

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 10 ALCOHOLIC BEVERAGES GENERAL PROVISIONS
PART 31 PREMISES - GENERAL REQUIREMENTS

15.10.31.1 ISSUING AGENCY: New Mexico Regulation and Licensing Department, Alcoholic Beverage Control Division.
[15.10.31.1 NMAC - Rp, 15.10.31.1 NMAC, 9/28/2021]

15.10.31.2 SCOPE: These regulations apply to all licensees under the New Mexico Liquor Control Act.
[15.10.31.2 NMAC - Rp, 15.10.31.2 NMAC, 9/28/2021]

15.10.31.3 STATUTORY AUTHORITY: Section 60-3A-10 NMSA 1978, of the act authorizes the director to make and adopt such rules as necessary to carry out the duties of the division.
[15.10.31.3 NMAC - Rp, 15.10.31.3 NMAC, 9/28/2021]

15.10.31.4 DURATION: Permanent.
[15.10.31.4 NMAC - Rp, 15.10.31.4 NMAC, 9/28/2021]

15.10.31.5 EFFECTIVE DATE: September 28, 2021, unless a later date is cited at the end of this section.
[15.10.31.5 NMAC - Rp, 15.10.31.5 NMAC, 9/28/2021]

15.10.31.6 OBJECTIVE: These rules are intended to establish standards for the general operation and maintenance of licensed premises.
[15.10.31.6 NMAC - Rp, 15.10.31.6 NMAC, 9/28/2021]

15.10.31.7 DEFINITIONS: Unless otherwise defined in 15.10.2 NMAC, terms used in these rules have the same meanings as set forth in the Liquor Control Act.
[15.10.31.7 NMAC - Rp, 15.10.31.7 NMAC, 9/28/2021]

15.10.31.8 LIGHTING OF LICENSED PREMISES: At any licensed premises open for business, the interior lighting shall be sufficient to make easily discernible to persons of average vision, the appearance, age and conduct of all persons on the premises where alcoholic beverages are sold, served or consumed.
[15.10.31.8 NMAC - Rp, 15.10.31.8 NMAC, 9/28/2021]

15.10.31.9 SANITATION REQUIREMENTS: All licensees shall comply with all applicable sanitation requirements prescribed by the state of New Mexico, this is to include all requirements set forth in any Public Health Order issued pursuant to Sections 24-1-1 through 24-1-40 NMSA 1978, of the Public Health Act, Sections 12-10A-1 through 12-10A-19 NMSA 1978, of the Public Health Emergency Response Act, and Sections 9-7-1 through 9-7-18 NMSA 1978, of the Department of Health Act and local sanitation ordinances. Failure to comply shall be deemed a violation of this rule.
[15.10.31.9 NMAC - Rp, 15.10.31.9 NMAC, 9/28/2021]

HISTORY OF 15.10.31 NMAC:

Pre-NMAC Regulatory Filing History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

ABC Regulation No. 3A-2.(E), Lighting of Licensed Premises Regulation 3A-2.(E), Interpreting and Exemplifying Section 60-3A-2 NMSA 1978 (1981-1984 Supp.), filed 11/4/85;

AGD 3A-2(D), Lighting of Licensed Premises, filed 9/25/90;

ABC Regulation No. 3A-2.(F), Sanitation Requirements Regulation 3A-2.(F), Interpreting and Exemplifying Section 60-3A-2 NMSA 1978 (1981-1984 Supp.), filed 11/4/85; and

AGD 3A-2(E), Sanitation Requirements, filed 9/25/90.

History of Repealed Material:

15 NMAC 10.3.1.8.2, Repealed 7/15/99.

15.10.31 NMAC - Premises - General Requirements, filed 3/31/1997, recompiled 12/31/2001, was repealed and replaced by 15.10.31 NMAC - Premises - General Requirements, effective 9/28/2021.