

**TITLE 14        HOUSING AND CONSTRUCTION**  
**CHAPTER 15    ELEVATOR SAFETY CODE**  
**PART 2         PERMITTING AND CERTIFICATES OF OPERATION**

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

**14.15.2.2        SCOPE:** This rule applies to all work performed in New Mexico that is subject to the jurisdiction of CID for which permits are required.  
[14.15.2.2 NMAC – 09/12/2025]

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

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

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

**14.15.2.6        OBJECTIVE:** The purpose of this rule is to set forth standards and requirements governing permitting of new and existing conveyances in New Mexico as the statewide minimum.  
[14.15.2.6 NMAC – 09/12/2025]

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

**14.15.2.8        PERMITS REQUIRED:**

**A.        Permits required.** Subject to the Elevator Safety Act (ESA), Section 60-13B-10 NMSA 1978, and its rules, no person shall erect, construct, service, test, repair, maintain, install, alter, remove, or dismantle a conveyance within a building or structure unless the applicable permit has been obtained from the division, unless otherwise provided by statute or rule.

**B.        Eligibility.** A person who is not appropriately, validly, and currently licensed by the division is not eligible to apply for or be issued a permit.

**C.        Application.** In order to obtain a permit, the applicant must complete and submit an application on the CID approved form for the type of permit sought:

- (1)        Elevating device installation permit.
- (2)        Escalator and moving walk installation permit.
- (3)        Alteration or modification of elevating devices permit.
- (4)        Certificate of operation.
- (5)        Dismantle a conveyance.

[14.15.2.8 NMAC – 09/12/2025]

**14.15.2.9        EXCEPTIONS TO REQUIREMENT FOR PERMITS:** Permits shall not be required for the following:

- A.**        Material hoists.
- B.**        Boom lifts.
- C.**        Mobile scaffolds, towers, and platforms.
- D.**        Powered platforms and equipment for exterior and interior maintenance.
- E.**        Conveyances and related equipment.
- F.**        Cranes, derricks, hoists, hooks, jacks, and slings.
- G.**        Industrial trucks.

- H. Portable equipment, except for portable escalators that are covered by the standards.
  - I. Tying or piling machines that are used to move materials to and from storage that are located and operate entirely within one story.
  - J. Equipment for feeding or positioning materials at machine tools, printing presses and similar equipment.
  - K. Furnace hoists.
  - L. Skips or hoists subject to the regulation of the United States department of labor's mine safety and health administration.
  - M. Wharf ramps.
  - N. Railroad car lifts or dumpers.
  - O. Line jacks, false cars, shafters, moving platforms and similar equipment used for installing a conveyance by a contractor licensed in this state.
  - P. Conveyances within a single-family dwelling.
  - Q. Services provided by a person by who is licensed as an architect or engineer in this state.
- [14.15.2.9 NMAC – 09/12/2025]

#### 14.15.2.10 SUBMITTAL DOCUMENTS:

**A. Submittal documents.** Prior to installation or alteration of equipment at any individual location, the engineer or properly licensed contractor shall submit two sets of the following documents (collectively, submittal documents) to the division for approval:

**B. New equipment.** An engineer or contractor must submit a division-approved elevator application and plans for the installation of new equipment for review to the division for approval. Submission of the layout drawings shall be as specified in the current adopted NMSCEE for the specific type of equipment to be installed. The layout drawings shall also include the following information:

- (1) The rated speed of the equipment in feet per minute
- (2) The rated capacity of the equipment in pounds
- (3) The total travel of the equipment in feet and inches
- (4) Elevation drawings of the hoistway, runway, or wellway; and
- (5) Plan drawings indicating the arrangement of the equipment in a machine room, machine

space, control room or control space.

**C. Alteration or repair of existing equipment.** An engineer or contractor must submit a division-approved elevator application and plans for the alteration of existing equipment for review to the division for approval. A submission of the layout drawings shall be as specified in the current adopted NMSCEE for the specific type of equipment if the alteration results in one or more of the following changes:

- (1) The rated speed of the equipment in feet per minute
- (2) The rated capacity of the equipment in pounds
- (3) The total travel of the equipment in feet and inches
- (4) The classification of the equipment, such as passenger elevator to freight elevator or freight elevator to passenger elevator
- (5) The driving machine is relocated

In addition to submitting the above documentation, the engineer or contractor must submit the following documents for all new equipment provided as part of the alteration of the interior of an elevator car: material data safety sheet(s), documentation of the fire rating of all materials installed as part of a car interior alteration, including the estimated weight of those materials.

**D. Submission may be waived.** The TBC may waive the submission of plans, calculations, construction inspection requirements and other data if it is determined that the nature of work applied for is such that plan review is not necessary to obtain compliance with the New Mexico construction codes.

**E. Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted with application for permit, and that are to be submitted, thereafter, within a period of time specified by the AHJ or the plan review official.

**F. Special submissions.** The AHJ or plan review official is authorized to require, before and after the commencement of a project, the submission of any specification, layout, or diagram necessary to adequately and clearly show the detail of the equipment or components of the work covered by the issued permit(s), or that is required to be permitted pursuant to this rule or CID building codes.

**G. Correction of submittal documents.** The issuance of a permit based on certain plans and specifications shall not prevent the AHJ from thereafter requiring the correction of any error in such plans or

specifications, or from prohibiting work pursuant to those plans or specifications when a violation of the applicable code would result.

**H. Permit contents and display.** Every permit or notice of permit issued by the AHJ shall:

- (1) Clearly indicate the name and address of the property owner;
- (2) Contain a legal description of the property by legal street address in a municipality, or by township, range, and section if outside a municipality;
- (3) Contain the name, address, and license number of the contractor to whom the permit is issued; and
- (4) Prominently be displayed on the site where the permitted work is to be performed.

**I. Preliminary inspection.** As part of the document review process, before issuing a permit, the AHJ is authorized to examine or cause to be examined buildings, structures and sites for which an application for a permit has been filed.

[14.15.2.10 NMAC – 09/12/2025]

#### **14.15.2.11 ISSUANCE:**

**A. Plan review.** If the submittal documents do not comply with this rule and pertinent New Mexico construction codes, the AHJ shall reject them and shall communicate the reasons for rejection to the applicant in writing. If the submittal documents meet the applicable codes and rules, the submittal documents shall be approved and the AHJ shall issue a permit to the applicant after payment in full of the applicable fees, as set forth in 14.15.4 NMAC.

**B. Authorization to change.** No change or modification may be made to the approved submittal documents for which a permit has been issued without the express, written authorization of the AHJ. All work authorized by a permit must be performed in accordance with the approved submittal documents for which the permit was issued. Changes in the equipment or installation authorized by a permit must be reflected in an amended set of submittal documents, which must be resubmitted for approval by the AHJ.

[14.15.2.11 NMAC – 09/12/2025]

**14.15.2.12 VALIDITY OF PERMIT:** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any part of this rule or pertinent New Mexico construction codes or any other applicable law or rule. Permits presuming to give authority to violate or cancel the provisions of this rule or the pertinent New Mexico construction codes or any other applicable law or rule shall not be valid. The issuance of a permit based on plans or layouts and other data shall not prevent the AHJ from requiring the correction of errors in the plans or layouts and other data.

[14.15.2.12 NMAC – 09/12/2025]

#### **14.15.2.13 SUSPENSION, CANCELLATION, OR REVOCATION OF PERMIT:**

**A.** The TBC is authorized to suspend, cancel, or revoke a permit issued pursuant to the code for which the official has responsibility for the following causes:

- (1) Whenever the permit is issued in error, or on the basis of incorrect, inaccurate, incomplete, or fraudulent information or in violation of any provision of this rule;
- (2) Failure to correct code violations for which a notice of correction or stop work order has been issued;
- (3) Change in the person or entity performing the work;
- (4) Payment of any amount due to an AHJ with a “non-sufficient funds” check;
- (5) Aiding or abetting an unlicensed contractor or journeyman;
- (6) At written request of the permittee;
- (7) Upon written notification of the termination of the contract with the permittee, from the project owner.

**B.** A suspended permit may be reactivated upon approval of the AHJ and payment of all assessed fees.

[14.15.2.13 NMAC – 09/12/2025]

#### **14.15.2.14 EXPIRATION AND DEACTIVATION OF PERMIT:**

**A. Expiration.** Every permit issued by the AHJ shall expire and be void if the work authorized by the permit has not commenced within 180 days from the date of issuance.

**B. Cancellation.** If the work authorized by a permit is suspended, delayed, or abandoned after the work has commenced and such suspension, delay, or abandonment continues for greater than 180 days, the permit shall be cancelled. In order for work on the project to continue, a new permit application must be submitted, a new full permit fee must be remitted, and a new permit issued. The AHJ may require re-submittal of documents.

**C. Extension of time.** The TBC may extend the time of an active permit for an additional period not to exceed 180 days upon receipt of a written request from the permit holder showing that circumstances beyond the control of the permittee have caused a delay in the permitted work.

**D. Penalties.** Any work performed after a permit expires, cancels, or becomes inactive shall be considered a violation pursuant to subsection A of 14.15.2.8 NMAC and subject to discipline and to the provisions of 14.15.2.16 NMAC.

[14.15.2.14 NMAC – 09/12/2025]

#### **14.15.2.15 DENIAL OF PERMIT:**

**A.** The AHJ may deny the issuance of a permit for good cause. Good cause shall include, without limitation:

- (1) Failure to pay all or part of a permit fee or penalty when due;
- (2) An outstanding balance on any amounts due to the division that has accrued without approval of the director;
- (3) Failure to fully comply with an order issued by the director;
- (4) Failure to comply with the Parental Responsibility Act;
- (5) Requesting a permit without the proper license classification for the work performed
- (6) Applying for a permit on behalf of another entity
- (7) Allowing another other than the licensee to use the license to obtain a permit.

**B.** After one receipt by the AHJ of a “non-sufficient funds” check, the AHJ may require payment by cashier’s check or certified funds.

[14.15.2.15 NMAC – 09/12/2025]

**14.15.2.16 FAILURE TO OBTAIN PERMIT:** If any work, is performed by a licensee, for which a permit is required, and is commenced prior to obtaining the necessary permit, the AHJ may assess a fee in the amount of twice the usual permit and inspection fees for the first violation with all subsequent violations disciplined pursuant to Section 60-13B-4 NMSA 1978.

[14.15.2.16 NMAC – 09/12/2025]

#### **14.15.2.17 CERTIFICATE OF OPERATION:**

**A. Issuance.** Certificates of operation shall be issued to the building owner or lessee and must comply with the following:

- (1) Maintain the equipment in a safe operating condition and in conformance with the standards and codes adopted in 14.15.8 NMAC and keep the equipment free from reportable conditions;
- (2) Have an annual inspection of each unit pursuant to Section 60-13B-11, NMSA 1978;
- (3) Obtain the services of an inspector employed by the division to perform an annual inspection in accordance with 14.15.3 NMAC;
- (4) Have each unit of equipment tested to determine the safety and compliance with the requirements of the codes and standards adopted in 14.15.8 NMAC;
- (5) Ensure all tests required by the applicable codes and standards adopted in 14.15.8 NMAC are performed;

**B. Display.** Certificates of operation must be displayed as follows:

- (1) The current certificate of operation for elevators, platform lifts, or related equipment are required to be displayed in a publicly visible location without assistance or permission during all hours in which the equipment is in operation as follows:
  - (a) Inside the elevator car enclosure or platform lift, or related equipment, not more than seven feet or less than three feet above the finished floor of the conveyance, or
  - (b) Outside the elevator car enclosure or platform lift, or related equipment in the main elevator lobby, within ten feet of the call button not more than seven feet or less than three feet above the finished floor landing.
- (2) The current certificate of operation for escalators, moving walks, or related equipment are required to be displayed in a publicly visible location without assistance or permission during all hours in which the

equipment is in operation as follows: in a common area lobby, hallway, or corridor within ten feet of the location of which the public embarks or disembarks from the escalator, moving walk, or related equipment and shall be not more than seven feet or less than three above the finished floor landing.

**C.** It is the responsibility of the building owner or lessee to request an annual renewal inspection for the certificate of operation. The building owner or lessee is responsible for fees to renew certificate of operation pursuant to 14.15.4 NMAC.

**D.** All alterations, modifications, or repairs performed on a conveyance must be reported to the division. The TBC shall make the determination if such work shall be permitted and inspected by a division inspector.

[14.15.2.17 NMAC – 09/12/2025]

**History of 14.15.2 NMAC: [RESERVED]**