

NOTICE OF PUBLIC HEARING AND PROPOSED RULEMAKING

The Financial Institutions Division of the Regulation And Licensing Department Hereby Gives Notice of Public Hearing to Consider Proposed Amendments To **12.18.3 NMAC – MANDATORY BROCHURE FOR SMALL BUSINESS LOANS, 12.18.4 NMAC – MANDATORY SIGNAGE FOR ALL SMALL LOAN COMPANIES, 12.18.8 NMAC – LICENSING OF NONRESIDENT LENDERS, 12.18.9 NMAC – REFUND ANTICIPATION LOANS, and 12.18.10 NMAC – ELECTRONIC MEDIA REQUIREMENTS.**

The Financial Institutions Division of the Regulation and Licensing Department (“Division”) will hold a public hearing on beginning at 10:00 am on Friday, January 13, 2023, and continuing on subsequent days, as necessary, in person at 2550 Cerrillos Road, Santa Fe, NM 87505 and via the WebEx video conferencing platform. The purpose of the hearing is to provide all interested persons a reasonable opportunity to submit data, views or arguments orally or in writing on the proposed amendments to Title 12, Chapter 18 – Loan Companies. The Division, at its sole discretion, may determine whether to hold more than one hearing.

Information for attending the virtual hearing via the WebEx conferencing platform will be available on the Division’s website, www.rld.nm.gov/financial-institutions/, at least 30 days prior to the hearing and is as follows:

Meeting link: <https://nmrld.webex.com/nmrld/j.php?MTID=m7ae1093043a381f88118707870e2d35b>

Meeting number: 2490 959 8151

Meeting password: 3trZVYyXz24 (38798999 from video systems)

To join by phone: +1-415-655-0002 (United States Toll)

Access code: 24909598151##

Join from a video system or application: Dial 24909598151@nmrld.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business: Dial 24909598151.nmrld@lync.webex.com

The proposed amendments to Title 12, Chapter 18 – Loan Companies, are available on the Division’s website, at www.rld.nm.gov/. The proposed amendments may also be obtained electronically by contacting Farrah D. Diaz, the Division’s Legal Clerk, at Farrah.Diaz@rld.nm.gov or (505) 690-7450.

The hearing will be conducted in accordance with the New Mexico Bank Installment Loan Act of 1959, NMSA 1978, Sections 58-7-1 to -11 (1959, as amended through 2020), the New Mexico Small Loan Act of 1955, NMSA 1978, Sections 58-15-1 to -42 (1953, as amended through 2020), and the Default Procedural Rule for Rule Making 1.24.25 NMAC.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing, to introduce relevant exhibits and to examine witnesses testifying at the public hearing.

Persons desiring to present technical testimony at the hearing must file with the Division a written notice of intent. The notice of intent to present technical testimony shall:

1. Identify the person or entity for whom the witness(es) will testify;
2. State whether the person filing the statement supports or opposes the Petition;
3. Identify each witness, including name, address, affiliation(s), and educational and work background;
4. Estimate the length of the direct testimony of each witness;
5. Identify all exhibits which are part of the Record Proper and, for exhibits not part of the Record Proper, attach a copy;

6. List or make available all technical materials relied upon by each witness in making statement of technical of fact or opinion contained in his or her direct testimony; and
7. Attach a summary of the testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s).

Please provide submit any notices of intent to present technical testimony to the Division's Legal Clerk, Farrah D. Diaz, as soon as possible. Any member of the general public may present non-technical public comment at the hearing or submit a non-technical written statement in lieu of oral testimony before or at the hearing.

All documents filed in this matter, including notices of intent, must be filed electronically via email to the Division's Legal Clerk, at Farrah D. Diaz, as Farrah.Diaz@rld.nm.gov

Any individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing should contact Farrah D. Diaz, Legal Clerk for the Division, at Farrah.Diaz@rld.nm.gov or (505) 690-7450, at least 14 days prior to the hearing. TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).