

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The Regulation and Licensing Department (Department) in consultation with the New Mexico Interior Design Board (Board) will hold a rule hearing on Friday, June 16, 2023 at 9:00 a.m., immediately followed by a meeting of the Board to discuss and consider adoption of the proposed rules listed below. The rule hearing and subsequent Board meeting will be held at the Regulation and Licensing Department, 5500 San Antonio Drive NE, Albuquerque, NM 87109.

The hearing and subsequent board meeting may also be accessed via Cisco Webex Meetings by using the following link:

<https://nmrld.webex.com/nmrld/j.php?MTID=mdcce639eb305cebb109f1eaf470f9664>

Code: 24983198168

Meeting Password: DCxbRwA7v33

Join by phone: 1-415-655-0002

The purpose of the rule hearing is to receive public comments related to proposed amendments of the following rules that address changes to the Interior Design Act as amended by House Bill 384 passed during the 2023 legislative session and signed by the Governor, which is effective July 1, 2023:

16.42.1 NMAC - General Provisions

16.42.2 NMAC - Code of Professional Conduct

16.42.3 NMAC - Licensing Requirements

16.42.4 NMAC - Complaints and Disciplinary Actions

16.42.5 NMAC - Fees

16.42.6 NMAC - Continuing Education Guidelines

16.42.7 NMAC - Licensure for Military Service Members, Spouses, Dependent Children and Veterans

On May 16, 2023 copies of the proposed rules may be obtained by going to the Boards and Commissions Division, Interior Design Board website at: NMRLD | Interior Design Board Meetings & Information, or by contacting the Board Administrator for the Board at (505) 222-9882.

The Department and the Board will begin accepting public comments on the proposed rules beginning May 16, 2023. Please submit written comments on the proposed changes to Sarah McGeath, Board Administrator, via electronic mail at: Interior.Design@rld.nm.gov, or by regular mail at 5500 San Antonio Drive NE, Albuquerque, NM 87109 no later than June 16, 2023 8 a.m.

Written comments received during the public comment period will be posted to the Board's website page linked above. Any person in attendance will be given the opportunity to present their comments at the rule hearing.

An 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 or the special board meeting, please contact Sarah McGeath, Board Administrator (505) 222-9882 at least 7 days prior to the rule hearing and special board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

Statutory Authority: The proposed rule changes are authorized by the Interior Design Act, Section 61-24C-5 NMSA 1978, which provides explicit authority for the Board to "promulgate rules as may be necessary to implement the provisions of the Interior Design Act.

The rulemaking and public rule hearing is governed by the State Rules Act, Sections 14-4-1 to 11, NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Office of the Attorney General, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules:

The proposed rule changes are intended, primarily, to address statutory changes to the Interior Design Act that were included in House Bill 384, which was passed by the New Mexico Legislature during the 2023 Regular Session. The proposed rules are also intended to provide the Regulation and Licensing Department with the administration, coordination and enforcement of the Interior Designer Act.

Summary of Proposed Changes:

The proposed rules incorporate or remove language and definitions provided in House Bill 384 to create consistency between the statutory provisions and the rules and regulations governing the Interior Designers Act.

The proposed rules replace references to the Interior Design Board with RLD as the board will cease to exist on July 1, 2023. The proposed rules also amend requirements for interior designer licensure to require an applicant to take and pass the national council for interior design qualification or other nationally recognized examination approved by the department, and to have an active certification from a nationally recognized certification. Further, licensure without examination may be approved on a case-by-case basis for those actively licensed in another jurisdiction with at least eight years apprenticeship. Also, the license term has been extended to four years and requires 20 hours of continuing education before renewal. A summary of the proposed changes for each rule appears below.

16.42.1 - General Provisions:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.2 – Code of Professional Conduct:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.3 – Licensing Requirements:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Sections 61-24C-8, 61-24C-9, and 61-24C-10. These amendments and statutory changes include updating the requirements for licensure by examination, licensure without examination, expedited licensure and licensure for military service members and veterans. The amendments also contain revisions regarding renewal, expired licenses and licenses in inactive status.

16.42.4 – Complaints and Disciplinary Actions:

The amendments to this part comply with statutory changes to the Interior Design Act regarding complaints and disciplinary actions and also contain revisions to grammatical and typographical errors throughout.

16.42.5 – Fees:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure fees and also contain revisions to grammatical and typographical errors throughout.

16.42.6 – Continuing Education Guidelines:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Section 61-24C-10D. The amendments to this part also contain revisions to grammatical and typographical errors throughout.

16.42.7 – Licensure for Military Service Members, Spouses, Dependent Children and Veterans:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure for military service members, spouses, dependent children and veterans. The amendments to this part also contain revisions to grammatical and typographical errors throughout.