

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the State Fire Marshal (“Fire Marshal”), pursuant to the New Mexico Insurance Code, Paragraph (2) of Subsection C of Section 59A-52-1.1 NMSA 1978, proposes to amend rules as follows: Part 1, General Provisions, Title 10, Chapter 25: Part 3, Parental Responsibility, Title 10, Chapter 25: Part 6 Safe Handling and Sale of Fireworks, Title 10, Chapter 25, Part 10 Fire Protection Fund, Title 10, Chapter 25.

**PURPOSE OF THE PROPOSED NEW AMENDMENTS ARE AS FOLLOWS:** The purpose of the proposed rulemaking is to amend 10.25.1 NMAC, General Provisions; 10.25.3 NMAC, Parental Responsibility; 10.25.6 NMAC, Safe Handling and Sale of Fireworks; and 10.25.10 NMAC, Fire Protection Fund, to update statutory references, clarify administrative requirements, modernize procedures, and improve implementation and enforcement of laws administered by the NM State Fire Marshal’s Office.

**STATUTORY AUTHORITY:** Section 59A-52-1.1 NMSA 1978.

Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the State Fire Marshal’s Office website ([www.nmdhsem.org/state-firemarshal](http://www.nmdhsem.org/state-firemarshal)) or the New Mexico Sunshine Portal.

The State Fire Marshal’s Office will hold a public hearing on the proposed rules on July 24, 2026 @ 11:00 A.M.

State Fire Marshals Albuquerque Office, Oso Grande Building, 725 6th Street NW Albuquerque, NM 87102.

Join Zoom Meeting

<https://teams.microsoft.com/meet/28682518941174?p=a47BBt9ZTicCvXwRja>

Meeting ID: 286 825 189 411 74

Passcode: CZ2EA74D

To attend via telephone: Rule-Making

Dial in by phone

+1 505-312-4308,,595582095# United States, Albuquerque

Phone conference ID: 595 582 095#

The Fire Marshal designates Anthony Leyba to act as the hearing officer for this rulemaking. Oral comments will be accepted at the video/telephonic hearing from members of the public and any interested parties.

Written comments and proposals will be accepted through 4:00 p.m on July 23, 2026. Responses to written comments or oral comments will be accepted through 12:00 p.m. on July 24, 2026. Comments may be submitted via email to [Fab.Rodriguez@dhsem.nm.gov](mailto:Fab.Rodriguez@dhsem.nm.gov) or may be filed by sending original copies to:

New Mexico Fire Marshal’s Office, New Mexico Department of Homeland Security  
13 Bataan Blvd., PO Box 27111, Santa Fe, NM. 87502

Only signed statements, proposals, or comments will be accepted. Scanned or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, the Fire Marshal reserves the right to require that original signatures be provided to verify the electronic signature. All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, except on state holidays. Any filings after 4:00 will be filed to the docket the next business day.

**SPECIAL NEEDS:** Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other auxiliary aid or service to attend or participate in the hearing should contact Fabian Rodriguez at 505-639-6984 ten (10) business days prior to the hearing.

The Fire Marshal will review and consider all timely submitted written and oral comments and responses.

ISSUED this 10<sup>th</sup> day of June, 2026

/s/ Fire Marshal Randy Varela