

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 42    INTERIOR DESIGNERS**  
**PART 3         LICENSING REQUIREMENTS**

**16.42.3.1        ISSUING AGENCY:** Regulation and Licensing Department, New Mexico Interior Design Board.

[11/10/97; 16.42.3.1 NMAC - Rn, 16 NMAC 42.3.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014]

**16.42.3.2        SCOPE:** The provisions in Part 3 apply to all parts and provide relevant information to the licensees, applicants and general public.

[11/10/97; 16.42.3.2 NMAC - Rn, 16 NMAC 42.3.2, 10/26/2002]

**16.42.3.3        STATUTORY AUTHORITY:** This rule is adopted pursuant to the Interior Design Act, Sections 61-24C-8, 61-24C-9; Section 61-24C-10; and 61-24C-11, NMSA 1978.

[11/10/97; 16.42.3.3 NMAC - Rn, 16 NMAC 42.3.3, 10/26/2002]

**16.42.3.4        DURATION:** Permanent.

[11/10/97; 16.42.3.4 NMAC - Rn, 16 NMAC 42.3.4, 10/26/2002]

**16.42.3.5        EFFECTIVE DATE:** July 8, 1998 unless a different date is cited at the end of a section or paragraph.

[11/10/97, 7/8/98; 16.42.3.5 NMAC - Rn, 16 NMAC 42.3.5, 10/26/2002]

**16.42.3.6        OBJECTIVE:** This part is to establish the minimum requirements for applicants applying for licensure as a licensed interior designer.

[11/10/97; 16.42.3.6 NMAC - Rn, 16 NMAC 42.3.6, 10/26/2002; A, 11/14/2009]

**16.42.3.7        DEFINITIONS:**

A. "Accredited institution" means a school, college, university, or other institution of higher education that is accredited by a national or regional independent educational institution accrediting body or by a state department of education or similar state agency. The accrediting body evaluates institutions and recognizes institutions as meeting acceptable levels of quality and performance according to a prescribed standard. If the school, college, university, or other institution of higher education is not listed in the accredited institutions of postsecondary education, a directory published by the American council on education (ACE) for the council for higher education accreditation (CHEA), the applicant shall provide evidence of accreditation status from the appropriate accrediting body that is satisfactory to the board. The board may verify the accreditation status of a specific institution from the appropriate accrediting body.

B. "Electronic signature" means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

C. "Interior design program" means a program that meets one of the following criteria:

(1) is a program offered in an accredited institution that is clearly identified and labeled as an interior design program; such program must specify in institutional catalogues and brochures its intent to educate and train professional interior designers, must maintain a recognizable organizational entity within the institution, must have a curriculum with an integrated, organized sequence of study, and must have an identifiable faculty; or

(2) is an interior design program accredited by the council for interior design accreditation (CIDA);  
or

(3) is a design curriculum program.

D. "Military service member" means a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States including the national guard.

E. "Recent veteran" means a person who has received an honorable discharge or separation from military service within two years immediately preceding the date the person applied for an occupational or professional license pursuant Section 61-1-34, NMSA 1978.

[16.42.3.7 NMAC - N, 11/14/2009; A, 08/15/2014]

**16.42.3.8        LICENSURE:**

A. License required: Effective June 16, 1989, no person shall represent themselves as a licensed interior designer unless they are licensed pursuant to the Interior Design Act.

B. Applications and qualifications for licensure: Any person desiring licensure as an interior designer shall apply as indicated in 16.42.3.9 NMAC, licensure by examination, or 16.42.3.10 NMAC, licensure by credentials. Electronic signatures will be acceptable for applications submitted pursuant to 14-16-1 through 14-16-19, NMSA 1978.

C. To be eligible for consideration as a design curriculum program, the applicant's post secondary course of study shall contain interior design or design related course hours earned at an accredited institution that include or cover the topics or subject matter described in Subsection F of 16.42.3.8 NMAC. The board will evaluate the applicant's transcript(s) and the course topic or subject matter shall be verified by official course descriptions from the institution's catalogues or brochures in force at the beginning of the term in which the course was taken or the hours earned or course descriptions from other official institutional source. The board may consider evidence other than official institutional sources if it is impossible to verify course descriptions from an official institutional source. The applicant shall be responsible for providing to the board the official course description. The applicant shall have the burden to prove to the board that courses claimed as eligible for design curriculum program hours are bona fide courses that include or cover the topic or subject matter described in Subsection F of 16.42.3.8 NMAC. The board will not investigate the course topic or subject matter or contact the institution or any person on behalf of the applicant. The applicant shall have the sole responsibility to provide sufficient evidence satisfactory to the board that the course includes or covers the allowable topic or subject matter. A particular course will be counted in only one topic or subject matter category, but more than one course may be included under a particular topic or subject matter category.

D. A graduate of a five, four, or two year program that is either clearly identified and labeled an interior design program as defined above or is accredited or approved by CIDA meets the educational requirements of Section 61-24C-8 (A), (B) or (D), NMSA 1978 respectively.

E. A design curriculum program shall be calculated as follows.

(1) A graduate of a five (5) year program must have completed at least 90 semester hours or 135 quarter hours of which must be in the area of interior design or design related courses.

(2) A graduate of a four (4) year program must have completed at least 60 semester hours or 90 quarter hours must be in the area of interior design or design related courses.

(3) An applicant of a three (3) year program must have completed at least 60 semester hours or 90 quarter hours in the area of interior design or design related courses.

(4) A graduate of a two (2) year program must have completed at least 40 semester hours or 60 quarter hours of interior design or design related course.

F. In order for the board to consider whether an applicant's post secondary course of study qualifies as a design curriculum program, the applicant shall complete supplemental application form(s) provided by the board and submit official course descriptions or other documentation satisfactory to the board of the interior design or design related course. To qualify as an allowable interior design or design related course for the design curriculum program, the course must include or cover one of the topic or subject matter categories described below as verified by the institution's official course description.

(1) Basic and creative arts: An understanding of studio based achievements in two and three dimensional design fundamentals.

(2) Theory: An understanding of the elements of design and composition, color theory, human environment, proxemics, behavior, design theories and spatial composition.

(3) Interior design: An understanding of design process, programming, conceptualization, problem solving and evaluation, space planning, furniture layout and selection and design attributes of materials, lighting, furniture, textiles and color; an awareness of design for special concerns such as environment and ecology and competency in human factors such as anthropometrics and ergonomics; an understanding of special populations such as the disabled, elderly, children, low income and special purposes such as the historic preservation and adaptive reuse.

(4) Technical knowledge: An understanding of detailing furniture, cabinetry and interiors and materials such as surfaces and structural materials, soft goods and textiles and laws related to building codes and ordinances, life safety and fire; an understanding of structure and construction, building systems, HVAC, electrical plumbing, acoustics, energy conservation, passive solar energy.

(5) Communication skills: An understanding of presentation skills such as sketching, delineation, rendering, models and photography and presentation skills such as written and oral, graphic, signage, lettering,

drafting and working drawings; an awareness of computer systems such as computer aided design (CAD) and word processors.

(6) Profession: An understanding of the interior design profession and organizations, ethics and related professions, business practices, specifications, industry, product safety standards and estimating and business management or architecture and drawing or an understanding.

(7) History: An understanding of interiors, furniture and accessories and history of art or architecture.

(8) Electives: Includes any of the foregoing categories or an awareness of theories and methods of research related to experimental, survey, literature search and observation.

G. The experience requirement of Section 61-24C-8, NMSA 1978 shall be evaluated as follows: "Diversified interior design experience" shall mean that the applicant has been engaged in three (3) or more of the following activities of enhancing the function and quality of interior space:

- (1) analysis of a client's needs, goals, and life safety requirements for the interior space of a structure;
- (2) integration of findings with knowledge of interior design;
- (3) formulation of preliminary design concepts that are appropriate, functional, and aesthetic;
- (4) development and presentation of final design recommendations through presentation media;
- (5) preparation of working drawings and specifications for non-load bearing interior construction, materials, finishes, space planning, furnishing, fixtures, and equipment;
- (6) collaboration with professional services of other licensed practitioners in the technical areas of mechanical, electrical, and load-bearing design required for regulatory approval;
- (7) preparation and administration of bids and contract documents as the client's agent; and
- (8) review and evaluation of design solutions during implementation and upon completion.

H. An applicant shall have worked at least one thousand six hundred hours (1,600) hours in a calendar year to obtain credit for a year's worth of diversified interior design experience.

I. Diversified interior design experience shall be demonstrated to the board by the applicant who shall furnish the following:

- (1) an affidavit by the applicant attesting that the applicant has engaged in the practice of interior design for the number of years for which the applicant is claiming experience; and
- (2) three (3) references, on forms provided by the board, certifying that the applicant has provided interior design services for the period of experience claimed by the applicant;
- (3) if the applicant was self employed, (out of state applicants only) applicant must send documentation to prove a legitimate business for each year of experience needed with application; send copies of three (3) of the following:
  - (a) business license;
  - (b) resale tax certificate;
  - (c) voided business check;
  - (d) corporation papers;
  - (e) business advertisement.

[11/10/97, 7/8/98; 16.42.3.8 NMAC - Rn, 16 NMAC 42.3.8, 10/26/2002; A, 11/14/2009; A, 08/15/2014]

**16.42.3.9 LICENSURE BY EXAMINATION:** Any person desiring licensure by examination as an interior designer shall apply to the board on a form prescribed by the board, pay the required application fee, and furnish evidence to the board documenting that the applicant meets the requirement for licensure. The following are the requirements for licensure.

A. Completed application form, provided by the board. All areas of the form must be filled out and the application must be signed. Application must be accompanied by application fee.

B. Official transcripts from all colleges or universities attended; must be received directly from the certifying institution. Courses indicated must satisfy the educational requirements for licensure. The official transcript must be certified with a school seal.

C. Three letters of reference must be submitted to the board office, certifying that the applicant has provided interior design services for the period of experience claimed by the applicant. Reference letters must be from employers or clients.

D. Candidate experience form must be completed and submitted to the board office.

E. Verification of passing the NCIDQ examination must be submitted to the board office.

[11/10/97, 7/8/98; 16.42.3.9 NMAC - Rn, 16 NMAC 42.3.9, 10/26/2002; A, 11/14/2009; A, 08/15/2014]

**16.42.3.10 LICENSURE BY CREDENTIALS:** Any person desiring licensure by credentials as an interior designer shall apply to the board on a form prescribed by the board, pay the required application fee, and furnish evidence to the board documenting that the applicant meets the requirement for licensure. The following are the requirements for licensure.

- A. Completed application form, prescribed by the board. All areas of the form must be filled out and the application must be signed. Application must be accompanied by application fee.
- B. Verification of passing the NCIDQ examination must be submitted to the board office.
- C. Verification of having a current license in another state or country must be submitted directly from the licensing state or country to our board office.

[11/10/97; 16.42.3.10 NMAC - Rn, 16 NMAC 42.3.10, 10/26/2002; A, 11/14/2009; A, 08/15/2014]

**16.42.3.11 PROVISIONS FOR EMERGENCY LICENSURE:**

A. Interior designers currently licensed and in good standing, or otherwise meeting the requirements for New Mexico licensure in a state in which a federal disaster has been declared, may be licensed in New Mexico during the four months following the declared disaster at no cost upon satisfying the following requirements:

(1) receipt by the interior design board of a completed application which has been signed and which is accompanied by proof of identity, which may include a copy of a driver's license, passport or other photo identification issued by a governmental entity;

(2) requirements have been met as set forth in 16.42.3.8 NMAC, 16.42.3.9 NMAC, and 16.42.3.10 NMAC;

(3) applicant shall provide a sworn affidavit that provides the name, address, years of employment and supervisors name;

(4) sworn affidavit that the applicant was personally and/or professionally affected by the disaster;

(5) verification of employment will be accepted from co-worker when it is impossible to obtain it from the employer;

(6) nothing in this section shall constitute a waiver of qualifications of the requirements for licensure contained in 16.42.3 NMAC.

B. The board may waive the application fees only.

C. The board may waive the specific forms required under 16.42.3.8 NMAC only if the applicant is unable to obtain documentation from the federal declared disaster areas.

D. Emergency provisional license shall expire one (1) year from date of issue. Application for permanent license shall be made on or before expiration of the temporary license following the date of issue of the emergency provisional license.

E. The board reserves the right to request additional documentation, including but not limited to, recommendation forms and work experience verification forms prior to approving the permanent license.

[16.42.3.11 NMAC - N/E, 12/12/2005; A, 08/15/2014]

**16.42.3.12 TERMINATION OF EMERGENCY LICENSE:**

A. The emergency license shall terminate upon the following circumstances:

(1) the issuance of a permanent license under 16.42.3 NMAC; or

(2) proof that the emergency license holder has engaged in fraud deceit, misrepresentation in procuring or attempting to procure a license under this section.

B. Termination of an emergency license shall not preclude application for permanent licensure. [16.42.3.12 NMAC - N/E, 12/12/2005]

**16.42.3.13 LICENSE RENEWAL:**

A. All licenses issued by the board expire October 1<sup>st</sup> of each year and shall be renewed by submitting a completed renewal application, accompanied by the required fees, on the application form prescribed by the board.

B. Each licensed interior designer must have completed no less than eight continuing education board-approved hours of educational instruction or training in interior design subjects or courses of study, within each renewal period, as defined in 16.42.6.8 NMAC.

[16.42.3.13 NMAC - N, 11/14/2009]

**16.42.3.14 EXPIRED LICENSE:** In the event a licensee fails to renew their license by the expiration date, the board may reinstate the license upon payment of a reinstatement fee of two hundred fifty dollars (\$250.00) per

year of expiration, a late fee of one hundred dollars (\$100.00) per year of expiration proof of compliance with all other requirements. The board may require the former licensee to appear before the board prior to reinstating the license.

[16.42.3.14 NMAC - N, 11/14/2009; A, 08/15/2014]

#### **16.42.3.15 INACTIVE STATUS:**

A. A license in good standing may be transferred to inactive status upon written request to the board. Such request shall be made prior to the expiration of the license.

(1) The licensee shall submit their license to the board along with a written request to be placed on inactive status. The licensee is deemed to be on inactive status at the time of the request and license are stamped and received at the board office. In the event the license is lost or otherwise unavailable for delivery, inactivation of the license will take place at the time the board receives and marks them at the board office.

(2) After three years of inactive status a licensee is required to re-apply for licensure.

(3) No licensee will automatically be placed on inactive status by failure of the licensee to renew their license or to pay the annual inactive status fee.

(4) No licensee shall be placed on inactive status if the licensee is under investigation or if disciplinary proceedings have been initiated.

(5) The voluntary inactivation of a license will not prevent the commission from taking disciplinary action again the licensee.

B. An annual inactive status fee must be submitted to the board office by October 1<sup>st</sup> of each year. Failure to pay the inactive fee will result in the license being deemed expired.

C. Any person who desires to reinstate his license must notify the board of his desire to reinstate the inactive license. Upon receipt of such notice, the board office will send the inactive licensee an application for reinstatement.

D. The inactive licensee shall submit the application for reinstatement together with the applicable fee(s) and proof of no less than eight continuing education hours for each year of inactive status, as defined in 16.42.6 NMAC.

[16.42.3.15 NMAC - N, 11/14/2009; A, 08/15/2014]

#### **16.42.3.16 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES AND VETERANS:**

Application procedures to expedite licensure for military members, spouses and veterans. Applications for registration shall be completed on a form provided by the board office and shall include:

A. Completed application and fee.

B. Satisfactory evidence that the applicant holds a license that is current and in good standing, issued by another jurisdiction, including a branch of armed forces of the United States, and has met the minimal licensing requirements that are substantially equivalent to the licensing requirements for the occupational or professional license the applicant applies for pursuant to Chapter 61, Article 24C, NMSA 1978.

C. Electronic signatures will be acceptable for application submitted pursuant to Section 14-16-1 through Sections 14-16-19, NMSA 1978.

D. Fees:

(1) The fee for application registration is \$200.00 as defined in 16.42.5 NMAC.

(2) The fees for renewal of registration is \$250.00 as defined in 16.42.5 NMAC.

E. Renewal requirements:

(1) A licensee pursuant to this section shall not be renewed unless the licensee meets requirements for licensure and for the renewal of a license pursuant to Chapter 61, Articles 2 through 34, NMSA 1978.

(2) Meets all licensing requirements as defined in 16.42.3.10 NMAC.

(3) Original and renewal registrations shall be valid for a period of not more than one year.

(4) Prior to the expiration of the license; licensee shall apply for registration renewal and pay the renewal fee as set forth in 16.42.3.13 NMAC.

[16.42.3.16 NMAC - N, 08/15/2014]

#### **HISTORY OF 16.42.3 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 89-4, Licensure filed 12/19/89.

IDB Rule 89-5 Examination, filed 12/19/89.

IDB Rule 89-6, Licensure Without Examination, filed 12/19/89.

History of Repealed Material: [RESERVED]