

NOTICE OF PROPOSED RULEMAKING

The State of New Mexico, Energy, Minerals and Natural Resources Department (EMNRD), State Parks Division (Division) hereby gives notice of the following proposed rulemaking. EMNRD proposes to repeal and replace its rule 19.5.1 General Provisions and amend its rules 19.5.2 Park Visitor Provisions and 19.5.6 Park Fees.

Purpose of Amendment: EMNRD proposes the amendments to include a definition of active-duty military, camping, developed camping, primitive camping, NM resident veteran, and utilities, clarify wording related to permits vs. passes, correct wording for Mesilla Valley Bosque state park, delete language allowing the division to require visitors to pay fees for their entire stay in advance, correct incorrect references to NMAC sections that have changed numbering, change the time a reservation site is available for other visitors if not occupied by the visitor holding the reservation, clarify language allowing the superintendent to restrict the number or size of tents, shade or screen shelters occupying a campsite or day use site, clarify language allowing the superintendent to restrict the number or size of vehicles, camping units or trailers occupying a campsite, day use site or parking area, add Rio Grande Nature Center state park to parks where annual day use passes are not valid, add restrictions to the use of annual day use passes, clarify that tribal or federal photo identification may be used for documentation in purchasing passes, delete language allowing a photocopy of the award letter the United States department of veterans affairs issues for the purchase of a disabled annual camping pass, change wording from active-duty military or honorably discharged veteran to active-duty military passes, clarify identification requirements for the purchase of active-duty military passes, add Rio Grande Nature Center state park to the parks where an annual camping pass is not valid, delete language related to disabled veterans passes and add language related to lifetime veteran passes, implement requirements for and procedures for issuing lifetime veteran passes, add language making lifetime veteran passes free of charge.

EMNRD proposes to add the definition of active-duty military in 19.5.1.7.B.

EMNRD proposes to add the definition of camping in 19.5.1.7.D.

EMNRD proposes to add the definition of developed camping in 19.5.1.7.R

EMNRD proposes to add the definition of NM resident veteran in 19.5.1.7.AA.

EMNRD proposes to add the definition of primitive camping in 19.5.1.7.LL.

EMNRD proposes to add the definition of utilities in 19.5.1.7.UU.

EMNRD proposes to amend 19.5.2.12.A to correct wording for permits/passes and correct the name of Mesilla Valley Bosque state park.

EMNRD proposes to delete 19.5.2.12.H.

EMNRD proposes to amend 19.5.2.12.I to correct numbering and correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.12.J to correct numbering and change the time reservation campsites shall become available to other visitors if the visitor holding the reservation does not occupy the site.

EMNRD proposes to amend 19.5.2.13.H to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.13.I to clarify the superintendent may restrict the number or size of tents, shade or screen shelters occupying a campsite or day use site by posting on the reservation website.

EMNRD proposes to amend 19.5.2.14.C to clarify the superintendent may restrict the number or size of vehicles, camping units or trailers occupying a campsite, day use site or parking area by posting on the reservation website.

EMNRD proposes to amend 19.5.2.32.A to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.32.B to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.32.C(4) to correct numbering referencing NMAC sections that have been amended.

EMNRD proposes to amend 19.5.2.32.D to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.33 to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.34.B(2) to correct wording from permit to pass.

EMNRD proposes to amend 19.5.2.35 to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.35.A(1) to add Rio Grande Nature Center state park as a park where annual day uses passes are not valid.

EMNRD proposes to amend 19.5.2.35.A to add specific restrictions to the use of annual day use passes including making them non-transferable to individuals not residing in the same household as the original purchaser, specifying that non-residents may not use resident annual day use passes, and adding language indicating annual day use passes used in violation of park rules are subject to confiscation.

EMNRD proposes to amend 19.5.2.35.B to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.35.B(1) to correct wording for permits/passes.

EMNRD proposes to amend 19.5.2.35.B(2) to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.35.B(2)(a) to include tribal and federal issued photo identification as identification that may be used to verify residency.

EMNRD proposes to amend 19.5.2.35.B(2)(c) to remove reference to a photocopy of the award letter the United States department of veterans affairs issues indicating they have a one hundred percent service-connected disability as a verification document for purchasing a disabled annual camping pass.

EMNRD proposes to amend 19.5.2.35.B(2)(d) to change the active-duty military and veteran annual camping pass to just an active-duty military annual camping pass and clarify identification requirements for purchasing the pass.

EMNRD proposes to amend 19.5.2.35.B(3) to correct wording from permit to pass.

EMNRD proposes to amend 19.5.2.35.B(4) to correct wording from permits to passes and add Rio Grande Nature Center state park as a park where the annual camping pass is not valid.

EMNRD proposes to amend 19.5.2.35.B(5) to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.35.C to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.35.D to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.35.E to clarify the requirement to provide proof of purchase when purchasing a replacement pass and to correct wording from permits to passes.

EMNRD proposes to amend 19.5.2.36 to change the title from disabled veterans passes to lifetime veteran passes.

EMNRD proposes to delete 19.5.2.36.A through 19.5.2.36.B.

EMNRD proposes to amend 19.5.2.36 to add sections A through D adding language indicating that New Mexico resident veterans are eligible for free lifetime veteran passes that provide the individual with unlimited entry into state parks or recreation areas operated by the division and unlimited use of camping areas operated by the division subject to restrictions in NMAC and outlining eligibility and application requirements for the pass as well as stating that the pass is not valid for central reservation system contractor's services fees, group shelter fees, or meeting, event and lodging facility fees.

EMNRD proposes to amend 19.5.2.39 to correct numbering referencing NMAC sections that will be amended.

EMNRD proposes to amend section 19.5.6.10 deleting language referencing the disabled veterans pass.

EMNRD proposes to amend section 19.5.6.11 correcting wording from permit to pass, changing the New Mexico active-duty military or honorably discharged veteran pass to just active-duty military pass, and adding the lifetime veteran pass.

EMNRD proposes to amend section 19.5.6.12 to correct wording from permit to pass.

Legal Authority: EMNRD proposes this rule amendment under the authority of NMSA 1978, Section 9-1-5 and NMSA 1978, Section 16-2-7.

The full text of the proposed rule amendment is available from Jared Langenegger at 575-420-1733 or jaredr.langenegger@emnrd.nm.gov or can be viewed on the EMNRD, State Parks Division's website at <https://www.emnrd.nm.gov/spd/public-meetings/> or at the State Parks Division's office in Santa Fe.

Public Hearing and Comment. EMNRD will hold a public hearing on the proposed rule amendments at 10:00 a.m. on Tuesday, June 10, 2025, at the Wendell Chino Building, Pecos Hall, 1220 South Saint Francis Drive, Santa Fe, NM.

Those wishing to comment on the proposed rule amendment may make oral comments or submit information at the hearing or may submit written comments by June 10, 2025 at 12:00 p.m. by mail or e-mail. Please mail written comments to Jared Langenegger, EMNRD, State Parks Division, 1220 South Saint Francis Drive, Santa Fe, NM 87505 or submit comments by e-mail to emnrd-parkscomments@emnrd.nm.gov.

Technical Information that served as a basis for the proposed rule amendments includes:

House Bill 161

Copies of the technical information can be obtained from Jared Langenegger at 575-420-1733 or jaredr.langenegger@emnrd.nm.gov or can be viewed on the EMNRD, State Parks Division's website at <https://www.emnrd.nm.gov/spd/public-meetings/>.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Jared Langenegger at 575-420-1733 or through the New Mexico Relay Network at 1-800-659-1779 two weeks prior to the hearing. Public documents can be provided in various accessible formats. Please contact Jared Langenegger at 575-420-1733, if a summary or other type of accessible format is needed.