

NOTICE OF PUBLIC HEARING

The Construction Industries Commission will convene a public hearing on the following proposed changes to the administrative code to include amendments to its rules 14.5.2 NMAC PERMITS, 14.6.3 NMAC CONTRACTOR'S LICENSE REQUIREMENTS, 14.6.4 NMAC JOURNEYMAN CERTIFICATION and 19.15.40 NMAC NEW MEXICO LIQUIFIED PETROLEUM GAS STANDARD. The hearing will be held before a hearing officer, at which time any interested person is invited to submit data, views or arguments on the proposed changes, either orally or in writing and to examine witnesses testifying at the hearing. The hearing is scheduled for October 26, 2022.

The purpose of this public rule hearing is to receive public comments regarding amendments and changes to the Permitting and New Mexico Liquified Petroleum Gas Standard rules that update provisions in the rules to reflect statutory changes in law, amendments to the Contractor's License Requirements rules that allow the division to expedite licensing by accepting the National Association of State Contractors Licensing Agencies ("NASCLA") written examination, and amendments to Journeyman Certification that clarify language in work experience requirements and corrects one typographical error.

The statutory authority for this rulemaking is found in the Construction Industries Licensing Act, NMSA 1978 Sections 60-13-1 through 59, specifically Sections 60-13-9, 60-13-10.3, 60-13-12, 60-13-14, 60-13-18, 60-13-33, 60-13-36-60-13-38, 60-39, 60-13-44, 60-13-45, 60-13-46, 60-13-47, LPG and CNG Act, NMSA 1978 Section 70-5-1 through 23, specifically Sections 70-5-6, 70-5-9, 70-5-12, 70-5-17, and the Parental Responsibility Act, 40-5A-1 through 9 NMSA.

The hearing is scheduled as follows:

An in-person hearing shall be held on Wednesday, October 26, 2022, at the Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, NM, second floor, Rio Grande Conference Room, starting at 9:30 a.m. The hearing will remain open until 10:00 a.m. or until participants have an opportunity to make public comment, whichever is longer.

Those desiring to participate via video/telephonic may do so by remote participation by following these instructions:

Join via Video:

<https://nmrld.webex.com/nmrld/j.php?MTID=m53bc56c7ceffe1f319a09abd640666d5>. Once you join through the above link you will be provided instructions for accessing the meeting. Event password not required.

Join via telephone:

+1-415-655-0002

Access Code: 2496 844 1122

No password required.

Interested persons may obtain copies of the proposed rule changes by logging onto the Construction Industries Division website (<https://www.rld.nm.gov/construction-industries>) to download the proposed rules or by written request to the Albuquerque CID Office – Regulation and Licensing Department, 5500 San Antonio Drive NE, Albuquerque, NM 87109, attention: Eliza Casados.

You may send written comments to: Construction Industries Division, – Regulation and Licensing Department, 5500 San Antonio Drive NE, Albuquerque, NM 87109, Attention: Public Comments. Written comments may also be faxed to (505) 476-4685/ (505) 629-3835 or submitted to Eliza Casados at her email address: eliza.casados@state.nm.us. All written comments must be received no later than 5:00 p.m., on Tuesday, October 25, 2022. You may also review submitted comments by requesting copies from Eliza Casados at her email address above. Public comments will be posted on the division's website (<https://www.rld.nm.gov/construction-industries>). Written comments may also be received by the Commission at the in-person hearing until the hearing is closed. All public comment received shall be admitted into the record during the public hearing.

If you require special accommodations to attend the hearing, please notify CID by phone, email, or fax, of such needs as soon as possible to ensure adequate accommodations. Telephone: (505) 629-3835. Email: eliza.casados@state.nm.us; Fax No. (505) 476-4702.

Summary of the Proposed Changes to the Administrative Codes:

14.5.2 NMAC -- Permits, Sections 10 and 13, Section 10 is amended to update the rules involving state owned building built on land designated as a flood plain. These changes ensure that the rules comply with HB 168 passed by the New Mexico Legislature during its 2021 regular legislative session. One typographical error correction to made to Section 13.

14.6.3 NMAC -- Contractor's License Requirements, Section 8 is amended to allow the division to waive the written exam and accept the National Association of State Contractors Licensing Agencies' exam for the purpose of meeting the state's written licensure exam requirements.

14.6.4 NMAC -- Journeyman Certification, Section 8 is amended to strike "four years" from paragraph 14.6.4.8(C) to more accurately reflect the work experience requirements in subsections (E) and (F) of this part.

19.15.40 NMAC -- New Mexico Liquified Petroleum Gas Standard, Sections 7 and 15 are being amended to add definitions for "disqualifying criminal conviction", "military service member" and "substantially equivalent" and add regulations to ensure compliance with expedited licensure for military applicants pursuant to HB 120 passed by the New Mexico Legislature during its 2021 regular legislative session and to ensure compliance with disqualifying felony convictions pursuant to HB 196 passed by the New Mexico Legislature during its 2021 regular legislative session.