

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the State Fire Marshal (“Fire Marshal”), pursuant to the New Mexico Insurance Code, NMSA 1978, Section 59A-52-1.1, proposes to adopt a new rule, 10. 25.5 NMAC, Fire Prevention and Public Occupancy

**PURPOSE OF THE PROPOSED NEW RULE IS:** Adopt the 2021 International Fire Code as the New Mexico Fire Code.

**STATUTORY AUTHORITY:** NMSA 1978, Section 59A-52-15.

Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the State Fire Marshal’s Office website [State Fire Marshal | NM Department of Homeland Security & Emergency \(nmdhsem.org\)](http://StateFireMarshal.NMDepartmentofHomelandSecurity&Emergency.nmdhsem.org) or the New Mexico Sunshine Portal.

The State Fire Marshal’s Office will hold a public video/telephonic hearing on the proposed rule on September 9, 2022 at 10:00 a.m.

Join via Video: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ODBhMDY4YjgtYTlkOS00NTljLWJhMwYtN2Q1NGY4MWM5ZTZi%40thread.v2/0?content=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%2282a20906-2ea9-4bb2-8e9c-8aee38adbfc6%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODBhMDY4YjgtYTlkOS00NTljLWJhMwYtN2Q1NGY4MWM5ZTZi%40thread.v2/0?content=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%2282a20906-2ea9-4bb2-8e9c-8aee38adbfc6%22%7d)

Join via telephone: 1-505-312-4308 Meeting ID: 254 182 961 706 Passcode: 7grvvp

The Fire Marshal designates Bureau Chief John Kondratick to act as the hearing officer for this rulemaking. Oral comments will be accepted at the video/telephonic hearing from members of the public and any interested parties.

Written comments and proposals will be accepted through 4:00 pm on September 6, 2022. Responses to written comments or oral comments will be accepted through 4:00 pm on September 7, 2022. Comments may be submitted via email to [john.kondratick@state.nm.us](mailto:john.kondratick@state.nm.us) or may be filed by sending original copies to:

New Mexico Fire Marshal’s Office, New Mexico Department of Homeland Security  
13 Bataan Blvd., PO Box 27111, Santa Fe, NM. 87502

Only signed statements, proposals, or comments will be accepted. Scanned or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, the Fire Marshal reserves the right to require that original signatures be provided to verify the electronic signature. All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. Any filings after 4:00 will be filed to the docket the next business day.

**SPECIAL NEEDS:** Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other auxiliary aid or service to attend or participate in the hearing should contact Danielle Gonzales at 505-476-0874 ten (10) business days prior to the hearing.

The Fire Marshal will consider all oral comments and will review all timely submitted written comments and responses.

ISSUED this 14<sup>th</sup> day of July 2022  
/S/Chief John Kondratick