

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 1 GENERAL PROVISIONS

16.42.1.1 ISSUING AGENCY: Regulation and Licensing Department.
[11/10/97; 16.42.1.1 NMAC - Rn, 16 NMAC 42.1.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.1.2 SCOPE: The provisions in Part 1 of Chapter 42 apply to all parts and provide relevant information to the licensees, applicants and the general public.
[11/10/97; 16.42.1.2 NMAC - Rn, 16 NMAC 42.1.2, 10/26/2002; A, 7/18/2023]

16.42.1.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, Section 61-24C-5 NMSA 1978.
[11/10/97; 16.42.1.3 NMAC - Rn, 16 NMAC 42.1.3, 10/26/2002; A, 7/18/2023]

16.42.1.4 DURATION: Permanent.
[11/10/97; 16.42.1.4 NMAC - Rn, 16 NMAC 42.1.4, 10/26/2002]

16.42.1.5 EFFECTIVE DATE: November 10, 1997, unless a different date is cited at the end of a section or paragraph.
[11/10/97; 16.42.1.5 NMAC - Rn, 16 NMAC 42.1.5, 10/26/2002]

16.42.1.6 OBJECTIVE: To define the terms relevant to interior design and establish display of license and advertising requirements.
[11/10/97; 16.42.1.6 NMAC - Rn, 16 NMAC 42.1.6, 10/26/2002; A, 7/18/2023]

16.42.1.7 DEFINITIONS:

- A.** “applicant” has the same meaning as defined in Subsection A of Section 61-24C-3 NMSA 1978;
- B.** “department” has the same meaning as defined in Subsection B of Section 61-24C-3 NMSA 1978;
- C.** “interior design” has the same meaning as defined in Subsection C of Section 61-24C-3 NMSA 1978;
- D.** “licensed interior designer” or “licensed designer” has the same meaning as defined in Subsection D of Section 61-24C-3 NMSA 1978.

[16.42.1.7 NMAC – N, 7/18/2023]

16.42.1.8 [RESERVED]
[11/10/97; 16.42.1.8 NMAC - Rn, 16 NMAC 42.1.8, 10/26/2002; Repealed, 7/18/2023]

16.42.1.9 [RESERVED]
[11/10/97; 16.42.1.9 NMAC - Rn, 16 NMAC 42.1.9, 10/26/2002; Repealed, 7/18/2023]

16.42.1.10 [RESERVED]
[11/10/97; 16.42.1.10 NMAC - Rn, 16 NMAC 42.1.10, 10/26/2002; A, 08/15/2014; Repealed, 7/18/2023]

16.42.1.11 DISPLAY OF LICENSE: The certificate of licensure shall be publicly displayed at the licensee's place of employment. Licensees with more than one place of employment shall also publicly display duplicate original licenses at any secondary places of employment.
[11/10/97; 16.42.1.11 NMAC - Rn, 16 NMAC 42.1.11, 10/26/2002]

16.42.1.12 ADVERTISING:

- A.** Each licensed interior designer (LID), shall include their name, state and license number in any newspaper, telephone directory, or any other advertising medium used by the LID. A sole proprietorship, corporation, limited liability company or partnership advertising interior design services is required to display the name, state and license number of at least one LID employed by or working within that business entity.
- B.** Definition:

(1) When using the words "licensed interior designer" or "licensed interior design" in any advertising medium, LIDs shall include their position, job description, or title and include the state and license number. A license number is not required unless the individual is a LID and using the terms "licensed interior design" or "licensed interior designer".

(2) The term "newspaper, telephone directory, or other advertising medium" as used in Subsection A, shall mean any of the following when paid for or produced by or for a licensed interior designer (LID) (telephone business directory listings are deemed to be produced for a LID notwithstanding whether the listings are paid for):

- (a) telephone directory listings;
- (b) construction site signs;
- (c) airwave transmissions;
- (d) handbills;
- (e) all billboards, on or off site;
- (f) shopping and service guides;
- (g) magazine advertisements (including trade association publications);
- (h) classified advertisements;
- (i) signs on vehicles;
- (j) promotional materials such as video tapes, flyers, brochures;
- (k) business stationery: when using business stationery as an advertising medium,

the LID shall include name or signature, position, job description or title of the individual and shall include the state and license number;

- (l) business cards;
- (m) television advertisement;
- (n) internet advertisement;
- (o) compact disc (CD) or digital video disk (DVD).

(3) The term shall not apply to the following:

- (a) on-site signage used for identification, i.e., on facade, front door, or location of business;
- (b) information identifying a charitable donation to any organization exempt from federal income tax;
- (c) telephone directory listings for professional interior design organizations.

C. Seal:

(1) The official seal shall be as follows: an embossed circular seal two inches in diameter consisting of two concentric circles; the annular space between the two circles shall contain the seal of the state of New Mexico.

(2) The department authorizes a seal or stamp for use by licensed interior designers. The seal shall attest that the documents were prepared and reviewed by the licensed interior designer (LID). When an LID signs, stamps or seals a document containing the work of others, the LID represents that the entire document has been prepared by them under their responsible control, unless they include a written statement adjacent to their signature, stamp or seal identifying the portion of the document that was prepared by them or prepared under their responsible control. A LID who signs, stamps or seals a document which was not prepared by them but was prepared under their responsible control is subject to disciplinary proceedings as if they prepared it themselves.

(3) The seal/stamp will bear the LID's name and license number and the legend "Licensed Interior Designer State of New Mexico." All plans, specifications and reports issued by a LID shall have the LID's signature placed across the seal/stamp.

[11/10/97; 16.42.1.12 NMAC - Rn, 16 NMAC 42.1.12, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

HISTORY OF 16.42.1 NMAC:

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

IDB Rule 89-1, General Provisions filed 12/19/89.

IDB Rule 89-2, Organization filed 12/19/89.

IDB Rule 89-3, Administration filed 12/19/89.

IDB Rule 89-10, Display of License filed 12/19/89.

IDB Rule 94-1, Advertising filed 4/26/95.

History of Repealed Material: [RESERVED]