

AMENDED NOTICE OF PUBLIC RULE HEARING AND PRIVATE INVESTIGATIONS ADVISORY BOARD MEETING

The New Mexico Private Investigations Advisory Board and the Regulation and Licensing Department will hold a rule hearing on Friday November 14, 2025, at 10:00 a.m., immediately followed by a meeting of the private investigations advisory board for adoption of the proposed rules listed below. The hearing and subsequent board meeting will take place at the Regulation and Licensing Department, located at 5500 San Antonio dr. NE., Albuquerque, New Mexico 87109.

The hearing and subsequent private investigations advisory board meeting may also be accessed virtually via Microsoft Teams.

Meeting Link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzcxNzE1MmYtMDI4Ni00YTg4LWExZjktY2IwNDM0MGE5NTE5%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22c32153ee-ab7c-43ed-ab7e-278fdf7f55d0%22%7d

www.microsoft.com/en-us/microsoft-teams/join-a-meeting

Meeting ID: 223 191 198 313 3

Passcode: dg2wN3Zg

Dial in by phone

+1 505-312-4308, 629490405# United States, Albuquerque

(888) 506-1357, 629490405# United States (Toll-free)

The purpose of the rule hearing is to consider the initiation of rulemaking for the following rules:

a. Rule 16.48.1 NMAC, General Provisions

b. Rule 16.48.2 NMAC, Requirements for Licensure

c. Rule 16.48.5 NMAC, Fees

d. Rule 16.48.7 NMAC, License Renewal Inactive Status and Reinstatement

e. Rule 16.48.8 NMAC, Licensure for Military Service Members, Spouses and Veterans

On Friday, October 10, 2025, copies of the proposed rules may be obtained through the New Mexico Private Investigation Board website at <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/private-investigations-security-guard/statutes-rules-and-rule-hearings/> Copies may also be obtained by contacting Gary Barela, Board Administrator, at pipolygraphbd@rld.nm.gov

The New Mexico Private Investigations Board and the Regulation and Licensing Department will begin accepting written public comment regarding the proposed rule changes beginning Friday, October 10th, 2025, 8:00 a.m. and ending Thursday November 13, 2025, 8:00 a.m. Written public comment may be submitted either by email to pipolygraphbd@rld.nm.gov or by postal mail to the following address:

Attn: Private Investigation Board

P.O. Box 25101

Santa Fe, NM 87504

Written comments received during the public comment period (October 10, 2025 – November 13, 2025) will be posted to the website page linked above. Public comments will also be accepted during the rule hearing and may be submitted in writing or presented orally by those attending in-person. The members of the Private Investigations Advisory Board will not enter substantive discussion of public comments during the rule hearing but will consider and deliberate any public comment during the regular board meeting immediately following the conclusion of the public rule hearing.

The agenda for the Private Investigation Advisory Board regular meeting, which will begin immediately after the public rule hearing, will be available no less than 72 hours prior to the meeting, and available on the website linked above or by contacting the board administrator Gary Barela.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or the regular board meeting, please contact Gary Barela at (505) 476-4622 at least 7 days prior to the rules hearing and regular board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

For inclement weather: If the New Mexico state offices are placed on a two-hour delay to inclement weather, the rule hearing will be pushed back two hours from the noticed hearing time. If New Mexico state offices are closed due to inclement weather, the rule hearing will be rescheduled as soon as possible.

Statutory Authority: The proposed rule changes are authorized by the Private Investigations Act, §§61-27B-1 through -36, NMSA 1978, which provides authority for the superintendent to authorize the board to promulgate rules to and carry out the provisions of the Act. The rulemaking and public rule hearing are governed by the State Rules Act, §§ 14-4-1 through 14-4-11 NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Department of Justice, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules: The proposed rule changes are intended to [a]mend the rules as necessary to conform with statutory requirements, provide for additional administrative fees, and revise the continuing education requirements. More generally, the proposed rules are intended to provide greater clarity in existing regulatory and statutory requirements, ensure continued high levels of professionalism among licensees and certificate holders, and to generally satisfy the Board's statutory obligation to promote, preserve and protect public health, safety and welfare.

Summary of Proposed Changes: The Board summarizes its proposed changes to its administrative rules as follows: Rule 16.48.1 NMAC, General Provisions 16.48.1.7 Remove the redundant use of the term "registered agent" from the definitions section labeled EE. Rule 16.48.2 NMAC, Requirements for Licensure 16.48.2.18 Update the qualifications and experience requirements for Level Two Security Guard applicants by removing 'or' and replacing it with 'and' to ensure compliance with statutory licensure requirements. 16.48.2.19 Update the qualifications and experience requirements for Level Three Security Guard applicants by removing 'or' and replacing it with 'and' to ensure compliance with statutory licensure requirements. Rule 16.48.5 NMAC, Fees Include a returned check or e-check fee of \$35 Include an administration processing fee of \$10 Rule 16.48.7 NMAC, License Renewal Inactive Status and Reinstatement Revise continuing education requirements and associated definitions to reflect updated standards and maintain compliance with statutory licensure provisions. Rule 16.48.8 NMAC, Licensure for Military Service Members, Spouses and Veterans Remove the 2X2 photo as a requirement for licensure.