14.7.6 ISSUING AGENCY: Construction Industries Division (CID) of the Regulation and Licensing Department.
[14.7.6.1 NMAC - Rp, 14.7.6.1 NMAC, 6/28/2013]

14.7.6.2 SCOPE: This rule applies to all contracting work performed in New Mexico on or after August 1, 2011, that is subject to the jurisdiction of CID, unless performed pursuant to a permit for which an application was received by CID before that date.
[14.7.6.2 NMAC - Rp, 14.7.6.2 NMAC, 6/28/2013]

14.7.6.3 STATUTORY AUTHORITY: Sections 60-13-9 and 60-13-44 NMSA 1978.
[14.7.6.3 NMAC - Rp, 14.7.6.3 NMAC, 6/28/2013]

14.7.6.4 DURATION: Permanent.
[14.7.6.4 NMAC - Rp, 14.7.6.4 NMAC, 6/28/2013]

14.7.6.5 EFFECTIVE DATE: June 28, 2013 unless a later date is cited at the end of a section.
[14.7.6.5 NMAC - Rp, 14.7.6.5 NMAC, 6/28/2013]

14.7.6.6 OBJECTIVE: The purpose of this rule is to establish minimum standards for energy conservation in construction in New Mexico.
[14.7.6.6 NMAC - Rp, 14.7.6.6 NMAC, 6/28/2013]

14.7.6.7 DEFINITIONS: See 14.5.1 NMAC, General Provisions and Chapter 2 of the IECC as amended in 14.7.6.10 NMAC.
[14.7.6.7 NMAC - Rp, 14.7.6.7 NMAC, 6/28/2013]

14.7.6.8 ADOPTION OF THE 2009 NEW MEXICO ENERGY CONSERVATION CODE:
A. This rule adopts by reference the 2009 international energy conservation code (IECC), as amended by this rule.
B. In this rule, each provision is numbered to correspond with the numbering of the 2009 international energy conservation code.
C. This rule is to be applied in conjunction with each of the other New Mexico building codes, including the NMCBC, NMRBC, NMPC, NMMC and the NMEC.
[14.7.6.8 NMAC - Rp, 14.7.6.8 NMAC, 6/28/2013; A, 5/15/2018]

14.7.6.9 CHAPTER 1 - ADMINISTRATION:
A. Section 101 - General.
(1) 101.1 Title. Delete this section of the IECC and substitute: this rule shall be known as 14.7.6 NMAC, the 2009 New Mexico Energy Conservation Code (NMECC).
(2) 101.2 Scope. Delete this section of the IECC and see 14.7.6.2 NMAC, Scope.
(3) 101.3 Intent. Delete this section of the IECC and see 14.7.6.6 NMAC, Objective.
(4) 101.4 Applicability. See this section of the IECC.
(5) 101.5.1 Compliance materials. Delete this section of the IECC and substitute the following: the code official shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code, such as ComCheck, ResCheck, and worksheet or trade-off sheets from the New Mexico energy conservation code residential applications manual.
B. Section 102 Alternate Materials-Method of Construction, Design for Insulating Systems. See this section of the IECC.
C. Section 103 - Construction Documents. Delete this section of the IECC and see 14.5.2 NMAC, Permits.
D. Section 104 Inspections. Delete this section of the IECC and see 14.5.3 NMAC, Inspections.
E. Section 105 Validity. Delete this section of the IECC and see 14.5.1 NMAC, General
Provisions.

**F. Section 106 Reference Standards.** All references in the IECC to the international building code shall be deemed references to 14.7.2 NMAC, the New Mexico Commercial Building Code (NMCBC). All references to the international residential code shall be deemed references to 14.7.3 NMAC, the New Mexico Residential Building Code (NMRBC). All references to the international plumbing code shall be deemed references to 14.8.2 NMAC, the New Mexico Plumbing Code (NMPC). All references to the international mechanical code shall be deemed references to 14.9.2 NMAC, the New Mexico Mechanical Code (NMMC). All references to the ICC or international electrical code shall be deemed references to 14.10.4 NMAC, the New Mexico Electrical Code (NMEC). All references to the international energy conservation code shall be deemed references to 14.7.6 NMAC, the New Mexico Energy Conservation Code (NMECC). All references to the international fuel gas code are deemed references to the NMMC or the LP gas standards found at 19.15.40 NMAC, and Sections 70-5-1 et seq., NMSA 1978.

**G. Section 107 Fees.**

(1) **107.1 Fees.** Delete this section of the IECC and see 14.5.5 NMAC Fees.

(2) **107.2 Schedule of Permit Fees.** Delete this section of the IECC and see 14.5.5.10 NMAC Permit Fees.

(3) **107.3 Work Commencing Before a Permit Issuance.** Delete this section of the IECC and see 14.5.2.16 NMAC Failure to Obtain Permit.

(4) **107.4 Related Fees.** Delete this section of the IECC and see 14.5.5 NMAC, Fees.

(5) **107.5 Refunds.** Delete this section of the IECC and See 14.5.5 NMAC, Fees.

**H. 108 Stop Work Order.** Delete this section of the IECC and see 14.5.3 NMAC, Inspections.

**I. 109 Board of Appeals.** Delete this section of the IECC and See 14.5.1 NMAC, General Provisions.

[14.7.6.9 NMAC - Rp, 14.7.6.9 NMAC, 6/28/2013; A, 5/15/2018]

14.7.6.10 **CHAPTER 2 - DEFINITIONS:** See this chapter of the IECC except as provided below.

**A. Section 201.1 Scope.** See this section of the IECC and add the following: If the same term is defined in the New Mexico construction codes and in the IECC, the term shall have the meaning given it in the New Mexico construction codes.

**B. Section 201.2 Interchangeability.** See this chapter of the IECC.

**C. Section 201.3 Terms defined in other codes.** Delete this section of the IECC and substitute with the following: If a term is not defined in this code but is defined in a New Mexico construction code, the term shall have the meaning given it in the New Mexico construction code.

**D. Section 201.4 Terms not defined.** See this chapter of the IECC.

**E. Section 202 General Definitions.** See this section of the IECC except as provided below.

(1) **Conditioned space.** Delete the text of this definition and replace with the following: An area, room or space within a building that is provided with heating, cooling, or combined heating and cooling by equipment or systems capable of maintaining, through design or heat loss/gain, 50 degrees farenheit (10 degrees celsius) during the heating season and 85 degrees farenheit (29 degrees celsius) during the cooling season, or an area, room or space that communicates directly with a conditioned space.

(2) **Duct installation.** Ducts shall be installed in accordance with Chapter 6 and Chapter 17 of the New Mexico Mechanical Code and current applicable standards.

(3) **Indirectly conditioned space.** Add the following definition. Enclosed space within a building thermal envelope that is not mechanically heated or cooled.

(4) **Multi scene controls.** Systems for controlling power to multiple groups of lights requiring only a few controls.

(5) **Residential building.** Delete the text of this definition and replace with the following: For this code, includes detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures and R-3 buildings, as well as R-2 and R-4 buildings three stories or less in height above grade.

(6) **Unconditioned space.** Add the following definition: Space within a building that is not mechanically heated or cooled and is outside the building thermal envelope.

(7) **Vapor retarder class.** Add the following definition: A measure of a material or assembly’s ability to limit the amount of moisture that passes through that material or assembly. Vapor retarder class shall be defined using the desiccant method of ASTME96 as follows:

(a) **class I:** 0.1 perm or less;
(b) class II: > 0.1 perm ≤ 1.0 perm;
(c) class III: > 1.0 perm < 10 perm.

14.7.6.11 CHAPTER 3 - CLIMATE ZONES: See this Chapter of the IECC except delete the text of section 301.1 General and replace with the following: the table below in conjunction with Table 301.3(2) shall be used to determine the applicable requirements for Chapters 4 & 5. Locations not in the table below shall use either Table 301.1, Section 301.3, or the building official may designate a climate zone consistent with the elevation, HDD & CDD from the table below for the unlisted location.

<table>
<thead>
<tr>
<th>City</th>
<th>County</th>
<th>Elev. (feet)</th>
<th>Heating Degree Days (HDD) 65°F</th>
<th>Cooling Degree Days (CDD) 50°F day</th>
<th>Climate Zone</th>
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14.7.6.12 CHAPTER 4 - RESIDENTIAL ENERGY EFFICIENCY: See this Chapter of the IECC except for the following:

A. 401.2 Compliance. Delete the text of this section and replace with the following: projects shall comply with sections 401, 402.4, 403.1, 403.2.2, 403.2 through 403.9, and 404.1 (referred to as the mandatory provisions), and one of the following:
(1) sections 402.1 through 402.3, 402.5, and 403.2.1 (prescriptive); or
(2) specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code, such as ResCheck, RemRate, and worksheet trade-off sheets from the New Mexico energy conservation code residential applications manual; or
(3) performance path to compliance;
   (a) section 405, simulated performance alternative or;
   (b) a home energy rating system (HERS) index of 83 or less in climate zone 3, or a HERS index of 89 or less in climate zones 4-7, confirmed in writing by a ResNet-certified energy rater. Compliance may be demonstrated by use of the ResNet sampling protocols (see chapter 6 of the national standard for home energy ratings).
(4) above code programs see IECC section 102.1.1.

B. 402.4.3 Fireplaces. Amend to read as follows: New wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.

[14.7.6.12 NMAC - Rp, 14.7.6.12 NMAC, 6-28-13; A, 7/1/2014]

14.7.6.13 CHAPTER 5 - COMMERCIAL ENERGY EFFICIENCY: See this Chapter of the IECC.

14.7.6.14 CHAPTER 6 - REFERENCED STANDARDS: See this Chapter of the IECC.

HISTORY OF 14.7.6 NMAC:
Pre NMAC History: None.

History of Repealed Material:

NMAC History: