

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 48 PRIVATE LAW ENFORCEMENT PRACTITIONERS
PART 5 FEES

16.48.5.1 ISSUING AGENCY: Regulation and Licensing Department.
[16.48.5.1 NMAC - Re-pr, 16.48.5.1 NMAC, 9/24/2008; A, 5/25/2021]

16.48.5.2 SCOPE: All individuals and businesses applying to be licensed or registered under the Private Investigations Act.
[16.48.5.2 NMAC - Re-pr, 16.48.5.2 NMAC, 9/24/2008; A, 2/8/2022]

16.48.5.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Private Investigations Act, Section 61-27B-5 NMSA 1978.
[16.48.5.3 NMAC - Re-pr, 16.48.5.3 NMAC, 9/24/2008; A, 2/8/2022]

16.48.5.4 DURATION: Permanent.
[16.48.5.4 NMAC - Re-pr, 16.48.5.3 NMAC, 9/24/2008]

16.48.5.5 EFFECTIVE DATE: September 24, 2008 unless a later date is cited in the history note at the end of a section.
[16.48.5.5 NMAC - Re-pr & A, 16.48.5.5 NMAC, 9/24/2008]

16.48.5.6 OBJECTIVE: To establish fees to generate revenue adequate to fund the cost of program administration as authorized under Section 61-27B-20 NMSA 1978.
[16.48.5.6 NMAC - Re-pr, 16.48.5.6 NMAC, 9/24/2008; A, 2/8/2022]

16.48.5.7 DEFINITIONS: [RESERVED]
[Refer to 16.48.1.7 NMAC]

16.48.5.8 FEE SCHEDULE:

- A.** All fees payable to the department are non-refundable.
- B.** Application fees:
 - (1) private investigator \$100
 - (2) private investigations manager \$100
 - (3) private patrol operator \$100
 - (4) private patrol operations manager \$100
 - (5) polygraph examiner \$100
 - (6) instructor \$100
- C.** Initial registration (three year term) and renewal fees:
 - (1) security guard level one \$50
 - (2) security guard level two \$50
 - (3) security guard level three \$75
 - (4) private investigations employee \$100
 - (5) private patrol employees \$100
 - (6) instructor \$100
- D.** Initial license (three year term) and renewal fees:
 - (1) private investigator \$300
 - (2) private investigations manager \$200
 - (3) private patrol operator \$300
 - (4) private patrol operations manager \$200
 - (5) polygraph examiner \$300
 - (6) private investigations company \$300
 - (7) private patrol company \$300
- E.** Other fees applying to private investigators, private patrol operators and polygraph examiners:
 - (1) change in license \$200

- (2) late fee on license or registration renewals \$100
- (3) special event permit \$100
- (4) private patrol company special event license \$50
- (5) polygraph examination \$100
- (6) security guard card \$10

F. Background fees shall be the amount established by the department of public safety for the processing of criminal history background checks.
 [16.48.5.8 NMAC - Re-pr & A, 16.48.5.8 NMAC, 9/24/2008; A, 5/1/2010; A, 5/12/2016; A, 5/25/2021; A, 2/8/2022; A, 7/18/2023]

HISTORY OF 16.48.5 NMAC:

NMLEA Rule #31, Bureau of Polygraphy: Rules and Regulations, filed 6/1/1981.
 NMLEA Rule #31, Bureau of Polygraphy: Rules and Regulations, filed 5/27/1983.
 NMLEA Rule #30, Bureau of Private Investigators: Rules and Regulations, filed 4/24/1981.
 NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations, filed 11/4/1983.
 NMPA Rule 92-8, Fee Schedule, filed 8/17/1992.

History of Repealed Material: NMLEA B/PI Rule #1 (filed 11/4/1983), repealed 3/7/2008.
 NMPA Rule 92-1 (filed 8/17/1992); NMPA Rule 92-8 (filed 8/17/1992).

This rule expired on July 5, 2008 which was 120 days after its emergency filing on March 7, 2008. The Uniform Licensing Act (Subsection A of Section 61-1-30 NMSA 1978) stipulates that emergency rules cannot remain in effect for more than 120 days unless they are replaced by permanent rules.

Other History:

Those applicable portions of NMLEA B/PI Rule #1 (filed 11/04/1983); NMPA Rule 92-1 (filed 8/17/1992); NMPA Rule 92-8 (filed 8/17/1992) all replaced by 16.48.5 NMAC, Fees, effective 3/7/2008.
 16.48.5 NMAC, Fees (filed 3/7/2008) was replaced by 16.48.5 NMAC, Fees, effective 9/24/2008.