

TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 15 ELEVATOR SAFETY CODE
PART 7 INSPECTORS

14.15.7.1 ISSUING AGENCY: The Construction Industries Division (CID) of the Regulation and Licensing Department.
[14.15.7.1 NMAC - 09/12/2025]

14.15.7.2 SCOPE: This rule applies to elevator inspectors employed by the CID.
[14.15.7.2 NMAC – 09/12/2025]

14.15.7.3 STATUTORY AUTHORITY: Section 60-13B-4 NMSA 1978.
[14.15.7.3 NMAC – 09/12/2025]

14.15.7.4 DURATION: Permanent.
[14.15.7.4 NMAC – 09/12/2025]

14.15.7.5 EFFECTIVE DATE: September 12, 2025, unless a later date is cited at the end of a section.
[14.15.7.5 NMAC – 09/12/2025]

14.15.7.6 OBJECTIVE: The purpose of this rule is to set forth rules protecting the general welfare of the people of New Mexico by providing for the protection of life and property through the standards that, when complied with, will result in an installation essentially free from hazards.
[14.15.7.6 NMAC – 09/12/2025]

14.15.7.7 DEFINITIONS: See Section 60-13B-2 NMSA 1978 and 14.15.1 NMAC for definitions.
[14.15.7.7 NMAC – 09/12/2025]

14.15.7.8 INSPECTORS:

A. Qualifications.

- (1) Qualifications for inspectors shall be prescribed by Section 60-13B-6 NMSA 1978.
- (2) Applicants shall submit to a background check as prescribed by the director.
- (3) To qualify as an elevator inspector a candidate shall have at least three years of journeyman or foreman level experience.
- (4) Candidates for an elevator inspector position may substitute technical, university, or college training in the elevator construction field for up to two years of the three years journeyman or foreman level experience. The remaining year must be directly related journeyman or foreman level field experience. The equivalency shall be calculated such that one year of technical, university, or college training shall equal half year of journeyman or foreman level experience.

(5) Candidates for an elevator inspector position may substitute a minimum of five years of work experience as a certified inspector from a recognized jurisdiction for one year of the experience requirement, and at least two years of related trade experience or construction related technical, university or college training.

B. Potential denial of inspector certification based on disqualifying criminal convictions.

(1) Pursuant to Section 28-2-4 NMSA 1978, the division may refuse to grant or renew a license or certificate if an applicant has been convicted of a felony and the criminal conviction directly relates to the particular trade, business, or profession.

(2) To deny an application for certification based on a disqualifying criminal conviction the following must be considered:

(a) CID shall not consider an applicant's criminal conviction to deny certification unless the conviction is one of the disqualifying convictions listed in this section.

(b) Should an applicant be denied a certificate based on a disqualifying criminal conviction, the applicant may submit a written justification providing evidence of mitigation or rehabilitation for reconsideration by the division.

(c) Should CID deny the certification after receipt of the written justification stated above, the denial may be appealed and subject to hearing pursuant to the ULA to determine whether the denial is properly based upon a disqualifying criminal conviction.

(3) In connection with an application for certification, the CID shall not use, distribute, disseminate, or admit into evidence at an adjudicatory proceeding criminal records of any of the following:

(a) A conviction that has been sealed, dismissed, expunged, or pardoned,

(b) A juvenile adjudication, or

(c) A conviction for any crime other than the disqualifying criminal convictions listed in Paragraph 4 of Subsection B of this rule.

(4) Disqualifying felony criminal convictions that may allow denial of certification or the denial of renewal of certification, whether in New Mexico or their equivalent in any other jurisdiction include:

(a) Conviction involving attempts to evade or defeat payment of tax that is owed or may be lawfully assessed,

(b) Conviction involving physical harm to a person or an attempt, conspiracy, or solicitation to commit such crimes,

(c) Robbery, larceny, burglary, fraud, forgery, embezzlement, arson, theft of identity, extortion, racketeering, or receiving stolen property or for an attempt, conspiracy, or solicitation to commit such crimes,

(d) Conviction involving bribery of a public officer or public employee or for an attempt, conspiracy, or solicitation to commit such crimes.

C. Certification.

(1) The bureau shall ascertain, by written communication from current or previous employers, the experience qualifications and knowledge of an applicant.

(2) The experience must have been gained within four of the 10 years immediately preceding the application

(3) Each applicant shall pass the inspector examination with a minimum passing score of seventy-five percent prior to conducting any inspections.

(4) If all inspector application requirements are satisfactorily completed, the inspector certificate will be issued; however, the division reserves the right to deny the issuance of the certificate for reasonable and just cause.

(5) Each inspector must pass the examination of a national certifying organization, if appropriate, recognized by the division within one year of employment; and remain current by such verifying organization to maintain state inspector certification.

(6) Inspectors shall meet the minimum continuing education requirements as prescribed by the nationally recognized code organization and provide proof of such credits to the division upon application for or renewal of certification. The division shall certify and issue a statewide inspector certification to any person who meets the requirements established by CID and the nationally recognized code organization for certification.

[14.15.6.8 NMAC – 09/12/2025]

D. General requirements.

(1) Any person employed by the division for the purpose of carrying out the provisions of the ESA who holds any contractor's license or certificate of competence issued by the divisions, shall, as a condition of employment surrender the contractor's license or certificate of competence to the division to be held in inactive status. The division shall place the license or certificate inactive effective from the date the employment begins until the date the employment terminates.

(2) Suspension shall be immediate and automatic for any inspector who fails to surrender his contractors' license or certificate of competence as required above.

(3) A certificate issued pursuant to this subsection may be suspended or revoked if the certificate holder has been convicted of a felony enumerated as a disqualifying criminal conviction pursuant to Subsection E of 14.15.5 NMAC.

[14.15.7.8 NMAC – 09/12/2025]

History of 14.15.7 NMAC: [RESERVED]