, via electronic mail, license renewal notifications to licensees or registrants before the license expiration date to the last known electronic mail address on file with the board. Failure to receive the renewal notification shall not relieve the licensee or registrant of the responsibility of timely renewal on or before the expiration date.

H. Electronic signatures will be acceptable for applications submitted pursuant to Sections 14-16-1 through -19 NMSA 1978.

[16.28.7.8 NMAC - N, 1/15/2014; A, 3/2/2022]