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New Mexico Register

The official publication for all official notices of rulemaking and filing of proposed, adopted and emergency rules.

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The New Mexico Register

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New Mexico Register

Volume XXXVII, Issue 17
September 9, 2026

Table of Contents

Notices of Rulemaking and Proposed Rules

FAMILY REPRESENTATION AND ADVOCACY, OFFICE OF
Notice of Rulemaking....1099

HEALTH CARE AUTHORITY
INCOME SUPPORT DIVISION
Notice of Hearing....1099
MEDICAL ASSISTANCE DIVISION
Notice of Rulemaking (8.320.2 NMAC)....1101
Notice of Rulemaking (8.324.5 NMAC)....1102

MEDICAL BOARD
Notice of Public Rule Hearing....1103

PUBLIC SAFETY, DEPARTMENT OF
LAW ENFORCEMENT CERTIFICATION BOARD
Notice of Public Hearing....1107

REGULATION AND LICENSING DEPARTMENT
PHARMACY, BOARD OF
Notice of Regular Board Meeting and Rule Hearing....1107

SUPERINTENDENT OF INSURANCE, OFFICE OF
Notice of Emergency Repeal of 13.21.2 NMAC, Qualifications and Admissions....1110

WILDLIFE, DEPARTMENT OF
State Wildlife Commission Meeting and Rule Making Notice....1111

Adopted Rules

A = Amended, E = Emergency, N = New, R = Repealed, Rn = Renumbered

ATTORNEY GENERAL, OFFICE OF THE

12.2.4 NMAC	R	Requirements for the Advertising and Sale of Motor Vehicles....1113
12.2.4 NMAC	N	Requirements for the Advertising and Sale of Motor Vehicles....1113

EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT

8.9.3 NMAC	R	Requirements for Child Care Assistance Programs for Clients and Child Care Providers....1118
8.9.3 NMAC	N	Requirements for Child Care Assistance Programs for Clients and Child Care Providers....1118

EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT (CONTINUED)

8.9.4 NMAC A Child Care Licensing; Child Care Centers, Out of School Time Programs, Family Child Care Homes, and Other Early Care and Education Programs....1141

PUBLIC REGULATION COMMISSION

17.9.573 NMAC R Community Solar....1166
17.9.573 NMAC N Community Solar....1166

REGULATION AND LICENSING DEPARTMENT

ATHLETIC COMMISSION

15.6.1 NMAC A General Provisions....1177
15.6.2 NMAC A Contracts....1179
15.6.9 NMAC A Scoring System....1180
15.6.20 NMAC A Mixed Martial Arts and Exhibitions....1181

SUPERINTENDENT OF INSURANCE, OFFICE OF

13.21.2 NMAC R/E Qualifications and Admissions....1189

WILDLIFE, DEPARTMENT OF

19.31.13 NMAC N Deer....1189
19.31.14 NMAC N Elk....1222
19.31.15 NMAC N Pronghorn Antelope....1254
19.31.17 NMAC N Bighorn Sheep....1272

WORKFORCE SOLUTIONS, DEPARTMENT OF

11.2.4 NMAC A Workforce Innovation and Opportunity Act Local Governance....1278
11.3.300 NMAC A Claims Administration....1281
11.3.500 NMAC A Adjudicatory Hearings, Filing of Appeals and Notice....1283

Other Material Related to Administrative Law

REGULATION AND LICENSING DEPARTMENT

ALCOHOLIC BEVERAGE CONTROL DIVISION

Correction to Notice of Public Rulemaking Hearing....1293

Notices of Rulemaking and Proposed Rules

FAMILY REPRESENTATION AND ADVOCACY, OFFICE OF

NOTICE OF PROPOSED RULEMAKING

The New Mexico Office of Family Representation and Advocacy Commission ("Commission") gives notice of its initiation of a formal rulemaking to promulgate rule Title 8, Chapter 7, Part 2 of the New Mexico Administrative Code, entitled "Rulemaking."

Summary and concise statement of proposed rule: The Office of Family Representation and Advocacy (OFRA) Commission proposes to adopt 8.7.2 NMAC, establishing procedures for rulemaking. This rule sets forth requirements for drafting, public notice, comment, hearing, adoption, filing, and publication of rules governing OFRA operations. It ensures transparency and compliance with the State Rules Act and Administrative Law Division guidance. The rule applies to all rulemaking actions by the Commission, including emergency rules, and mandates maintenance of a complete rulemaking record.

Legal authority: Section 32A-27-8 (D), NMSA 1978.

How a copy of the full text of the proposed rule amendments may be obtained: A copy of the full text of the proposed rule and instructions on how to access the complete rulemaking record, reports, and any other pertinent information may be obtained from the Office of Family Representation and Advocacy's website at https://www.ofra.nm.gov/.

How a person may comment on the proposed rule amendments, where comments will be received, and when comments are due: Written comments may be filed no later than **October 14, 2026**.

Written comments may be mailed to:

Office of Family Representation and Advocacy
500 Marquette Ave. NW Suite #800
ATTN: Beth Gillia
Albuquerque NM, 87102

Written comments may also be emailed to: lisa.fitting@ofra.nm.gov

The record of this case closes on **October 15, 2026**. From that date through the completion of this proceeding, rulemaking participants shall be forbidden from communicating with the Commission or its representatives concerning substantive issues in this proceeding.

When and where a public rule hearing will be held and how a person may participate in the hearing: A public hearing on the proposed rule and any proposed alternatives, to be presided over by the Commission or its designee, shall be held beginning at **1:00 P.M. on October 14, 2026, at the Office of Family Representation and Advocacy office located at 500 Marquette Ave NW Suite #800, Albuquerque NM, 87102**, and via the Zoom video-conferencing platform.

Join Zoom Meeting
https://us02web.zoom.us/j/89960566206?pwd=7vw9y0aFPAz9KnDvnUiaEbGOHkgtxI.1

Meeting ID: 899 6056 6206
Passcode: 735048

One tap mobile
+12532050468,,89960566206#,,,,*735048# US
+12532158782,,89960566206#,,,,*735048# US (Tacoma)
Join by SIP
• 89960566206@zoomcrc.com

Join instructions
https://us02web.zoom.us/meetings/89960566206/invitations?signature=n2CYwN4Zvd_4mHQzEw-51hOcF179XqEuR2xEcU51N6c

The Commission will email a Zoom invitation to all commenters. The Zoom invitation will include a call-in number for those commenters who are unable to access Zoom's video-conferencing platform. The public comment hearing will be held to receive oral comments concerning this rulemaking proceeding. All commenters may be limited in time to speak, subject to the discretion of the Commission or its designee. No testimony or other evidence shall be taken at the hearing. The hearing be recorded and a verbatim transcript will be prepared. Any person with a disability requiring special assistance to participate in the hearing should contact Lisa Fitting at lisa.fitting@ofra.nm.gov or 505-538-0134 as soon as possible prior to the commencement of the hearing.

Technical information that served as a basis for the proposed rule amendments and how the information can be obtained: Not applicable.

HEALTH CARE AUTHORITY
INCOME SUPPORT DIVISION

NOTICE OF HEARING

In 2019, the Health Care Authority (HCA) updated policy to implement the convicted felon provisions of the Agricultural Act of 2014 (2014 Farm Bill). During a recent review, it was determined that NMAC language for Cash Assistance does not accurately reflect Supplemental Nutrition Assistance Program federal requirements. HCA will also update convicted felon SNAP language to reflect 7 CFR 273.11

The Authority is proposing amendments to the following sections of the New Mexico Administrative Code (NMAC):

Section 22 of 8.100.130 NMAC:
Amending convicted felon section with the following language:
"(3) Disqualification for certain

convicted felons. An individual shall not be eligible for SNAP or cash benefits if:
(a) the individual is convicted as an adult of any of the following:
(i) aggravated sexual abuse under section 2241 of title 18, United States Code;
(ii) murder under section 1111 of title 18, United States Code;
(iii) an offense under chapter 110 of title 18, United States Code;
(iv) a Federal or State offense involving sexual assault, as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or
(v) an offense under State law determined by the Attorney General to be substantially similar to an offense described in clause (i), (ii), (iii); and
(b) the individual is not in compliance with the terms of the sentence of the individual or the restrictions under 7 CFR 273.11(n)
(c) the disqualification contained in this paragraph(s) shall not apply to a conviction if the conviction is for conduct occurring on or before February 7, 2014."

Section 15 of 8.102.410 NMAC:
Amending convicted felon section with the following language:
"C. Disqualification for certain convicted felons. An individual shall not be eligible for cash benefits if:
(1) the individual is convicted as an adult of any of the following:
(a) aggravated sexual abuse under section 2241 of title 18, United States Code;
(b) murder under section 1111 of title 18, United States Code;
(c) an offense under chapter 110 of title 18, United States Code;
(d) a Federal or State offense involving sexual assault, as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or
(e) an offense under State law determined by the Attorney General to be substantially similar to an offense described in clause (i), (ii), (iii); and
(2) the individual is not in compliance with the terms of the sentence of the individual or the restrictions under 7 CFR 273.11(n).
(3) the disqualification contained in this paragraph(s) shall not apply to a conviction if the conviction is for conduct occurring on or before February 7, 2014."

Section 14 of 8.106.410 NMAC:
Amending convicted felon section with the following language:
"C. Disqualification for certain convicted felons. An individual shall not be eligible for cash benefits if:
(1) the individual is convicted as an adult of any of the following:
(a) aggravated sexual abuse under section 2241 of title 18, United States Code;
(b) murder under section 1111 of title 18, United States Code;
(c) an offense under chapter 110 of title 18, United States Code;
(d) a Federal or State offense involving sexual assault, as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or
(e) an offense under State law determined by the Attorney General to be substantially similar to an offense described in clause (i), (ii), (iii); and
(2) the individual is not in compliance with the terms of the sentence of the individual or the restrictions under 7 CFR 273.11(n).
(3) the disqualification contained in this paragraph(s) shall not apply to a conviction if the conviction is for conduct occurring on or before February 7, 2014."

Section 12 of 8.139.400 NMAC:
Amending convicted felon section with the following language:
"D. Disqualification for certain convicted felons. An individual shall not be eligible for SNAP benefits if:
(1) the individual is convicted as an adult of any of the following:
(a) aggravated sexual abuse under section 2241 of title 18, United States Code;
(b) murder under section 1111 of title 18, United States Code;
(c) an offense under chapter 110 of title 18, United States Code;
(d) a Federal or State offense involving sexual assault, as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or
(e) an offense under State law determined by the Attorney General to be substantially similar to an offense described in clause (i), (ii), (iii); and
(2) the individual is not in compliance with the terms of the sentence of the individual or the restrictions under 7 CFR 273.11(n).
(3) the disqualification contained in this paragraph(s) shall not apply to a conviction if the conviction is for conduct occurring on or before February 7, 2014."

The rule is being developed under the following statutory authority: New Mexico Statutes Annotated 1978 (Chapter 27, Articles 1 and 2) authorize the state to administer the aid to these families.

The register and rule language is available on the HCA website at: https://www.hca.nm.gov/lookingforinformation/income-support-division-registers-2/. If you do not have internet access, a copy of the final register and rules may be requested by contacting HCA Office of the Secretary at (505) 827-7750.

A hybrid public hearing to receive testimony on Open Section-State Funded Assistance will be held pursuant to Section 14- 4-5.6 NMSA 1978, on October 13, 2026, from 10:00 am-11:00 am. You may join in person, virtually, or by phone.

You may join in person at: HCA Income Support Division, Santa Fe County Field Office Large Conference Room, 39B Plaza La Prensa, Santa Fe NM 87507.

You may join virtually from your computer, tablet or smartphone: **Microsoft Teams link for teams meeting** Need help? **Join the meeting now** +1 505-312-4308,,220376374# United States, Albuquerque (888) 506-1357,,220376374# United States (Toll-free) Meeting ID:

292 898 853 078 982 Passcode: HT2Ct9Uf Find a local number Phone conference ID: 220 376 374#

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HCA public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax- 505-827-6286 or through the New Mexico Relay system, toll free at #711. The Authority requests at least a 10-day advance notice to provide the requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments by the following ways:

- Dropping of at HCA Income Support Division, HCA Income Support Division, Santa Fe County Field Office, 39B Plaza La Prensa, Santa Fe NM 87507. Attn: LaWanda Finley
- Calling (505) 649-3305.
- Mailing comments to: Income Support Division: Attn, LaWanda Finley at P.O. Box 2348, Santa Fe, NM 87504-2348. Emailing electronically to: hca-isdrules@hca.nm.gov

Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, October 13, 2026. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

All written comments will be posted on the agency website at Income Support Division Registers - New Mexico Health Care Authority within 3 days of receipt.

HEALTH CARE AUTHORITY
MEDICAL ASSISTANCE DIVISION

NOTICE OF RULEMAKING

The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.320.2, *Early and Periodic Screening, Diagnostic and Treatment (EPSDT) Services*.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: September 9, 2026
Hearing Date: October 9, 2026
Adoption Date: Proposed as January 1, 2027
Technical Citations: 2026 Legislative Bills: SM 2 and HM 35

Background

The Department is proposing the following changes to align with CMS requirements and to implement EPSDT Pediatric Palliative and Concurrent Care Services per 2026 Legislative Bills, Senate Memorial 2 and House Memorial 35.

The HCA is proposing to amend the rule as follows:

Section 7 has been added to capture the definitions.

Section 8 is being amended to include the Department's current mission statement.

Section 10 is being amended to add language expanding coverage of medically necessary services beyond those included in the state plan to align with CMS requirements.

Section 14 is being amended to remove the Electronic Health Record (HER) incentive program as the program ended in 2022.

Section 15 is being amended to update medical and dental screening guidelines to reflect current professional recommendations from the American Academy of Pediatrics (AAP), Bright Futures, and the American Academy of Pediatric Dentistry (AAPD).

Section 16 is being updated to capture the department responsible for furnishing Early and Periodic Screening, Diagnostic and Treatment (EPSDT) special rehabilitation services.

Section 21 is a new section added to establish coverage for EPSDT Pediatric Palliative & Concurrent Care Services.

Throughout the NMAC, minor edits are being made for clarification, rule references and to ensure compliance with formatting and language requirements.

I. RULE

These proposed rule changes will be contained in 8.320.2 NMAC. This register and the proposed rule are available on the HCA website at: https://www.hca.nm.gov/lookingforinformation/registers/ and https://www.hca.nm.gov/2026-comment-period-open/. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

II. EFFECTIVE DATE

The HCA proposes implementing this rule January 1, 2027.

III. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on October 9, 2026, at 11:00 a.m., Mountain Time (MT). The hearing will be held in the Large Conference Room of the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Zoom.

Join Zoom Meeting

Join: https://teams.microsoft.com/meet/288553103356022?p=UuVE0RGjflD7cDvyxk
Meeting ID: 288 553 103 356 022
Passcode: d9EA7Hf7

Dial in by phone

+1 505-312-4308,,140523479#
United States, Albuquerque
Phone conference ID: 140 523 479#

If you are a person with a disability and you require this information in an alternative format or require special accommodation to participate in the public hearing, please contact the MAD in Santa Fe at (505) 827-1337. The HCA requests at least ten (10) working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by MAD upon request by providing copies directly to a requestor or by making them available on the MAD website or at a location within the county of the requestor.

IV. ADDRESS

Interested persons may address written comments to:

New Mexico Health Care Authority
Office of the Secretary
ATTN: Medical Assistance Division Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: HCA-madrules@hca.nm.gov. Written mail, electronic mail and recorded comments must be received **no later than 5:00 p.m. MT on October 9, 2026**. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HCA website at https://www.hca.nm.gov/lookingforinformation/registers/ and https://www.hca.nm.gov/2026-comment-period-open/ along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.

HEALTH CARE AUTHORITY
MEDICAL ASSISTANCE DIVISION

NOTICE OF RULEMAKING

The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.324.5 NMAC, *Adjunct Services, Vision Appliances, Hearing Appliances, Durable Medical Equipment, Oxygen, Medical Supplies, Prosthetics and Orthotics.*

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: September 9, 2026
Hearing Date: October 9, 2026
Adoption Date: Proposed as January 1, 2027
Technical Citations: 2023 Legislative Session House Bill 131- Prosthetic & Custom Orthotic Device Coverage and 2023 Legislative Session House Bill 53 -Delivery of Necessary Diabetic Resources, 2026 Legislative Session House Bill 38 Wheelchair Insurance Coverage.

Background

The Health Care Authority is proposing to amend 8.324.5 NMAC, *Adjunct Services, Vision Appliances, Hearing Appliances, Durable Medical Equipment, Oxygen, Medical Supplies, Prosthetics and Orthotics* to: 1) Update coverage and reimbursement policies for prosthetic and custom orthotic devices to align with provisions outlined in House Bill 131, passed during the 2023 legislative session. Proposed language expands on conditions that must be met for replacement of prosthetics and orthotic devices; 2) Update coverage and reimbursement for diabetic supplies, to align with provisions outlined in House Bill 53, passed during the 2023 Legislative Session; 3) Amend the policy language to provide clarification regarding the types of bathroom equipment that are covered; 4) Amend language to capture the newly implemented benefit Pasteurized Human Donor Milk (PHDM); 5) Updates NMAC citations that currently reference archived NMAC citations. (6) Amends the language to align with provisions outlined in 2026 House Bill 38 which increased coverage for up to two complex rehabilitation technology (CRT) devices and up to three prosthetic or orthotic devices per affected limb in a three-year period based on medical necessity. HB38 also added provider requirements for deliver of and repairs of CRTs.

The HCA is proposing to amend the rule as follows:

Section 8

Language has been amended to include the HCA's current mission statement.

Section 12

Language has been amended to update coverage and reimbursement for diabetic supplies as outlined in 2023 Legislative Session House Bill 53.

Language has been amended to update implementation of and reimbursement for Pasteurized Human Donor Milk (PHDM) to increase availability to high-risk Medicaid eligible infants up to 12 months old.

Language has been amended to update coverage for prosthetic and custom orthotics devices as passed in the 2023 Legislation House Bill 131- Prosthetic & Custom Orthotic Device Coverage. Proposed changes also update the language regarding replacement of orthotic or prosthetic devices.

Language has been amended to update coverage for additional complex rehabilitative technology devices as outlined in 2026 Legislative Session House Bill 38.

Section 13

Language has been amended to provide clarification regarding the types of bathroom equipment that are covered.
NMAC citations have been revised to replace outdated references.

Section 14
Language has been amended to provide update coverage for complex rehabilitation technology (CRT) devices and add provider requirements for delivery of and repairs of CRTs.

Section 15
NMAC citation has been revised to replace outdated reference.

Section 17
Language has been amended to provide update coverage for complex rehabilitation technology (CRT) devices.

Throughout the NMAC amendments have been made to comply with formatting and language requirements.

I. RULE

These proposed rule changes will be contained in 8.324.5 NMAC. This register and the proposed rule are available on the HCA website at: https://www.hca.nm.gov/lookingforinformation/registers/ and https://www.hca.nm.gov/2026-comment-period-open/. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

II. EFFECTIVE DATE

The HCA proposes implementing this rule January 1, 2027.

III. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on **October 9, 2026, at 9:00 a.m. Mountain Time (MT)**. The hearing will be held in the Large Conference Room of the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Zoom.

Join Zoom Meeting
Join: https://teams.microsoft.com/meet/275933366344788?p=Z5ueypZkFaHQNsK2ag
Meeting ID: 275 933 366 344 788
Passcode: Cu3uU9bA

Dial in by phone
+1 505-312-4308,,596570325#
United States, Albuquerque
Phone conference ID: 596 570 325#

If you are a person with a disability and you require this information in an alternative format or require special accommodation to participate in the public hearing, please contact the MAD in Santa Fe at (505) 827-1337. The HCA requests at least ten (10) working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by MAD upon request by providing copies directly to a requestor or by making them available on the MAD website or at a location within the county of the requestor.

IV. ADDRESS

Interested persons may address written comments to:

New Mexico Health Care Authority
Office of the Secretary
ATTN: Medical Assistance Division Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: HCA-madrules@hca.nm.gov. Written mail, electronic mail and recorded comments must be received **no later than 5:00 p.m. MT on October 9, 2026**. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HCA website at https://www.hca.nm.gov/lookingforinformation/registers/ and https://www.hca.nm.gov/2026-comment-period-open/ along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.

MEDICAL BOARD

NOTICE OF PUBLIC RULE HEARING

Public Notice: The New Mexico Medical Board has filed for a new part to be added to the existing NMAC Title 16, Chapter 10. The addition will be numbered 16.10.33 NMAC and will cover all rules relating to the New Mexico Interstate Medical Licensure Compact Commission.

Topic: Public Rule Hearing
Date: November 6, 2026
Time: 09:00 AM Mountain Time (US and Canada)
Place: New Mexico Medical Board
2055 S. Pacheco Street, Bldg. 400
Santa Fe, NM 87505

Purpose: During the 2026 Legislative Session SB01 passed and was signed by Governor Lujan Grisham on May 20, 2026. SB01 set the Interstate Medical Licensure Compact Commission (IMLCC) statute in effect for the New Mexico Medical Board (NMMB). NMMB will now participate in processing applications for licensure through the IMLCC. At the New Mexico Medical Board's regular Board Meeting held on August 6-7, 2026, the Board voted to approve the proposed rule language for 16.10.33 including modifications made by the Board during the meeting.

No technical information serves as a basis for this proposed new rule.

Public comment: Interested parties may provide comment on the proposed amendments of this state rule at the public hearing or may submit written comments to Monique Parks , New Mexico Medical Board, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, or by electronic mail to MoniqueM.Parks@nmmb.nm.gov. All written comments must be received no later than 3:00 p.m. (MDT) on October 29, 2026. All written comments will be posted to the agency website within (3) three business days.

Copies of proposed rules: Copies of the proposed rules may be accessed through the New Mexico Medical Board's website at www.nmmb.state.nm.us or may be obtained from the Board office by calling (505) 476-7220 or via email at MoniqueM.Parks@nmmb.nm.gov or at Natalie.Padilla@nmmb.nm.gov.

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Monique Parks or Natalie Padilla at (505) 476-7220 or via email at MoniqueM.Parks@nmmb.nm.gov or Natalie.Padilla@nmmb.nm.gov. The New Mexico Medical Board requires at least ten (10) calendar days advance notice to provide any special accommodations requested.

Summary of proposed new rule: The Board summarizes its new rule language to its administrative rules as follows:

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 10 MEDICINE AND SURGERY PRACTITIONERS
PART 33 INTERSTATE MEDICAL LICENSURE COMPACT

16.10.33.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.10.33.1 NMAC - N, xx/xx/2026]

16.10.33.2 SCOPE: This part applies to all physicians applying for licensure through the Interstate Medical Licensure Compact (IMLC).
[16.10.33.2 NMAC - N, xx/xx/2026]

16.10.33.3 STATUTORY AUTHORITY: This part governs the licensing of physicians in New Mexico under the Interstate Medical Licensure Compact and is promulgated pursuant to and in accordance with the Medical Practice Act, 61-6-36 to 61-6-39 and Interstate Medical Licensure, 11-21-1, 11-21-2, NMSA 1978. And sections Reproductive and Gender Affirming Healthcare Freedom Act, 24-34-1 and Reproductive and Gender Affirming Healthcare Protection Act, 24-35-1 NMSA 1978.
[16.10.33.3 NMAC - N, xx/xx/2026]

16.10.33.4 DURATION: Permanent.
[16.10.33.4 NMAC - N, 16 10.33.4 NMAC xx/xx/2026]

16.10.33.5 EFFECTIVE DATE: xxxxxx xx, 2026, unless a later date is cited at the end of a section.
[16.10.33.5 NMAC - N, xx/xx/2026]

16.10.33.6 OBJECTIVE: This part establishes requirements and procedures for licensure as a physician in New Mexico.
[16.10.33.6 NMAC - N, xx/xx/2026]

16.10.33.7 DEFINITIONS:

A. "Interstate medical licensure compact (IMLC) license" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the Interstate Medical Licensure Compact (IMLC).

B. "Physician applying for an IMLC license" means a person who:

(a) is a graduate of a medical school accredited by the liaison committee on medical education, the commission on osteopathic college accreditation, or a medical school listed in the international medical education directory or its equivalent;

(b) passed each component of the United States medical licensing examination (USMLE) or the comprehensive osteopathic medical licensing examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(c) successfully completed graduate medical education approved by the accreditation council for graduate medical education or the American osteopathic association;

(d) holds specialty certification or a time-unlimited specialty certificate recognized by the American board of medical specialties or the American osteopathic association's bureau of osteopathic specialists;

(e) possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(f) has never been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(g) has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license;

(h) has never had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration; and

(i) is not under active investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

C. "Protected health care activity" means health care for which the provision, receipt, or facilitation is afforded explicit legal protection under state law or regulation and is distinguished from health care that is otherwise lawfully permitted but is not afforded such explicit protection.

D. "State of principal license" (SPL) means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the compact.
[16.10.33.7 NMAC - N, xx/xx/2026]

16.10.33.8 ELIGIBILITY: A physician applying for licensure through the IMLC.

A. A physician applying for licensure through the IMLC must meet the requirements as defined in subsection B of 16.10.33.7 NMAC.

B. A physician applying for licensure through the IMLC who does not qualify for licensure pursuant to 16.10.33.7(B) may apply through standard licensure as defined in 16.10.2 NMAC.

[16.10.33.8 NMAC - N, xx/xx/2026]

16.10.33.9 STATE OF PRINCIPAL LICENSE (SPL):

A. A physician applying for licensure through the IMLC shall designate a member state as the state of principal license for purposes of registration for compact licensure through the interstate medical licensure compact if the physician holds a full and unrestricted license to practice medicine in that state and the state meets at least one of the following criteria:

(1) the state of principal residence of the physician;

(2) the state in which at least twenty-five percent of the physician's practice of medicine occurs;

(3) the location of the physician's primary employment; or

(4) the state designated as the physician's state of residence for purposes of federal income taxation, if a state does not qualify under Paragraph (1), (2), or (3) of this subsection.

B. A physician may redesignate a member state as the state of principal license at any time, provided the state meets the requirements pursuant to subsection A of 16.10.33.9.

C. The interstate medical licensure compact commission is authorized to promulgate rules to facilitate the redesignation of a member state as the state of principal license.

[16.10.33.9 NMAC - N, xx/xx/2026]

16.10.33.10 APPLICATION AND ISSUANCE OF AN IMLC LICENSE:

A. Application: A physician seeking licensure through the interstate medical licensure compact shall submit an application to the member board of the state designated as the state of principal license.

B. Determination of eligibility: Upon receipt of an application, the board of the state of principal license shall determine whether the physician meets the eligibility requirements of the compact and shall issue a letter of qualification to the interstate commission verifying or denying eligibility.

(1) Verification of qualifications, including medical education, graduate medical education, examination history, and other criteria established by the interstate commission, shall not require additional primary source verification if such verification has been completed by the state of principal license.

(2) The member board shall conduct a criminal background check, including fingerprinting or other biometric data in compliance with Federal bureau of investigation requirements, except for federal employees who have received a suitability determination pursuant to 5 C.F.R. Section 731.202.

(3) Any appeal of an eligibility determination shall be made to the member board of the state of principal license and shall be governed by the laws of that state.

C. Registration for Licensure: A physician determined to be eligible shall complete the registration process established by the interstate commission and pay all applicable fees for each member state in which licensure is sought.

D. Issuance of license: Upon completion of the registration process and payment of required fees, the board shall issue an IMLC license. The license authorizes the physician to practice medicine in New Mexico in accordance with the Medical Practice Act and all applicable laws and rules of the board.

E. Term of license: An IMLC license issued under the compact shall be valid for the same period, and subject to the same renewal requirements, as a full and unrestricted license issued by the board.

F. Termination: An IMLC license shall be automatically terminated if the physician fails to maintain a full and unrestricted license in the state of principal license for a non-disciplinary reason and does not designate a new state of principal license within 90 days.

[16.10.33.10 NMAC - N, xx/xx/2026]

16.10.33.11 FEES FOR COMPACT LICENSURE:

A. Initial licensure fee: A physician applying for an IMLC license to practice medicine in New Mexico through the compact shall pay a non-refundable licensure fee pursuant to 16.10.9 NMAC. This fee shall be in addition to any fees required by the interstate commission.

B. Renewal fee: A physician renewing an IMLC license issued by the board shall pay a renewal fee pursuant to 16.10.9 NMAC.

C. Interstate commission fees: In addition to fees imposed by the board, the physician shall pay all applicable fees established by the interstate commission for participation in the compact, including any application or registration fees.

D. Fee changes: All fees established by the board pursuant to this section shall be set by rule and may be amended in accordance with applicable law.

[16.10.33.11 NMAC - N, xx/xx/2026]

16.10.33.12 RENEWAL AND CONTINUED PARTICIPATION:

A. A physician seeking to renew an IMLC license granted in a member state shall complete a renewal process through the interstate commission provided by the physician:

(1) continues to maintain a full and unrestricted license in the state of principal license.

(2) has not been convicted of, or received adjudication, deferred adjudication, community supervision or deferred disposition for an offense by a court of appropriate jurisdiction.

(3) has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any actions related to nonpayment of fees related to licensure fees.

(4) has not had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration.

B. Physicians shall comply with all continuing professional development or continuing medical education (CME) requirements for renewal of a license issued by a member state.

C. The interstate commission shall collect renewal fees and distribute such fees to the applicable member boards.

D. Upon receipt of the renewal fees collected a member board shall renew the physician's license pursuant to subsection C of 16.10.33.12 NMAC.

E. Physician information collected by the interstate commission during the renewal process will be distributed to all member boards.

F. The interstate commission is authorized to develop rules to address renewal of licenses obtained through the interstate medical licensure compact.

[16.10.33.12 NMAC - N, xx/xx/2026]

16.10.33.13 JOINT INVESTIGATIONS:

A. Licensure and disciplinary records of a physician received under a joint investigation are deemed confidential under the provisions in subsection B of 16.10.1.9 NMAC. All information provided to the interstate commission or distributed by member boards shall be confidential, filed under seal and used only for investigatory or disciplinary matters.

B. In addition to the authority granted to a member board by its respective medical practice act or other applicable state law, a member board may participate with other member boards in joint investigations of physicians licensed by the member boards.

C. If participating in a joint investigation, and if requested by another board, the New Mexico medical board may issue an investigative subpoena.

D. Member boards may share investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the interstate medical licensure compact.

E. In the context of a joint investigation, a member state may investigate and evaluate a physician's conduct under the statutes and administrative rules of any other member state in which the physician is licensed and may utilize those statutes and rules as the governing standard for investigative findings and referral for disciplinary action.

[16.10.33.13 NMAC - N, xx/xx/2026]

16.10.33.14 DISCIPLINARY ACTION:

A. A disciplinary action taken by a member board against a physician licensed through the interstate medical licensure compact shall be deemed unprofessional conduct that may be subject to discipline by other member boards, in addition to a violation of the Medical Practice Act or rules in that state.

B. If a license granted to a physician by the member board in the state of principal license is revoked, surrendered or relinquished in lieu of discipline or suspended, then all licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the medical practice act of that state.

C. If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to a matter of law and fact decided and:

(1) impose the same or lesser sanctions against the physician so long as such sanctions are consistent with the medical practice act of that state; or

(2) pursue separate disciplinary action against the physician under that state's respective medical practice act, regardless of the action taken in other member states.

D. If a license granted to a physician by a member board is revoked, surrendered or relinquished in lieu of discipline or suspended, then any licenses issued to the physician by other member boards shall be suspended, automatically and immediately without further action necessary by the other member boards, for 90 days upon entry of the order by the disciplining board, to permit the member boards to investigate the basis for the action under the medical practice act of that state. A member board may terminate the automatic suspension of the license the member board issued prior to the completion of the 90 day suspension period in a manner consistent with the medical practice act of that state.

E. A license, certification or authorization that is automatically suspended or revoked pursuant to this article shall be immediately reinstated if the suspension or revocation is solely on the provision of, authorization of, recommendation of, assistance in, referral for, or other participation in a protected health care activity that is lawful under the laws of New Mexico, including applicable medical

standards of care, regardless of the patient's state of residence.
[16.10.33.14 NMAC - N, xx/xx/2026]

16.10.33.15 PROTECTED HEALTH CARE ACTIVITIES:

A. The board shall not take disciplinary or other adverse action against a licensee or applicant based solely on the provision of, authorization of, recommendation of, assistance in, referral for, or other participation in a protected health care activity that is lawful under the laws of New Mexico, including applicable medical standards of care, regardless of the patient's state of residence.

B. The board shall not take disciplinary or other adverse action against a licensee or applicant based solely on an actual or alleged violation of another state's laws concerning a protected health care activity in New Mexico as defined by executive order and or statute when the activity is lawful under the laws of New Mexico, assuming applicable medical standards of care have been met.
[16.10.33.15 NMAC-N, xx/xx/2026]

HISTORY OF 16.10.33 NMAC: [RESERVED]

PUBLIC SAFETY, DEPARTMENT OF
LAW ENFORCEMENT CERTIFICATION BOARD

NOTICE OF PUBLIC HEARING

Public Notice. The New Mexico Law Enforcement Certification Board gives notice that it will hold a public hearing at DPS's Law Enforcement Academy, Auditorium, at 4491 Cerrillos Rd, Santa Fe, NM 87507, and via Zoom, on Tuesday through Thursday, October 27, 28, 29, 2026 from 9:00 a.m. to 2:00 p.m. to AMEND 10.29.1 NMAC, REPEAL 10.29.6 NMAC; and ADOPT NEW RULES 10.28.8 NMAC and 10.28.9 NMAC.

The public may attend via DPS or Zoom on a computer, mobile device, or telephone. The videoconference's Meeting ID and Password, videoconference link, and telephone number are:

LECB is inviting you to a scheduled Zoom meeting.
Join Zoom Meeting
https://us02web.zoom.us/j/81882878998?pwd=Aiqy5lxUb0U9QaemizSSG4ybGesVsD.1

Meeting chat link
https://us02web.zoom.us/launch/jc/81882878998

Meeting ID: 818 8287 8998
Passcode: 283300

One tap mobile
+13462487799,,81882878998#,,,,*283300# US (Houston)
+16694449171,,81882878998#,,,,*283300# US

Purpose of the Rule: . These revisions are intended to update, clarify, and improve existing regulatory language to ensure consistency, administrative clarity, and alignment with current operational and statutory requirements

Copies of the Rule. Copies of the rule may be viewed on the LEA website at https://www.lea.nm.gov/law-enforcement-certification-board/ and on the NM Sunshine Portal.

Statutory Authorization. The statutory authorization for this rulemaking is set forth in NMSA 1978, Sections 29-7-4.3(H).

Permanent Rule. The proposed rules will be a permanent rule.

Comment on the Rule. Interested persons may comment on the proposed permanent rule either at the hearing, by submitting written statements to Ivan Ramirez-Arechiga at 4491 Cerillos Rd., P.O. Box 1628, 87504-1628, or by email at Ivan.Ramirez-Arechiga@dps.nm.gov. All mailed statements must be received by October 26, 2026. Early submission of written statements is encouraged. Interested persons may also comment in writing at the public hearing.

Reasonable Accommodation. Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing, including a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service, are asked to contact Ivan Ramirez-Arechiga by email at Ivan.Ramirez-Arechiga@dps.nm.gov as soon as possible and no later than October 5, 2026. DPS requires at least ten calendar days' advance notice to provide special accommodation.

REGULATION AND LICENSING DEPARTMENT
PHARMACY, BOARD OF

NOTICE OF REGULAR BOARD MEETING AND RULE HEARING

The New Mexico Board of Pharmacy will convene on October 22 and 23, 2026 at 9:00 a.m. and continue until finished in the Board of Pharmacy Conference Room located at 5500 San Antonio Dr., NE, Albuquerque, NM 87109 for the purpose of conducting a regular board meeting and rule hearing.

The agenda is posted 72 hours prior to the scheduled meeting. You may view and download a copy of the agenda through the board's website: https://www.rld.nm.gov/pharmacy/pharmacy-board-information/pharmacy-board-meetings/. All proposed language regarding rule hearings is linked to the *Agenda*, the *Notice to the Public* on our website and the *New Mexico Sunshine Portal*.

Individuals petitioning the board regarding requests/waivers must submit documentation for presentation; via fax (505) 222-9845, mail or email to the Board Administrator, at the general e-mail pharmacy.board@rld.nm.gov at least one week in advance of the scheduled meeting.

Interested persons wishing to comment on proposed language regarding rule hearings may submit documentation for presentation prior to the hearing; via fax (505) 222-9845, mail or email to the Board Administrator, at the general e-mail pharmacy.board@rld.nm.gov in advance of the scheduled meeting. Public comment is also allowed during the rule hearing.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service, or if you are in need of a translator to attend or participate in the hearing or meeting, please contact Board Administrator at 505-222-9830 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Board Administrator at 505-222-9830 or e-mail pharmacy.board@rld.nm.gov if a summary or other type of accessible format is needed.

The full text of Proposed Rule Amendments for Rule Hearing on October 22, 2026, at 9:10 a.m. is available for each rule via the hyperlinks below, agenda hyperlinks, and Sunshine Portal notice hyperlinks. If you are unable to access the full text of Proposed Rule Amendments via the links provided, please contact pharmacy.board@rld.nm.gov for a copy.

Short explanation of the Purpose of Proposed Rule Amendments: see below.

16.19.4 NMAC - PHARMACIST

Section 16, responsibilities of pharmacist and pharmacist intern. Subsection B(1) is amended to provide that the pharmacist's final check on a completed prescription need not include physically opening the container to re-confirm the drug, strength, and dosage form where those attributes have been confirmed either (i) by a certified pharmacy technician through technology-assisted product verification under 16.19.22.8 NMAC, or (ii) by an automated filling system for which the pharmacist verification requirements are deemed satisfied under Subsection D of 16.19.6.28 NMAC. In either case, the pharmacist remains responsible for the final check and for the filled prescription.

The purpose of the proposed amendment is to align pharmacist responsibilities with technology-assisted product verification, while preserving the pharmacist's responsibility for the final check.

STATUTORY AUTHORITY: Paragraph (1) of Subsection A of Section 61-11-6 NMSA, 1978 authorizes the board of pharmacy to adopt, regularly review and revise rules and regulations necessary to carry out the provisions of the Pharmacy Act, Sections 61-11-1, 61-11-2, 61-11-4 to 61-11-28 NMSA 1978. Those provisions include the authority to:
A. deny or take disciplinary action with respect to any certificate of registration or license held or applied for under the Pharmacy Act, Section 61-11-20 NMSA 1978;
B. require and establish criteria for continuing education as a condition of renewal of a pharmacist license, Paragraph (4) of Subsection A of Section 61-11-6 NMSA 1978;
C. issue permits or licenses, as defined and limited by board regulation, to nursing homes, industrial and public health clinics and home care services, Paragraph (6) of Subsection A of Section 61-11-6 and 61-11-14 NMSA 1978;
D. provide for the issuance and renewal of licenses for pharmacists, Paragraph (3) of Subsection A of Section 61-11-6, and 61-11-13 NMSA 1978;
E. provide for the registration of pharmacist interns, their certification, annual renewal of certification, training, supervision, and discipline, Paragraph (5) of Subsection A of Section 61-11-6 NMSA 1978; and
F. adopt rules and regulations that establish patient counseling requirements, Paragraph (18) of Subsection A of 61-11-6 NMSA 1978. Under the Pharmacist Prescriptive Authority Act, Sections 61-11B-1 to 61-11B-3 NMSA 1978, the board is required to establish regulations governing certification as a pharmacist clinician. The Impaired Pharmacists Act, Sections 61-11A-1 to 61-11A-8 NMSA 1978, requires the establishment by the board of a plan for treatment and rehabilitation of impaired pharmacists. Subsection B of Section 61-1-36 NMSA 1978 authorizes the board of pharmacy to promulgate rules relating to listing specific criminal convictions that could disqualify an applicant from receiving a license on the basis of a previous felony conviction. Subsection B of Section 28-2-3 NMSA 1978 prohibits the board of pharmacy from considering certain criminal records to be used, distributed or disseminated in connection with an application for a license. Section 28-2-4 NMSA 1978 authorizes the board of pharmacy the power to refuse to grant or renew, or suspend or revoke a license where the applicant or licensee has been convicted of a felony and the criminal conviction directly relates to the particular profession and other convictions specified.

https://www.rld.nm.gov/wp-content/uploads/2026/08/Pharm16.019.0004-July-2026.pdf

16.19.11 NMAC – NURSING HOME DRUG CONTROL

Section 1, administrative updates.

Section 3, update statutory citation style and add authority for new section 9.

Section 8, administrative amendments. Remove reference to CDC for recommended vaccines, add consultant pharmacist responsibility for proper transfer and documentation of eligible drug donation, remove language that otherwise duplicated in part 4.

Section 9, add 16.19.11.9 NMAC, Custodial Care Facility – Withdrawal Management. The new section authorizes a licensed custodial care facility that is authorized to provide medically monitored withdrawal management, is under the supervision of a consultant pharmacist, and has nursing staff on-site twenty-four hours per day, three hundred sixty-five days per year, to acquire, stock, maintain, and possess dangerous drugs, including controlled substances in Schedules III–V as limited in the section, for administration for withdrawal management purposes in accordance with Board rules. The section establishes a designated ordering authority for facility-stock drugs, discrepancy and diversion reporting requirements, and disposition requirements upon temporary closure of the facility.

The purpose of the proposed amendment is to establish minimum drug-control standards for custodial care facilities providing medically monitored withdrawal management, including ordering, storage, recordkeeping, and consultant pharmacist oversight.

STATUTORY AUTHORITY: Paragraph (6) of Subsection A of Section 61-11-6 NMSA 1978 authorizes the Board of Pharmacy to license nursing home drug facilities and all places where dangerous drugs are dispensed or administered and to provide for the inspection of their facilities and activities. Paragraph (9) of Subsection B of Section 61-11-14 NMSA 1978 directs the Board to issue drug custodial licenses for licensed nursing homes and to adopt regulations that define and limit those licenses. Section 61-11-31 NMSA 1978 allows custodial care facilities authorized to provide withdrawal management to acquire and possess dangerous drugs and controlled substances in accordance with Board rules.

https://www.rld.nm.gov/wp-content/uploads/2026/08/Pharm16.19.11.9_July-2026.pdf

16.19.20 NMAC – CONTROLLED SUBSTANCES

Section 65 (Schedule I), Section 66 (Schedule II), Section 67 (Schedule III), and Section 68 (Schedule IV) are amended to update the listing of scheduled drugs, including Schedule I opioids and fentanyl-related substances.

The purpose of the proposed amendment is to update the controlled substances schedules to reflect current classifications of scheduled drugs.

STATUTORY AUTHORITY: Section 30-31-11 of the Controlled Substances Act, 30-31-1 through 30-31-42 NMSA 1978, authorizes the board of pharmacy to promulgate regulations and charge reasonable fees for the registration and control of the manufacture, distribution and dispensing of controlled substances. Paragraph (2) of Subsection B of Section 61-11-6 authorizes the board to provide by regulation for the electronic transmission of prescriptions.

https://www.rld.nm.gov/wp-content/uploads/2026/08/Pharm16.19.20_July-2026.pdf

16.19.22 NMAC – PHARMACY TECHNICIANS AND SUPPORT PERSONNEL

Section 7, definitions. Add definitions of "electronic verification system" and "technology-assisted product verification," and renumber the remaining definitions accordingly.

Section 8, permissible activities. Add Subsection B authorizing a certified pharmacy technician to perform technology-assisted product verification under the direct supervision of a pharmacist and without the exercise of professional judgment, confirming only that the drug, strength, and dosage form in the bottle or packaged prescription vessel match the drug on the label and on the prescription. The amendment conditions this activity on, among other requirements, a pharmacist being physically present onsite, the technician having accrued not less than one thousand hours of experience as a certified pharmacy technician and having completed pharmacist-in-charge-approved training, use of an electronic verification system, exclusions for controlled substances (absent specified inventory controls), cytotoxic products, and compounded preparations, and a quality assurance plan that includes daily random pharmacist testing of not less than two percent of prescriptions verified under the subsection. The supervising pharmacist remains responsible for the final check and for the filled prescription.

Section 11, improper activities of pharmacy technicians. Amend Subsection A to reflect that, where a certified pharmacy technician has completed technology-assisted product verification, the pharmacist's final check need not include physically opening the container to re-confirm the drug, strength, and dosage form so verified.

The purpose of the proposed amendment is to authorize and establish safeguards for technology-assisted product verification by certified pharmacy technicians.

STATUTORY AUTHORITY: Subsection A of Section 61-11-6 NMSA 1978 authorizes the Board of Pharmacy to register and regulate the qualifications, training, and permissible activities of pharmacy technicians.

https://www.rld.nm.gov/wp-content/uploads/2026/08/Pharm16.19.22_NMAC_July-2026.pdf

16.19.34 NMAC – PRESCRIPTION DRUG DONATIONS

Section 8, procedures. In Subsection B (storage), add that an eligible recipient practitioner may only store drugs at the board-registered address, which may not be a mobile or home address. In Subsection D

(redistribution), add that a practitioner may not redistribute donated prescription drugs to themselves, and add that redistributed drugs will be provided to the patient with information on side effects, interactions, and precautions concerning the drug or device provided, which may be written or supplemented through alternative forms such as written information leaflets, pictogram labels, and video programs.

Section 9, record keeping. Add a subsection governing records for redistributed drugs administered, dispensed, or distributed, requiring that: an eligible recipient practitioner maintain records including the patient's name and date of birth, the drug name, strength, dosage form, quantity, and expiration date, and the date administered, dispensed, or distributed, retained for three years and available for inspection by the Board; an eligible recipient clinic maintain records as required by federal and state law, including 16.19.10 NMAC; and an eligible recipient pharmacy maintain records as required by federal and state law, including 16.19.6 NMAC. The remaining recordkeeping subsections are relettered accordingly.
The purpose of the proposed amendment is to clarify practitioner storage and self-redistribution limitations, ensure patients receive drug information upon redistribution, and establish recordkeeping requirements for redistributed drugs.

STATUTORY AUTHORITY: Section 26-1-3.2 of the New Mexico Drug, Device and Cosmetic Act mandates the Board of Pharmacy to establish rules for the safe redistribution of unused prescription drugs.

https://www.rld.nm.gov/wp-content/uploads/2026/08/Pharm16.19.34-July-2026.pdf

Disciplinary Hearing(s):

Thursday October 22, 2026, 9:45 a.m. until 12:35 p.m. or until finished, CasaPharma Rx, unlicensed, case 2026-015

Friday October 23, 2026, 9:10 a.m. until finished, Mike Gallegos RP00006838, Complete Care Pharmacy LLC d/b/a Corrales Pharmacy PH00004048, case 2024-051

If additional scheduling occurs, the final hearing date and time for each case will be included in the agenda posted to the board's website at least 72 hours before the meeting.

Executive Director's Report:

Published in NM Register: September 9, 2026
Published in Albuquerque Journal: September 9, 2026

SUPERINTENDENT OF INSURANCE, OFFICE OF

NOTICE OF EMERGENCY REPEAL OF 13.21.2 NMAC, QUALIFICATIONS AND ADMISSIONS

Effective Date: August 27, 2026

The New Mexico Office of Superintendent of Insurance (OSI) will repeal in its entirety 13.21.2 NMAC, *Qualifications and Admissions* on an emergency basis pursuant to Sections 14-4-5.6, 41-5-5, 41-5-25 and 59A-2-9 NMSA, effective September 9, 2026. OSI will promulgate a new rule related to qualifications and admissions that will align with the 2026 updates to the Medical Malpractice Act. Any instructions related to qualifications and admissions will temporarily be issued through OSI bulletin or guidance, will be posted on the OSI website and will be distributed through the OSI Newsletter, until a new rule is promulgated. To sign up for the Newsletter please go to the following link on the OSI website: https://www.osi.state.nm.us/en/about-us/newsletter/

OSI determined that this emergency repeal is necessary to protect the public health and safety by ensuring that all qualified providers and hospitals are added as participants in the Patient's Compensation Fund (Fund). The repeal of 13.21.2 NMAC reinforces the underlying statutory purpose of the 2026 amendments to the Medical Malpractice Act to support health care providers and hospitals in gaining admission to the Fund so that health care providers and hospitals in the state may focus on improved community health and continuity of care in the communities they serve. As noted in the Fiscal Impact Report for House Bill 99 in the 2026 legislative session, "New Mexico continues to face a critical, chronic shortage of health professionals across the disciplines, particularly in rural areas. Thirty-two of 33 New Mexico counties are designated as health professional shortage areas (HPSAs) in primary care, behavioral health, dental health, or a combination of the three."

As the custodian of the Fund, the Superintendent is dedicated to assisting in maintaining and growing health care provider networks and hospitals in the state by improving processes and procedures of the Fund. A growing and sufficient number of health care providers and hospitals in New Mexico ensures shorter appointment wait times, better patient outcomes, fewer patient complications and a preventative medicine focus through regular screenings in addition to a better quality of life for health care providers.

A copy of this notice will be placed on the OSI eDocket with the following
Docket Number: 2026-0170. A copy of this notice will also be filed on the Sunshine Portal.

Please send any questions regarding this notice to this email address: osi.rulemaking@osi.nm.gov

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WILDLIFE, DEPARTMENT OF

STATE WILDLIFE COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Wildlife Commission ("Commission") will be hosting a meeting and rule hearing on Friday November 13, 2026 beginning at 9:00 a.m. at the Red River Convention Center, 101 West River St, Red River, NM 87558. Please check the Department's website for any updates at https://wildlife.dgf.nm.gov/commission/meeting-agendas/. The purpose of this meeting is to hear and consider action as appropriate on the proposed changes to the Manner and Method Rule.

Synopsis:

Manner and Method Rule
The proposal is to amend the Manner and Method Rule 19.31.10 NMAC to conform with changes made in other NMAC rules or to codify changes that were agreed upon during those rule development processes. The Manner and Method Rule will become effective April 1, 2027. This rule does not expire. Proposed changes include:

1) Changes to license purchase requirements regarding when licenses must be purchased.
2) Changes to the definition of "sporting arm types" to reflect changes in denotations in the hunt codes to conform to the new hunt code format.
3) Changes to the definition of "protected species" to reflect changes in statutory authority.
4) Changes to the definition of "written permission" to reflect changes to private land licenses and ranch registration.

A full text of changes for all rules will be available on the Department's website at: https://wildlife.dgf.nm.gov/. Interested persons may submit comments on the proposed changes for the Manner and Method Rule to DGF-Manner-and-Method-Rule@dgf.nm.gov. Individuals may also submit written comments to the physical address below. Comments are due by 1:00 p.m. on November 11. 2026. The final proposed rules will be voted on by the Commission during a public meeting on November 13, 2026. Interested persons may also provide data, views or arguments, orally or in writing, at the public rule hearings to be held on November 13, 2026.

Full copies of text of the proposed new rules, technical information related to proposed rule changes, and the agenda can be obtained from the Office of the Director, New Mexico Department of Game and Fish, 1 Wildlife Way, Santa Fe, New Mexico 87507, or from the Department's website at https://wildlife.dgf.nm.gov/commission/proposals-under-consideration/. This agenda is subject to change up to 72 hours prior to the meeting. Please contact the Director's Office at (505) 476-8000, or the Department's website at https://wildlife.dgf.nm.gov/ for updated information.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Department at (505) 476-8000 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Department at 505-476-8000 if a summary or other type of accessible format is needed.

Legal authority for this rulemaking can be found in the General Powers and Duties of the State Wildlife Commission 17-1-14, et seq. NMSA 1978; Commission's Power to establish rules and regulations 17-1-26, et seq. NMSA 1978.

End of Notices of Rulemaking and Proposed Rules

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Adopted Rules

Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico Register as provided in the State Rules Act. Unless a later date is otherwise provided by law, the effective date of the rule shall be the date of publication in the New Mexico Register. Section 14-4-5 NMSA 1978.

ATTORNEY GENERAL, OFFICE OF THE

After a hearing on April 13, 2026, pursuant to 1.24.9 NMAC, the Office of the Attorney General repealed 12.2.4 NMAC – Requirements for the Advertising and Sale of Motor Vehicles, filed and recompiled on 10/15/2001, and replaced that rule with 12.2.4 NMAC – Requirements for the Advertising and Sale of Motor Vehicles, effective September 9, 2026.

ATTORNEY GENERAL, OFFICE OF THE

TITLE 12 TRADE, COMMERCE AND BANKING
CHAPTER 2 CONSUMER PROTECTION

PART 4 REQUIREMENTS FOR THE ADVERTISING AND SALE OF MOTOR VEHICLES

12.2.4.1 ISSUING AGENCY: Office of the New Mexico Attorney General, Consumer Protection Division, Post Office Drawer 1508, Santa Fe, New Mexico 87504-1508.
[12.2.4.1 NMAC – Rp, 12.2.4.1 NMAC, 9/9/2026]

12.2.4.2 SCOPE: Motor vehicle dealers.
[12.2.4.2 NMAC – Rp, 12.2.4.2 NMAC, 9/9/2026]

12.2.4.3 STATUTORY AUTHORITY: New Mexico Unfair Practices Act, Section 57-12-1 NMSA 1978 et seq., and New Mexico False Advertising Act, Section 57-15-1 NMSA 1978 et seq.
[12.2.4.3 NMAC – Rp, 12.2.4.3 NMAC, 9/9/2026]

12.2.4.4 DURATION: Permanent.
[12.2.4.4 NMAC – Rp, 12.2.4.4 NMAC, 9/9/2026]

12.2.4.5 EFFECTIVE DATE: September 9, 2026 unless a later date is cited at the end of a section.
[12.2.4.5 NMAC – Rp, 12.2.4.5 NMAC, 9/9/2026]

12.2.4.6 OBJECTIVE:

A. The purpose of these regulations is to accomplish two principal objectives. The first is to deter unfair and deceptive practices that result in economic harm to consumers. The second is to provide clear legal standards for motor vehicle advertising to facilitate dealer compliance and fair competition and to make evaluation of particular practices easier.

B. The experience of the attorney general's office also indicates that the advertising and sale of motor vehicles is a particularly appropriate area for the promulgation of regulations. The attorney general's office seeks to ensure fair competition among dealers, and truthful and accurate dealer practices, for the benefit of the citizens of this state. The attorney general has therefore concluded that regulation of the advertising and sale of motor vehicles is in the best interest of the health, safety and general welfare of the citizens of New Mexico.

C. These regulations provide a basis for evaluating motor vehicle advertising. They reflect provisions of New Mexico law, but do not necessarily cover every possible deceptive advertising practice. Therefore, it is not intended that literal compliance with these regulations be an absolute protection against liability for deceptive advertising. Dealers must review their advertising in light of the purpose of the regulations.

D. Before promulgating these regulations, notice of the proposed action was published pursuant to 12.2.1.9 NMAC, and a public hearing was held on July 9, 1992 in Santa Fe. All comments received during the hearings were considered in the revision of the regulations finally promulgated. Consumers had already effectively spoken to this office and expressed their concerns through their written complaints and telephone calls. Representatives of the motor vehicle industry and the advertising industry testified at the hearings. This office also solicited written comments on the regulations. The comments received reflect the views of the New Mexico automotive dealers association representing the interests of new vehicle dealers and the independent automobile dealers association representing the interests of used vehicle dealers. All comments received were considered.
[12.2.4.6 NMAC – Rp, 12.2.4.6 NMAC, 9/9/2026]

12.2.4.7 DEFINITIONS: All vehicles may be classified as one of the following:

A. "Used" shall mean

(1) a vehicle that has previously been sold to a retail buyer who has taken possession of the vehicle and the vehicle has been driven a total of at least 200 miles by one or more retail buyers; or

(2) a vehicle for which the manufacturer's certificate of origin or the manufacturer's statement of origin has been surrendered to a registration

authority, unless the certificate or statement has subsequently been returned, uncancelled, to the dealer or a substitute certificate or statement has been issued to the dealer.

B. "Demonstrator" shall mean a vehicle which is not used but which has been placed in demonstration or courtesy service regardless of the miles it has been driven.

C. "New" means a vehicle which is neither used nor a demonstrator.

D. "Rebate" means a reduction in price of a vehicle created, at least in part, by a payment of money by a third party either to the dealer or the purchaser of the vehicle.

[12.2.4.7 NMAC – Rp, 12.2.4.7 NMAC, 9/9/2026]

12.2.4.8 VEHICLE CATEGORIES:

A. It is an unfair or deceptive trade practice for a dealer to describe a vehicle as new when it is either used or a demonstrator or to describe a vehicle as a demonstrator when it is used.

B. It is an unfair or deceptive trade practice for dealers to use any phrase containing the word "new" to describe a vehicle which is not new.

C. It is an unfair or deceptive trade practice for a dealer to use any description which would lead a reasonable person to believe that:

(1) a vehicle is new if the vehicle is not new or

(2) that a vehicle is a demonstrator if the vehicle is used.

D. It is an unfair or deceptive trade practice for a dealer to represent expressly or by implication in an advertisement for a used vehicle or a demonstrator that the dealer obtained the vehicle from the manufacturer unless the advertisement clearly and conspicuously discloses the fact that the vehicle is used or a demonstrator. Examples of implied representations that a dealer obtained a vehicle from the manufacturer include but are not limited to the following:

(1) "program car";

(2) "factory program car";

(3) "factory auction car";

(4) "special purchase car";

(5) "special factory purchase".

[12.2.4.8 NMAC – Rp, 12.2.4.8 NMAC, 9/9/2026]

12.2.4.9 SPOT DELIVERIES: It is an unfair or deceptive trade practice for any dealer to advertise or otherwise represent a vehicle as new if the vehicle has been delivered to a retail buyer who signed a contract obligating the buyer to pay the purchase price of the vehicle in exchange for the vehicle and the vehicle has been driven a total of at least 200 miles by one or more retail buyers; provided, however, that this section shall not be construed to prohibit a dealer from titling a vehicle that has been spot delivered as a new vehicle or providing new vehicle financing or warranty coverage for a vehicle that was previously spot delivered, if the vehicle is otherwise eligible for a new vehicle, financing or warranty coverage.

[12.2.4.9 NMAC – Rp, 12.2.4.9 NMAC, 9/9/2026]

12.2.4.10 DISCOUNTS:

A. Manufacturers are required by federal law to label new automobiles with a suggested retail price. See 15 USC 1232. Automobiles as defined by federal law include passenger cars and station wagons. Federal law does not require similar labeling for other vehicles.

B. It is an unfair or deceptive trade practice to advertise a discount price or price savings for a new motor vehicle unless the discount or savings claim is made in reference to a reference price that is objectively verifiable using data not solely subject to the dealer's control, such as the manufacturer's suggested retail price or the invoice price, and:

(1) the claim is not deceptive;

(2) the dollar amount of the reference price meets any applicable requirement such as 12.2.4.15 NMAC; and

(3) the resulting price meets the requirements of these regulations.

C. It is an unfair or deceptive trade practice for a dealer to raise any price of a vehicle to increase or create any discount, savings or rebate for the period of a sale and then decrease the price after the sale.

D. It is an unfair or deceptive trade practice for a dealer to use a reference price as the basis for a discount price or price savings claim unless the dealer clearly and conspicuously discloses:

(1) the source of the reference price, such as manufacturer's suggested retail price or invoice price; and

(2) the amount of the reference price.

E. It is an unfair or deceptive trade practice for a dealer to use a reference price greater than the manufacturer's suggested retail price as a basis for a discount or savings claim unless the dealer clearly and conspicuously discloses that:

(1) the reference price is greater than the manufacturer's suggested retail price; and

(2) the amount by which the reference price exceeds the manufacturer's suggested retail price.

[12.2.4.10 NMAC – Rp, 12.2.4.10 NMAC, 9/9/2026]

12.2.4.11 "OVER INVOICE/UNDER INVOICE" DISCOUNT CLAIMS: It is an unfair or deceptive trade practice for a dealer to use the term "invoice" or "invoice price" in advertising unless the term is used in reference to the manufacturer's or distributor's total invoice price on a vehicle and the advertisement clearly and conspicuously includes one or both of the following disclosures:

A. "the invoice may not represent actual dealer cost"; or

B. "the factory invoice refers to the manufacturer's or distributor's total invoice price".

[12.2.4.11 NMAC – Rp, 12.2.4.11 NMAC, 9/9/2026]

12.2.4.12 BELOW MARKET FINANCE CHARGE:

A. If dealer participation in "buying down" an interest rate may affect the final price of the vehicle, it is an unfair or deceptive trade practice for a dealer to fail to clearly and conspicuously disclose that fact in any advertisement offering the interest rate.

B. It is an unfair or deceptive trade practice for a dealer to advertise below market financing rates unless the advertisement clearly and conspicuously discloses all the terms which must be met in order to qualify for that advertised rate. Examples are large down payments, hidden finance charges, unusual terms of the loan or higher selling prices.

[12.2.4.12 NMAC – Rp, 12.2.4.12 NMAC, 9/9/2026]

12.2.4.13 HIDDEN DISCLOSURES:

A. It is an unfair or deceptive trade practice for a dealer to obscure or make misleading any material fact in any advertisement or sales presentation by the use of layout, headlines, illustrations, footnotes, style, sound, length of time, lighting, color or type size of an advertisement or any portion of an advertisement.

B. It is an unfair or deceptive trade practice for a dealer to use any disclosure or disclaimer in an advertisement unless the disclosure or disclaimer is clear and conspicuous and in close proximity to the terms it modifies.

C. It is an unfair or deceptive trade practice for a dealer to use television advertisements with disclosures that are in such fine print or appear on the screen so briefly that they cannot be easily read.

D. Comment. Each advertisement shall be evaluated for its overall impression. The public should not have to weigh each word, hunt for the hidden meaning of each statement or search for inconspicuous disclaimers. Dealers shall not advertise by placing important disclosures in small print, inconspicuously buried at the bottom of the advertisement.

[12.2.4.13 NMAC – Rp, 12.2.4.13 NMAC, 9/9/2026]

12.2.4.14 "FREE GIFTS":

A. It is an unfair or deceptive trade practice for a dealer to represent that another product or service is being offered "free" or at no cost with the sale if a product or service usually is sold at a price arrived at through bargaining, rather than at a fixed price. FTC Guidelines at 16 CFR 251.1(g).

B. It is an unfair or deceptive trade practice for a dealer to use the word "free" or words of like meaning and import when describing a gift or other item to be given to a customer who purchases a product or service if the selling price of the product or service is increased as a result of the "free" item or if the product or service can be purchased for a lesser price without the "free" item.

[12.2.4.14 NMAC – Rp, 12.2.4.14 NMAC, 9/9/2026]

12.2.4.15 TRADE-INS:

A. It is an unfair or deceptive trade practice for a dealer to use a guaranteed trade-in amount or range of amounts in any advertising.

B. It is an unfair or deceptive trade practice for a dealer to use a multiple, such as "double", or other type of increased trade-in allowance in any advertising.

[12.2.4.15 NMAC – Rp, 12.2.4.15 NMAC, 9/9/2026]

12.2.4.16 REBATES:

A. It is an unfair or deceptive trade practice for a dealer to advertise rebates if the dealer raises the price of the vehicle prior to a sale in order to compensate for the allowance of the rebate.

B. It is an unfair or deceptive trade practice for a dealer to advertise the existence of a rebate or a price that takes into account a rebate unless the advertisement discloses the existence, amount and source of the rebate.

C. It is an unfair or deceptive trade practice for a dealer to advertise any rebate unless the dealer maintains sufficient documentation to demonstrate that the sale prices of vehicles sold in connection with such promotions have not been increased to compensate for the rebate and the dealer makes such documentation available for inspection and copying by the attorney general's office upon written request during normal business hours.

D. It is an unfair or deceptive trade practice for a dealer to advertise as a rebate any price reduction which is not a rebate.

[12.2.4.16 NMAC – Rp, 12.2.4.16 NMAC, 9/9/2026]

12.2.4.17 ON APPROVED CREDIT: It is an unfair or deceptive trade practice for a dealer to advertise a specified finance rate and then have a customer sign a contract with a higher finance rate, unless the advertisement discloses the information specified in 12.2.4.18 NMAC for the loan program under which the low rate is offered and:

A. the customer declines to participate in the program advertised; or

B. the customer is not financially eligible for that loan program; or

C. the transaction is not eligible for the loan program.

[12.2.4.17 NMAC – Rp, 12.2.4.17 NMAC, 9/9/2026]

12.2.4.18 CREDIT ADVERTISING:

A. The Truth in Lending Act and accompanying regulations govern credit advertising. The following are triggering terms that require certain disclosures to be made in the advertisement:

(1) the amount or percentage of any down payment

(expressed as either a percentage or dollar amount);

(2) the number of payments;

(3) the amount of any payment (expressed either as a percentage or dollar amount);

(4) the amount of any finance charge; and

(5) the period of repayment (the total time required to repay).

B. If any one of the triggering terms appear, it is an unfair or deceptive trade practice to fail to clearly and conspicuously disclose in the advertisement:

(1) the amount or percentage of the down payment;

(2) the terms of repayment; and

(3) the annual percentage rate. If the annual percentage rate may be increased after consummation of the credit transaction, such as an adjustable rate loan, that fact must be disclosed.

C. If an advertisement mentions the amount of any payment, expressed as a dollar amount, that payment must be based on a sales price no less than the price required to be used under 12.2.4.21 NMAC.

[12.2.4.18 NMAC – Rp, 12.2.4.18 NMAC, 9/9/2026]

12.2.4.19 LEASE ADVERTISING:

A. The Truth in Lending Act and accompanying regulations regulate consumer leases because they represent an alternative to buying on credit. Also, unless certain information is provided, a consumer might easily confuse leasing with purchasing on credit.

B. If an advertisement promoting a "consumer lease" contains any of the following triggering terms, then five specific disclosures must also be included in the advertisement and it is an unfair or deceptive trade practice to fail to make all five disclosures. The triggering terms are:

(1) the amount of any payment;

(2) the number of required payments; and

(3) a statement that any or no down payment or other payment, is required at the beginning of the lease.

C. If any triggering term is used in a consumer lease advertisement, then it is an unfair or deceptive trade practice to fail to clearly and conspicuously make all five of the following disclosures in that advertisement:

(1) a statement that the transaction advertised is a lease;

(2) the total amount of any payment (such as security deposit or capitalized cost reduction) required at the beginning of the lease, or a statement that no such payment is required;

(3) the number, amounts, due dates or periods of scheduled payments, and the total number of such payments under the lease;

(4) a statement of whether the customer has the option to purchase the leased property and at what time and price (the method of determining the price may be substituted for disclosure of the price); and

(5) a statement of the amount or method of determining the amount or any liabilities the lease imposes upon the customer at the end of the term, and, if the customer has such liability, a statement that the customer shall be liable for any difference between the estimated value of the leased property and its realized value at the end of the lease term.

[12.2.4.19 NMAC – Rp, 12.2.4.19 NMAC, 9/9/2026]

12.2.4.20 ADVERTISED PRICES AVAILABLE TO ALL:

A. It is an unfair or deceptive trade practice for a dealer to sell a vehicle to a customer for more than the advertised price of the vehicle.

B. It is an unfair or deceptive trade practice for a dealer to sell a vehicle at a price above the advertised price of the vehicle regardless of whether the advertised price has been actually communicated to the purchaser prior to the sale; provided that this provision does not prevent dealers from requiring customers to present a coupon or copy of the advertisement to obtain the advertised price if the advertisement clearly and conspicuously discloses that a coupon or copy of the advertisement must be presented.

[12.2.4.20 NMAC – Rp, 12.2.4.20 NMAC, 9/9/2026]

12.2.4.21 DEALER PRICE ADVERTISING:

A. It is an unfair or deceptive trade practice for a dealer to advertise the price of a new motor vehicle unless the advertised price is the full cash price for which the dealer will sell the vehicle. The only charges that may be excluded from the advertised price are:

(1) federal and state taxes;

(2) license fees;

(3) vehicle registration; and

(4) dealer transfer service fees, if the advertisement clearly and conspicuously discloses, in close proximity to the advertised price, the amount of any such fee and that the fee is a dealer imposed fee; provided, however, that it is an unfair or deceptive trade practice for a dealer to fail to disclose in writing to a buyer purchasing a vehicle on which no security interest is retained that the buyer may register the vehicle on his own without paying a dealer transfer service fee.

B. It is an unfair or deceptive trade practice for a dealer to use any qualification when advertising the price of a vehicle such as "with trade", "with acceptable trade", "with dealer-arranged financing" or "with down payment."

C. If a price advertisement for a vehicle discloses a rebate, cash back, discount savings claim or other incentive, it is an unfair or deceptive trade practice for a dealer

to fail to disclose in the advertisement the full cash price of the vehicle as well as the price of the vehicle after deducting the incentive.

D. It is an unfair or deceptive trade practice for a dealer to fail to include the price of standard or optional equipment with which all cars sold by the dealer are minimally equipped in the advertised price of the vehicle; provided, however, that the cost of additional options or services requested by the purchaser may be added at the time of sale to the purchase price.

E. It is an unfair or deceptive trade practice for a dealer to use an illustration of a motor vehicle in an advertisement unless the illustration is that of the motor vehicle advertised. If an illustration of the advertised vehicle is not available, then the dealer must clearly and conspicuously disclose that the illustration is not the vehicle being advertised.

[12.2.4.21 NMAC – Rp, 12.2.4.21 NMAC, 9/9/2026]

12.2.4.22 ADVERTISED VEHICLE AVAILABILITY:

A. When a dealer advertises a specific type of vehicle for sale that is not readily available, it is an unfair or deceptive trade practice to fail to disclose the vehicle's lack of availability.

B. It is an unfair or deceptive trade practice for a dealer to advise prospective customers that an advertised vehicle is available when the vehicle is not available for sale, or that an advertised vehicle is not available for sale when the vehicle is available for sale.

C. It is an unfair or deceptive trade practice for a dealer to advertise a particular vehicle or type of vehicle for sale at a special price, unless the advertisement discloses the number or stock numbers of the vehicles in stock for sale at that price.

[12.2.4.22 NMAC – Rp, 12.2.4.22 NMAC, 9/9/2026]

12.2.4.23 NO DOWN PAYMENT: It is an unfair or deceptive trade practice for a dealer to advertise that no down payment is required in connection with the purchase of a vehicle when a down payment or trade-in is in fact required. If only a trade-in is required a dealer may advertise that fact.

[12.2.4.23 NMAC – Rp, 12.2.4.23 NMAC, 9/9/2026]

12.2.4.24 CONTRACT ADDITIONS WITHOUT CUSTOMER'S KNOWLEDGE:

A. It is an unfair or deceptive trade practice for a dealer to negotiate the terms of a sale and then add the cost of such items as extended warranty, credit life, dealer preparation, undercoating, etc., to the contract without the customer's knowledge and consent.

B. It is an unfair or deceptive trade practice for a dealer to use "documentary fee" or other similar term for any charges other than those actually required by law for processing of documents.

C. It is an unfair or deceptive trade practice for a dealer to negotiate the terms of a sale and then add the cost of "comptroller inventory adjustment", "floor plan, handling, overhead and advertising", or any other charges, however denominated, that represent additional dealer profit, are part of the overhead expenses of running a dealership, are necessary incidents of the sale of a vehicle, do not represent payment for a bona fide product or service or are fictitious.

[12.2.4.24 NMAC – Rp, 12.2.4.24 NMAC, 9/9/2026]

12.2.4.25 EXTENDED WARRANTIES: It is an unfair or deceptive trade practice for a dealer to misrepresent or fail to accurately disclose the terms or conditions of an extended service contract.

[12.2.4.25 NMAC – Rp, 12.2.4.25 NMAC, 9/9/2026]

12.2.4.26 USE OF INITIALS OR ABBREVIATIONS: It is an unfair or deceptive trade practice for a dealer to use initials or abbreviations in an advertisement of a motor vehicle, including the window sticker and supplementary sticker, unless all such initials or abbreviations are clearly defined in the advertisement or window sticker; provided, however, that abbreviations may be used for such options and features as air conditioning, power steering and power brakes in classified and similar advertisements if such abbreviations are commonly understood by consumers.

[12.2.4.26 NMAC – Rp, 12.2.4.26 NMAC, 9/9/2026]

12.2.4.27 SUPPLEMENTAL STICKER PRICES:

A. When a dealer is selling a vehicle for which a federal Monroney window sticker is required pursuant to 15 USC 1232, it is an unfair or deceptive trade practice to charge or attempt to charge a customer more than the manufacturer's suggested retail price unless the dealer's asking price or supplemental price is clearly and conspicuously disclosed on a supplemental sticker adjacent to the Monroney sticker. Nothing in this section shall be construed as to prohibit a dealer from making a profit on the sale of a vehicle or any associated accessories, products or services.

B. It is an unfair or deceptive trade practice for a dealer to misrepresent the reasons for additional charges listed on a supplemental sticker.

C. It is an unfair or deceptive trade practice for a dealer to list on a supplemental sticker a charge which:

(1) the dealer did not incur;

(2) is otherwise accounted for on the Monroney sticker; or

(3) is otherwise reimbursed.

D. It is an unfair or deceptive trade practice for a dealer to represent, by a sticker or other means, that options have been added to a vehicle before they have been added.

[12.2.4.27 NMAC – Rp, 12.2.4.27 NMAC, 9/9/2026]

12.2.4.28 LEMON VEHICLES: It is an unfair or deceptive trade practice for a dealer or manufacturer to sell a vehicle knowing that it has been returned to a dealer or manufacturer under the terms of the Motor Vehicle Quality Assurance Act, Section 57-16A-1 NMSA 1978 et seq., or any similar law of any other state unless prior to sale the dealer clearly and conspicuously discloses in writing to any prospective purchaser that the vehicle was returned to the manufacturer due to one or more defects under the New Mexico Lemon Law or the Lemon Law of another state and the nature of the defects if known.
[12.2.4.28 NMAC – Rp, 12.2.4.28 NMAC, 9/9/2026]

12.2.4.29 SELF-REGULATION PROGRAMS:

A. The attorney general may refer any complaint alleging a violation of these regulations by a dealer participating in an approved self-regulation program to the program. Not more than 45 days of receiving a complaint by referral from the attorney general, the program shall provide the attorney general with a written report describing the substance of the complaint and the program's disposition of the complaint.

B. At a minimum, an approved self-regulation program shall include:

(1) substantive standards determined by the attorney general to be identical to or more stringent than the standards set forth in these regulations; and

(2) an enforcement procedure that the attorney general determines to be fair and impartial, responsive to complaints and likely to enforce compliance with the program's substantive standards.

C. Not less than every 12 months, or more frequently if requested by the attorney general, the program shall submit a written report to the attorney general containing the following information:

(1) copies of all complaints received by the program;

(2) the number of complaints against each dealer;

(3) the disposition of each complaint;

(4) the number of complaints received by type of complaint; and

(5) any other information or documents the attorney general may request.

D. All records of the program shall be available for inspection and copying by the attorney general upon request during normal business hours.

E. All proceedings of the program concerning consumer complaints shall be open to the public.

F. All consumer complaints, complaint resolutions regardless of the source of the complaint and decisions of the program shall be available for inspection and copying by the public upon reasonable notice during normal business hours.

G. The attorney general may withdraw approval of a program at any time upon a finding by the attorney general that the program has failed to comply with the requirements of these regulations or that the program, while complying, has failed to effectively and meaningfully regulate the practices of the dealers participating in the program.
[12.2.4.29 NMAC – Rp, 12.2.4.29 NMAC, 9/9/2026]

12.2.4.30 SEVERABILITY: If any part of these regulations is held invalid, the remainder and the application thereof shall not be affected.
[12.2.4.30 NMAC – Rp, 12.2.4.30 NMAC, 9/9/2026]

HISTORY OF 12.2.4 NMAC:
Pre-NMAC Regulatory Filing History. The material in this part is derived from that previously filed with the State Records Center and Archives under:
AG 93-1, Regulations for the Advertising and Sale of Motor Vehicles Issued Pursuant to the Unfair Practices Act and the False Advertising Act, filed 6/2/1993.

History of Repealed Material:
12.2.4 NMAC, Requirements for the Advertising and Sale of Motor Vehicles, filed and recompiled on 10/15/2001, is repealed and replaced with 12.2.4 NMAC, Requirements for the Advertising and Sale of Motor Vehicles, effective9/9/2026.

EARLY CHILDHOOOD EDUCATION AND CARE DEPARTMENT

The Early Childhood Education and Care Department is approving a repeal of rule 8.9.3 NMAC – CHILD CARE ASSISTANCE; REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS, filed 11/1/2022, and replacing it with 8.9.3 CHILD CARE ASSISTANCE; REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS, effective 9/9/2026.

EARLY CHILDHOOOD EDUCATION AND CARE DEPARTMENT

TITLE 8 SOCIAL SERVICES
CHAPTER 9 EARLY CHILDHOOD EDUCATION AND CARE
PART 3 CHILD CARE ASSISTANCE; REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS

8.9.3.1 ISSUING AGENCY: Early Childhood Education and Care Department ("ECECD").
[8.9.3.1 NMAC - Rp, 8.9.3.1 NMAC, 9/9/2026]

8.9.3.2 SCOPE: This policy applies to all clients seeking child care assistance benefits, all child care providers who provide services

to clients qualifying for assistance benefits, and employees of the department who determine eligibility for child care assistance benefits. (See 8.9.3.8 NMAC for detailed list.)
[8.9.3.2 NMAC - Rp, 8.9.3.2 NMAC, 9/9/2026]

8.9.3.3 STATUTORY AUTHORITY: The Child Care Assistance Program Act and Subsection A of Section 32A-32-3 NMSA 1978; the Early Childhood Education and Care Department Act and Subsection E of Section 9-29-6 NMSA 1978; the Public Health Act, Sections 24-1-1 to 24-1-22 NMSA 1978, Subsection D of Section 24-1-2 NMSA 1978, Subsection I of Section 24-1-3 NMSA 1978 and Section 24-1-5 NMSA 1978; and Section 7-9-77.2 NMSA 1978.
[8.9.3.3 NMAC - Rp, 8.9.3.3 NMAC, 9/9/2026]

8.9.3.4 DURATION: Permanent
[8.9.3.4 NMAC - Rp, 8.9.3.4 NMAC, 9/9/2026]

8.9.3.5 EFFECTIVE DATE: September 9, 2026, unless a later date is cited at the end of section.
[8.9.3.5 NMAC - Rp, 8.9.3.5 NMAC, 9/9/2026]

8.9.3.6 OBJECTIVE: To administer the Child Care Assistance Program by providing child care assistance to eligible families; establishing standards, procedures, and eligibility requirements for program participation and service delivery; defining the rights and responsibilities of participating providers; promoting parental choice among a full range of child care services; and ensuring access to safe, high-quality child care settings that support children's physical, cognitive, emotional, and social development. The Program shall promote equal access to services and prohibit discrimination, maintain program integrity and accountability, and comply with applicable state and federal laws, including the Child Care Assistance Program Act, the Child Care and Development Block Grant Act, and the Human Rights Act, to support families in achieving economic stability through work, education, and training while promoting children's learning and development.
[8.9.3.6 NMAC - Rp, 8.9.3.6 NMAC, 9/9/2026]

8.9.3.7 DEFINITIONS:

A. Terms beginning with the letter "A":

(1) "**Accredited educational institution**" means a post-secondary educational institution that is accredited by the higher learning commission, authorized by the higher education department, or has the status of public recognition that an accrediting agency recognized by the United States department of education pursuant to Title 4 of the federal Higher Education Act of 1965 grants to an institution or educational program that meets the higher education department's established requirements

(2) "Attending a job training or educational program" means actively participating in an in-person or online job training or educational program.

(3) "At-risk child" means a child who may be vulnerable to or experiencing negative outcomes due to factors such as poverty, domestic violence, substance abuse, mental health issues, family involvement in the justice system, housing instability or homelessness; who has or is at risk of having a developmental delay or a disability; or whom the children, youth and families department identifies as experiencing or at risk for abuse or neglect.

B. Terms beginning with the letter "B": [RESERVED]

C. Terms beginning with the letter "C":

(1) "CACFP" means the child and adult care food program, administered by the early childhood education and care department.

(2) "Child care assistance" means funding administered by the department to a child care facility to provide child care for eligible children through the child care assistance program.

(3) "Child care facility" means a public or private entity, facility or premises that is licensed or registered and regulated by the department at which children receive child care services, including care, education and supervision, for fewer than 24 hours per day.

(4) "Child with special needs" means a child with an identified disability, a physical or mental impairment that substantially limits one or more major life activities, or a health or mental health conditions requiring early intervention, special education services, an individualized education plan (IEP), an individualized family service plan (IFSP), or other specialized services and supports; or children without identified conditions, but who need specialized services, supports, or monitoring. A child with special needs is considered an "at-risk child."

(5) "Client" means the parent or legal guardian of the child that the department has determined is eligible for child care assistance benefits.

(6) "Closure" means the client's child care case is closed with the department.

(7) "Consensus revenue estimating group" means the professional economists or revenue analysts from the department of finance and administration, the taxation and revenue department, the department of transportation and the legislative finance committee.

(8) "Copayment" means the portion of the approved and agreed upon monthly child care cost for clients receiving child care assistance that the client pays to the child care provider. The department's payment to the provider is reduced by the copayment amount.

D. Terms beginning with the letter "D":

(1) "Demonstration of incapacity" means written documentation that an

individual is incapacitated and should otherwise be excluded, in whole or in part, from the determination of eligibility.

(2) **"Department"** means the Early Childhood Education and Care Department ("ECECD").

(3) **"Developmental delay"** means a discrepancy between chronological age, after correction for prematurity, and developmental age in one or more of the following areas of development: cognition; communication; physical and motor development, including vision and hearing; social and emotional development; and adaptive development.

(4) **"Disability"** means a severe chronic disability of a person that is attributable to a mental or physical impairment.

E. Terms beginning with the letter "E":

(1) "Early intervention" means services provided through the family, infant, toddler program of the department that are designed to meet the developmental needs of children from birth to age three who have or who are at risk of having a developmental delay, special needs, or disability.

(2) "Early intervention provider" means a person who provides early intervention.

(3) "Early pre-kindergarten program" means an early pre-kindergarten program as defined in the Pre-Kindergarten Act.

(4) "Earned income" means income received as gross wages from employment or as profit from self-employment.

F. Terms beginning with the letter "F":

(1) "Family, friend, or neighbor (FFN)" means care provided temporarily in a home and only in the case of a public health emergency.

(2) "Federal poverty level" means a measure of income issued every year by the U.S. department of health and human services (HHS) that is used to determine eligibility for various programs and benefits, including New Mexico's child care assistance program.

(3) **"Fluctuation of earnings"** means a family with inconsistent or variable income throughout the year. To calculate fluctuation of earning, the department may:

(a) average family earnings over a period of time (e.g., 12 months), or

(b) choose to discount temporary increases in income, provided that a family demonstrates an isolated increase in pay (e.g., short-term overtime pay, temporary increase to pay, etc.) and is not indicative of a permanent increase in income.

(4) "FOCUS" is a voluntary tiered quality rating and improvement system developed by the department to rate the level of quality of a licensed child care facility.

G. Terms beginning with the letter "G": [RESERVED]

H. Terms beginning with the letter "H":

(1) **"Homeless"** means individuals who are experiencing the lack of a fixed, regular, and adequate nighttime residence, which includes:

(a) Children and youth who are temporarily sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks (excludes mobile homes), or camping ground due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(b) children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(c) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(d) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in Subparagraphs (a) through (c) of this Paragraph.

(2) **"Household"** means the household as defined below in Paragraph (1) of Subsection C of 8.9.3.10 NMAC.

(3) **"Household income"** means household income as defined below in Paragraph (3) of Subsection C of 8.9.3.10 NMAC.

I. Terms beginning with the letter "I":

(1) **"Incapacitation"** means a person is unable to meet an eligibility requirement due to an inability to care for a child because of a disability, a physical or mental impairment that substantially limits one or more major life activities, health-related illness, rehabilitation treatment or other reason as determined by the department.

(2) **"Incidental money"** means earnings of a minor child for occasional work performed such as baby-sitting, cutting lawns, and other similar activities.

(3) "Infant, toddler, preschool, school age" means the age categories used for assigning child care provider reimbursement rates, defined as follows:

(a) infant: zero - 23 months;

(b) toddler: 24 -35 months;

(c) preschool: three years old to five years old, provided that the child turns five years old after 12:01 a.m. on September 1 of the school year; and,

(d) school age: anyone who is at least five years old by 12:01 a.m. on September 1 of the school year.

(4) "In-home provider" means child care provided in the child's own home.

J. Terms beginning with the letter "J": "Job training and educational program" means participation in a short- or long-term educational program, state-approved job training program, registered apprenticeship program, or pre-apprenticeship program, including online programs that provide specific job skills enabling the participant to enter the workforce. The term includes, but is not limited to, the acquisition of a general equivalency diploma (GED), English as a second language, literacy training, vocational education training, secondary education including adult basic education and accredited high school programs, and post-secondary institutions. Educational programs include graduate and post graduate programs or classes.

K. Terms beginning with the letter "K": [RESERVED]

L. Terms beginning with the letter "L":

(1) "Legal guardian" includes both a temporary and permanent legal guardian or custodian.

(2) "Licensed center" means a nonresidential facility that meets the applicable state and local building and safety codes and provides care and services to and supervision of children for less than 24 hours of any day.

(3) "Licensed family child care home" means a private dwelling in which the licensee resides and is the primary educator who provides care and services to and supervision of children as part of the child care home program for a period of less than 24 hours of any day for no more than six children.

(4) "Licensed group child care home" means a home in which the licensee resides and is the primary educator who provides care and services to and supervision of children as part of the child care home program for at least seven but no more than 12 children.

M. Terms beginning with the letter "M": [RESERVED]

N. Terms beginning with the letter "N":

(1) "National provider accreditation" means a child care provider's achievement and maintenance of accreditation status by a national accrediting body that has been approved by ECECD using its program criteria and standards for the purposes of determining quality ratings.

(2) "Non-temporary change in activity" means the family has experienced a change in activity that does not meet the definition of a "temporary change in activity" as defined in Paragraph (3) of Subsection T of 8.9.3.7 NMAC.

(3) "Non-traditional hours of care" means care provided between the afterhours of 7:00 p.m. and 7:00 a.m. Monday through Friday or care provided during weekend hours between 12:00 a.m. Saturday morning and 12:00 a.m. Monday morning.

O. Terms beginning with the letter "O":

(1) "Open case" means a case that has not been closed as a result of a failure to recertify, or that has not been closed due to becoming otherwise ineligible for child care assistance benefits.

(2) "Out-of-school time care" means care at a school-age program at a specific site, usually a school or community center, offering on a consistent basis a variety of developmentally appropriate activities that are both educational and recreational.

(3) "Overpayment" means a payment of child care assistance benefits received by a client or provider for which they are ineligible based on incomplete or inaccurate information provided by either the client or the provider, or agency error.

P. Terms beginning with the letter "P":

(1) "Provider types" means the characteristics of child care providers, which determine their approved reimbursement rate, capacity, staffing levels etc., and includes in-home, registered child care home, licensed family child care home, licensed group child care home, licensed center, out-of-school time care, and, in the case of a public health emergency, family, friend, or neighbor care.

(2) "PreK" or "pre-kindergarten program" means a statewide, voluntary developmental readiness program funded by ECECD for children who have attained their third or fourth birthday prior to September 1 that delivers to eligible children programs that address their total developmental needs, including their physical, cognitive, social and emotional needs, and that supports their development in the areas of health care, nutrition and safety and multicultural awareness.

(3) "Presumptive Eligibility" means temporary eligibility provided based on an applicant's preliminary information before all necessary verification is completed, in order to expedite access to services.

Q. Terms beginning with the letter "Q": [RESERVED]

R. Terms beginning with the letter "R":

(1) "Recertification" means the process by which a client's eligibility to continue to receive child care assistance benefits is determined.

(2) "Registered child care home" means an independent primary caregiver who has registered the independent primary caregiver's home or residence with the department to provide care and services to and supervision of children as part of the child care home program for a period of less than 24 hours of any day for no more than four children.

(3) "Registration/educational fee" means a fee, payment, or donation in any form that is accepted, charged, or required by a provider beyond the rate paid by the department under the child care assistance program.

(4) "Resident" means a person who is domiciled in New Mexico, including a person who is homeless or who is temporarily residing in a domestic

violence or homeless shelter; provided that for the purposes of the Child Care Assistance Program Act, a person may have only one domicile; and provided further that for a federally eligible applicant, the applicant's residency determination shall be aligned with applicable federal regulation**s.**

S. Terms beginning with the letter "S":

(1) "Sanctions" means a measure imposed by the department for a violation or violations of applicable regulations.

(2) "SNAP" means the supplemental nutrition assistance program administered by the U.S. department of agriculture, which helps low-income families purchase healthy food. SNAP was previously referred to as food stamps employment and training program.

(3) "Special supervision" means the special supervision for child(ren) as defined below in Subsection G of 8.9.3.10 NMAC.

(4) "Star level" means a license indicating the level of quality of an early childhood program. A greater number of stars indicates a higher level of quality.

(5) "Suspension" means the voluntary cessation of child care assistance at the client's request, during which the client remains eligible.

T. Terms beginning with the letter "T":

(1) "TANF" means the temporary assistance to needy families program administered by the U.S. department of health and human services. TANF is the successor to the aid to families with dependent children (AFDC) program and provides cash assistance to qualified low-income families with dependent children.

(2) "Temporary change of activity" means one of the following events:

(a) limited absence from work for employed parents or legal guardians for periods of family leave (including parental leave) or sick leave;

(b) interruption in work for a seasonal worker who is not working between regular industry work seasons;

(c) student holiday or break for a parent or legal guardian participating in training or education;

(d) reduction in work, training or education hours, as long as the parent or legal guardian is still working or attending training or education; and

(e) cessation of work or attendance at a training or education program for less than three months.

(3) "Termination" means the client's child care case will be closed due to cause.

(4) "Tribal per capita payments" means cash distributions from tribal trust funds or casino revenues to individual tribal members.

U. Terms beginning with the letter "U":

(1) "Underpayment" means a payment made by the department for services provided which did not fully reimburse the client or provider.

(2) "Unearned income" means income in the form of benefits such as benefits received pursuant to state and federal programs, child support, pensions, gifts, loans, grants, and other income that is not income received as gross wages from employment or as profit from self-employment.

V. Terms beginning with the letter "V": [RESERVED]

W. Terms beginning with the letter "W":

(1) "Working" means employment of any type, including self-employment and teleworking. For TANF recipients, this includes work experience or community service or any other activity that meets the TANF work activity requirements.

X. Terms beginning with the letter "X": [RESERVED]

Y. Terms beginning with the letter "Y": [RESERVED]

Z. Terms beginning with the letter "Z": [**RESERVED**]

[8.9.3.7 NMAC - Rp, 8.9.3.7 NMAC, 9/9/2026]

8.9.3.8 TYPES OF CHILD CARE: These policies apply to child care assistance benefits provided to eligible children for the following types of child care to ensure that parents or legal guardians have a variety of child care services from which to choose:

A. licensed child care programs administered by public schools and post-secondary institutions that provide on-site care for the children of students;

B. licensed child care programs administered by tribal entities;

C. licensed child care programs administered by church or religious organizations;

D. in-home care;

E. licensed child care centers;

F. registered family childcare homes;

G. licensed family and group childcare homes;

H. licensed out of school time programs;

I. licensed programs operated by employers for their employees; and

J. FFN.

[8.9.3.8 NMAC - Rp, 8.9.3.8 NMAC, 9/9/2026]

8.9.3.9 APPLICATION PROCESS:

A. Clients apply for child care assistance benefits by presenting the following documents to the department to establish eligibility:

(1) a completed and signed application form;

(2) documentation of current countable

earned and unearned income as listed below and defined in Paragraph (5) of Subsection C of 8.9.3.10 NMAC;

(3) documentation of the applicant's TANF eligibility or participation, if applicable, and can include applicant's social security number or assigned TANF identification number;

(4) school schedule or verification of educational activity, if applicable;

(5) verification of enrollment in a state-approved job training program, registered apprenticeship program, or pre-apprenticeship program, if applicable;

(6) demonstration of incapacity for parent or legal guardian, if applicable;

(7) verification of birth for all applicant's household children;

(8) documentation of qualifying immigration status, as defined by the United States department of health and human services, administration for children and families, office of child care, for all children requesting child care assistance;

(9) verification of guardianship of children, if applicable;

(10) verification of dependency of a child or adult household member, if applicable;

(11) documentation of New Mexico residency;

(12) verification of foster parent status, if applicable;

(13) documentation of participation in services pursuant to the Comprehensive Addiction and Recovery Act of 2016 (CARA), provided by the children, youth and families department (CYFD), if applicable;

(14) identification for parent/guardian; and

(15) department-approved provider.

B. The following are acceptable documents to use to verify eligibility. Other documents may be considered and reviewed by a supervisor for eligibility. The department may be able to obtain certain data from federal agencies, New Mexico state agencies, or other trusted data sources in lieu of the client providing verification of birth, New Mexico residency, citizenship/immigration verification, and proof of income.

Verification Type	**Acceptable documentation or information (examples)**
Verification of Birth	-Birth certificate -Hospital or public health records -Certificate of Indian blood -Birth center records
Countable Earned Income	-Paystubs -Employer statement/verification of work form (for new employment) -Client statement, if earning wages from various odd jobs/day labor -Employer contract/work agreement -Payroll/gross wage history For self-employed individuals: -Federal income tax return -Profit and loss (must be verified by a bookkeeper or accountant) -Common reporting standard (CRS) statements from the taxation and revenue department
Countable Unearned Income	-Benefit award letter (i.e. – social security, veteran administration (VA)) -Letter or document from agency making payment -Court records or other legal documents -Statement from tribal agency -Bank or other financial statement -Divorce or separation decree -Trust documents -Workers' compensation documents -Rental income information

Qualifying Activity	-Proof of TANF participation (example: work participation agreement (WPA)) -School schedule -Statement from educational institution -Work schedule -Paystubs -Employer statement -Client statement -Contract/work agreement -Proof of new business registration with state
Documentation of Incapacity	-Statement or letter from medical professional on letterhead, or stationary -Statement, record, or letter from a federal government agency that issues or provides disability benefits -Statement, records, or letters from a state vocational rehabilitation agency counselor -Records or letters from a treatment facility or counselor -Certification from a private vocational rehabilitation or other counselor that issues or provides disability benefits
Guardianship	-Court order or other legal records -Notarized statement -Guardianship documentation -Durable power of attorney -Statement signed under penalty of perjury -Attorney records
Dependency	-Court order -Federal tax documents verifying person is claimed as a dependent -Written statement with supervisor's approval
New Mexico Residency	-Lease or rental agreement -Utility bill -Mortgage receipt -Written statement from person the client is residing with -Current New Mexico driver's license -Statement from landlord -Other records that provide a name and address
Identification for Parent/Guardian	-Current or expired government-issued photo identification or passport -School photo identification -Government-issued immigration document with photo -Employer identification with photo

Citizenship/Immigration Verification	-United States birth certificate -Military identification -Passport -Naturalization certificate -Permanent resident card -Numident (from social security office) -Refugee or asylee letter from the United States secretary of state or from homeland security -Any document from the immigration and naturalization services (INS), department of homeland security (DHS), or other authoritative document showing a child's immigration status that qualifies the child for assistance
Foster Parent Verification	-Official record or license from the children, youth and families department (CYFD), court order, or similar legal documents evidencing a foster parent relationship.

C. Applicants may submit their initial application by fax, email, electronic transmission, by mail, or in-person at an ECECD office. Applicants shall have 14 calendar days after initial submission of an application to submit all other required forms. The department may give applicants longer than 14 calendar days, but no more than 30 calendar days, to submit required documentation.

D. The department may determine an applicant to be presumptively eligible for services based on self-attested income and qualifying activity. The department will presumptively determine an applicant to be eligible once the applicant meets New Mexico residency requirements, birth verification, and citizenship/qualified immigrant requirements as set forth herein. Applicants must submit all other required forms or documents within 60 calendar days to become eligible for the 12-month eligibility period. The department may grant an additional 30 days to submit required documentation if the applicant shows that extenuating circumstances merit an extension.

(1) In order to receive presumptive eligibility, an applicant must submit the documentation and self-attest as listed below:

Requirement	**Presumptive Self Attested or Required Document**
Verification of Birth	Required Documentation
Income Documentation	Self-Attested
Qualifying Activity	Self-Attested
NM Residency	Required documentation
Guardianship, as applicable	Required documentation
Citizenship/Immigration Verification	Required documentation
Identification	Required documentation
ECECD Approved Provider	Self-Attested
Assets over a million dollars	Self-Attested

(2) Applicants are not eligible for presumptive eligibility if they:

(a) received child care assistance in the previous month;

(b) obtained presumptive eligibility in their previous eligibility determination; or

(c) were denied for presumptive eligibility in their previous eligibility determination.

(3) Payments will be made according to the ECECD regulatory payment process during the presumptive eligibility period. Payments made during the presumptive eligibility period are not subject to recoupment based on eligibility. If a child is deemed to be ineligible during the presumptive eligibility period, the department will provide timely notice to the provider.

E. Assistance is provided effective the first day of the month of application if all of the following apply:

(1) the applicant is utilizing child care services and the child or children are attending child care;

(2) the applicant is determined to be eligible, including presumptively eligible. In the case of a public health emergency, the department secretary may waive the requirement for employment, attending school or a training program; and

(3) the provider is eligible to be paid.

[8.9.3.9 NMAC - Rp, 8.9.3.9 NMAC, 9/9/2026]

8.9.3.10 ELIGIBILITY REQUIREMENTS: Applicants are eligible for child care assistance benefits upon meeting the requirements for eligibility as determined by the department and federal regulation.

A. Child care staff shall initiate communication at the initial determination of their eligibility period to provide outreach and consumer education with a case management approach and coordination of services to support families.

B. Eligibility period: Based upon an applicant meeting all eligibility requirements, a certification period of not less than 12 months shall be granted, except as otherwise provided in 8.9.3 NMAC.

(1) Eligibility may be granted for less than 12 months at the parent or legal guardian's request. The parent or legal guardian shall, however, remain eligible for the approved eligibility period.

(2) An applicant may be determined presumptively eligible for up to 90 days pursuant to Subsection D of 8.9.3.9 NMAC. Once the applicant has supplied all required documentation, the remainder of the eligibility will be determined by the department.

(3) Eligibility may be granted for up to 90 days for applicants seeking employment. The eligibility may be closed if the applicant fails to obtain a qualifying activity within 90 days.

(4) The applicant shall remain eligible if a temporary change of activity occurs. A child may continue to use services during this temporary change period.

(5) If an applicant experiences a non-temporary change in activity, the child care placement agreement may close; however, the applicant shall remain eligible for the approved eligibility period.

(6) If an additional eligible child in need of care is added to the household, the household eligibility will extend for an additional eligibility period from the month the application for the new child is submitted to the department, in accordance with 8.9.3.9 NMAC.

C. Income eligibility determination:

(1) The household: The household includes biological parents, stepparents, legal guardians of the child(ren) for whom child care assistance is sought, and any legal dependents of the aforementioned, living in the household, thereby constituting an economic unit. Grandparents who are not legal guardians living in the household are counted as members of the household, but their earned and unearned income is excluded from the eligibility calculations. Periods of absences: A household member may be temporarily absent from the home and shall be considered as living in the home and be counted in the household composition as long as the absent household member plans to return to the home. Any parent or legal guardian who remains in the home must be engaged in a qualifying activity or have a qualifying status pursuant to Subsection H of 8.9.3.10 NMAC. Temporary absences include, but are not limited to, attending school, working, training, medical or other health-related treatment, or military service.

(2) Legal guardians who are not the parents of any children for whom child care assistance is sought, are required to qualify for child care assistance in accordance with Paragraph (3) of this subsection below, and, upon qualification, have the required copayment waived.

(3) Household income: The household's gross monthly or annual average countable earned and unearned income, taking into account any fluctuation(s) of earnings, shall be calculated in favor of eligibility in accordance with paragraphs (5) through (8) of Subsection C of 8.9.3.10 NMAC. Household income does not include any earned and unearned income received by grandparents who are not legal guardians, and any legal dependents of the biological parents, stepparents, or legal guardians of any children for whom child care assistance is sought, living in the household.

(4) Family assets: Family assets exceeding one million dollars must be reported.

(5) Countable earned and unearned income: The following sources of income are counted when computing a family's eligibility for assistance and for determining the copayment (if applicable): income from employment by working for others or from self-employment; alimony payments; veterans administration (VA) payments except VA payments that are specifically exempted in Paragraph (6) of Subsection C of 8.9.3.10 NMAC; workman's compensation; railroad retirement benefits; pensions; royalties; income from rental property; social security benefits except social security payments that are specifically exempted in Paragraph (6) of Subsection C of 8.9.3.10 NMAC; overtime shall be counted at ECECD's discretion if ECECD determines that the applicant is paid overtime on a regular basis.

(6) Exempt income: The types of income not counted when computing eligibility or copayments include: earnings of household dependents; earnings of household grandparents who are not the legal guardians of the child(ren) for whom child care assistance is sought; SNAP; TANF benefits, including diversion payments; supplemental security income (SSI); social security disability insurance (SSDI); social security benefits received by household children; any VA payments made on behalf of the child(ren); VA benefits for educational purposes or for disability; unemployment benefits; work-study income; child support payments; military food and housing allowances; an increase in military salary or allowances due to "temporary national emergency status beginning September 11, 2001"; third-party

payments; energy assistance benefits; foster care payments; adoption subsidies; loans; child or adult nutrition programs; income tax refunds; payments for educational purposes including graduate and other educational stipends; compensation under the Domestic Volunteer Services Act and the volunteers in service to America (VISTA) program or AmeriCorps; Work Investment Act (WIA) payments made to dependent children; relocation payments; department of vocational rehabilitation (DVR) training payments; in-kind gifts; cash gifts; employer reimbursements; overtime, unless ECECD determines that the applicant is paid overtime on a regular basis; payments from special funds such as the agent orange settlement fund or radiation exposure compensation settlement fund; lump sum payments such as those resulting from insurance settlements and court judgments; Tribal per capita payments; or other resources such as savings, individual retirement accounts (IRAs), vehicles, certificates of deposits (CDs) or checking accounts. In the case of an emergency, or under extenuating circumstances, the department secretary may disregard certain temporary income, such as federal stimulus payments or hazard pay.

(7) Verification of household countable earned and unearned income: Applicants applying for child care assistance are required to verify household countable earned and unearned income by providing current documentation of income for biological parents, stepparents, and legal guardians of any children for whom child care assistance is sought, who are living in the household and receiving such income. A self-employed individual who does not show a profit that is equal to federal minimum wage multiplied by the amount of hours needed per week within 24 months from the start date of receiving child care assistance shall be evaluated by the child care assistance supervisor, at which point services may be reduced or discontinued.

(8) Calculating income:

(a) Current income provided to determine eligibility shall be used as an indicator of the income that is and shall be available to the household during the certification period. Fluctuation(s) of earnings may be taken into account as specified in Paragraph (3) of Subsection C of 8.9.3.10 NMAC.

(b) Conversion factors: When income is received on a weekly, biweekly, or semimonthly basis, the income shall be converted to monthly amount as follows:

(i) Income received on a weekly basis is averaged and multiplied by four and three-tenths. Weekly income is defined as income received once per week.

(ii) Income received on a biweekly basis is averaged and multiplied by two and fifteen one-hundredths. Biweekly income is defined as income received once every two weeks. Income is received on the same day of the week of each pay period, therefore receiving 26 payments per year.

(iii) Income received on a semimonthly basis is averaged and multiplied by two. Semimonthly income is defined as income received twice per month every month of the year. Income is received on specific dates of the month, therefore receiving 24 payments per year.

(iv) Income received on a monthly basis is averaged and multiplied by one. Monthly income is defined as income received once per month.

D. Residency requirement: Both a child for whom child care assistance is being applied and a child care provider must be a resident of the state of New Mexico. Proof of residency is required.

E. Citizenship and eligible immigration status: An applicant's eligibility for child care assistance shall not be impacted by the citizenship status of the participating child(ren). If a participating child does not have a federally eligible citizenship status the financial assistance will be paid for with state funds.

F. Age requirement: Child care assistance is provided for children from the ages of six weeks up to the day on which the child turns 13 years old, except as provided in Subsection G of this section. Eligibility determinations made prior to a child turning 13 years old may be granted for an eligibility period of at least 12 months. Child care benefits are paid for children between the ages of six and 12 years old who are eligible for federal child care assistance and for up to 13,000 children between the ages of six and 12 years old who are not federally eligible.

G. Special supervision: Child care assistance is provided for children between the ages of 13 and 19 who are under the supervision of a court of law, or who are determined by a medical or treatment professional to be physically or mentally incapable of caring for themselves and who require supervision.

H. Qualifying activity or status: To be eligible to participate in the child care assistance program, each parent or legal guardian of a child who lives in the household with the child shall be:

(1) employed;

(2) a full-time student and enrolled in at least 12 credit hours at an accredited educational institution;

(3) a part-time student and enrolled in at least six credit hours at an accredited educational institution;

(4) enrolled in a state-approved job training program, registered apprenticeship program, or pre-apprenticeship program;

(5) receiving aid from the federal temporary assistance for needy families program;

(6) experiencing homelessness;

(7) under the age of 21 and attending primary or secondary school;

(8) participating in services pursuant to the federal Comprehensive Addiction and Recovery Act of 2016 provided by the children, youth and families department;

(9) a grandparent raising the grandparent's grandchild;

(10) a foster parent; or

(11) engaged in an eligible activity or exempted from the eligible activity for a reason, including incapacitation, as determined by the department and in accordance with federal law.

I. Determining child care placement category:

(1) The department determines the child care placement category needed in consultation with the parent or legal guardian at the time of certification and based on the needs of the child. The approved placement category will be reflected in the child care placement agreement covering the certification period.

(2) Children enrolled in head start, kindergarten, school, or other programs: children are not eligible for child care assistance during the hours that children are attending head start, early head start, kindergarten, New Mexico Pre-K, school, or other programs, such as online or home-schooling, unless determined necessary by the department; provided that children are eligible for child care assistance during the hours that children are attending a dedicated early head start-child care partnerships program funded by the U.S. department of health and human services, administration for children and families, office of head start.

(3) For clients with an annual household income greater than six hundred percent of the federal poverty level, eligibility for child care assistance shall be limited to the hours of care supported by the parent's or legal guardian's qualifying activity schedule.

(4) The department determines the child care placement category needed based on preferences of the family and individual child, availability of the provider to meet the family's preferences, and the units of service set forth below:

Full-Time Care	Wrap-Around Care	Part-Time Care (cases where a child may need two providers or less than full time care)
Hours of service are approved based on a negotiated arrangement between the family and a single provider with a minimum of 29 hours per week	Head Start, New Mexico PreK, and school age children needing Wrap-Around Care. Wrap-Around Care includes providing full-time care during the summer and during breaks for a single provider	In the event one provider is unable to provide services for all of a child's needs, and care is needed for multiple providers or other purposes and for care needed fewer than 29 weekly hours

(5) The department, in an attempt to limit burden to families and providers, as well as to promote continuous payment throughout a family's certification period, uses a cost estimation model to calculate wrap-around care to cover more than the necessary amount of time a parent or guardian working full-time would need for their children if they attended all instructional hours required by the public education department, PreK, or Head Start curriculum.

(6) Monthly base reimbursement payment rates will be paid for the child care placement categories as noted in Subsection G of 8.9.3.19 NMAC. The department will routinely review and periodically make adjustments to these rates.

[8.9.3.10 NMAC - Rp, 8.9.3.10 NMAC, 9/9/2026]

8.9.3.11 RECERTIFICATION: Clients must recertify for the Child Care Assistance Program at the end of their eligibility period by complying with all eligibility requirements of initial certification. The department will use the requirements set forth in 8.9.3.10 NMAC to determine eligibility for purposes of recertification. If recertification is not completed in a timely manner, and no later than the month after the eligibility expires, the case may be closed on the last day of the month for which assistance is provided under the previous child care placement agreement. At the time of recertification, clients must provide a completed application, documentation of income, and proof of qualifying activity or status. Changes in income, household size, employment, training or educational status are noted in the client's record. A copayment, if applicable, is determined at the time of recertification. A client that meets all eligibility requirements for recertification will be granted a certification period of not less than 12 months.

[8.9.3.11 NMAC - Rp, 8.9.3.11 NMAC, 9/9/2026]

8.9.3.12 CONDITIONS FOR COPAYMENT OR WAITLIST: If in a given year any of the following conditions are met, the department will implement a waitlist in accordance with 8.9.3.13 NMAC or monthly copayments in accordance with the Child Care Assistance Program Act and 8.9.3.14 NMAC:

A. the number of children receiving child care assistance services exceeds that year's projected enrollment

by three percent, as determined by the department;

B. the state recurring general fund revenue growth percentage is projected to be lower than the percentage change in the annual consumer price index for all urban consumers for the prior calendar year as determined by the consensus revenue estimating group;

C. the 12-month average percentage change in the annual consumer price index for all urban consumers exceeds three percent;

D. **t**he average price for west Texas intermediate crude oil during the applicable fiscal year is less than fifty dollars ($50) per barrel, as determined by the consensus revenue estimating group; or

E. the department identifies a different or additional condition.

[8.9.3.12 NMAC - Rp, 8.9.3.12 NMAC, 9/9/2026]

8.9.3.13 WAITLIST: If a waitlist is implemented in accordance with the conditions under 8.9.3.12 NMAC, the department prioritizes child care assistance benefits in the following order:

A. clients receiving TANF benefits will continue to be eligible to receive benefits and will not be subject to the waitlist;

B. clients whose income is not greater than one hundred fifty percent of the federal poverty level, adjusted annually in accordance with federal guidelines will continue to be eligible to receive benefits and will not be subject to a waitlist

C. children with disabilities or who are at-risk, including children with special needs;

D. clients with children birth to age three whose income is not greater than four hundred percent of the federal poverty level, adjusted annually in accordance with federal guidelines; and,

E. clients whose income is not greater than four hundred percent, five hundred percent, six hundred percent, or nine hundred percent, respectively of the federal poverty level, adjusted annually in accordance with federal guidelines.

[8.9.3.13 NMAC - Rp, 8.9.3.13 NMAC, 9/9/2026]

8.9.3.14 COPAYMENTS:

A. Copayments, if required in accordance with 8.9.3.12 NMAC, are paid by clients in families making over six hundred percent of the federal poverty level or by the department using state funds when the department determines that it has sufficient state funds to cover copayments for families making over six hundred percent of the federal poverty level. The department pays copayments for all families making six hundred percent or less of the federal poverty level. Copayments are determined by income, household size, and the federal poverty guidelines. The copayment schedule is published yearly at https://www.nmececd.org/child-care-assistance/. In the case of an emergency, or under extenuating circumstances, the department secretary may waive copayments for families receiving child care, during which period, the department will pay providers the client's approved rate, including required copayments. 90 days' notice will be given to providers and families prior to implementation of a copayment.

B. Copayments are used for determining the base copayment for the first eligible child. The formula for determining the copayment amount based on the copayment schedule is the sum of the gross monthly household income multiplied by the applicable percent of the federal poverty level percentage (FPL) for family size (see Subsection D of this section). The base copayments for a client's second child are determined at one half of the copayment for the previous child. If there are more than two children in the household accessing child care assistance, the copayment will be waived for any additional children.

(1) The first child is identified as the child requiring the highest number of hours of child care.

(2) The second child is identified as the child with the second highest number of hours needed for child care.

C. Each child's copayment will be adjusted based on the units of services described in Subsection E of 8.9.3.17 NMAC, as follows:

(1) Full time care will be based on one hundred percent of the base copayment.

(2) Wrap-around care will be based on seventy-five percent of the base copayment.

(3) Part time care will be based on fifty percent of the base copayment.

D. Below is the chart with the formula used to determine child care copayments as published yearly at https://www.nmececd.org/child-care-assistance/. Effective March 1, 2027, when implemented in accordance with 8.9.3.12 NMAC, the department will use a sliding scale payment schedule to ensure that the department has sufficient funds to meet the costs of the child care assistance program and that a monthly copayment does not exceed the following percentages of a client's gross monthly household income:

Continued Next Page

FPL Percent Income Increments	Maximum Percentage of Gross Monthly Household Income to be Paid as Copayment
0.00 to 150.00	0.00%
150.01 to 250	0.01%
250.01 to 600	0.02%
600.01 to 900	3%*
900.01 and above	7%**

*Not to exceed twenty-five percent of the average rate paid for the applicable age group to the child care facility.

**Not to exceed fifty percent of the average rate paid for the applicable age group to the child care facility.

E. Clients pay copayments directly to their child care provider and must remain current in their payments. A client who does not pay copayments may be subject to sanctions. Copayment cost-sharing will be deducted from payment rates as determined in 8.9.3.19 NMAC. [8.9.3.14 NMAC - Rp, 8.9.3.14 NMAC, 9/9/2026]

8.9.3.15 CLIENT RESPONSIBILITIES: Clients must abide by the regulations set forth by the department and utilize child care assistance benefits only during the eligibility period for which they have been certified. Clients who violate any of the regulations of this section may be subject to sanctions, including case closure or case suspension.

A. Copayments shall be paid by clients when required by the department and in accordance with 8.9.3.14 NMAC. Clients must pay copayments directly to their child care provider and must remain current in their payments. A client who does not pay copayments may be subject to sanctions. Copayment cost-sharing will be deducted from payment rates as determined in Subsections G through M of 8.9.3.19 NMAC.

B. In-home providers: Parents or legal guardians who choose to use an in-home provider become the employer of the child care provider and must comply with all federal and state requirements related to employers, such as the payment of all federal and state employment taxes and the provision of wage information. Any parent or legal guardian who chooses to employ an in-home provider releases and holds the department harmless from any and all actions resulting from their status as an employer. Payments for in-home provider care are made directly to the parent or legal guardian.

C. Notification of changes: Clients must notify the department via electronic transmission, in-person at an ECECD office location, or by telephone of changes that affect their need for care within 14 calendar days of the change. Clients who do not comply with this requirement may be sanctioned.

(1) A client must notify the department of any non-temporary change in activity or changes to household composition.

(2) A client must notify the department when their household income exceeds eighty-five percent of the state median income, taking into account any fluctuation(s) of income.

(3) A client must notify the department of any changes to their contact information.

(4) A client who changes a provider must notify the department and the current provider 14 calendar days prior to the expected last day of enrollment. If this requirement for notification is met by the client, the current provider will be paid through the 14th calendar day. If this notification requirement is not met, the current provider will be paid 14 calendar days from the last date of non-attendance. The child care placement agreement with the new provider shall become effective when payment to the previous provider ceases. The client will be responsible for payment to the new provider beginning on the start date with the new provider and until the final date of payment to the former provider.

D. If the client has not used the authorized provider for 14 consecutive calendar days, the child will be disenrolled from that provider and will remain eligible for the remainder of their eligibility period. [8.9.3.15 NMAC - Rp, 8.9.3.15 NMAC, 9/9/2026]

8.9.3.16 CASE SUSPENSIONS AND CLOSURES:

A. A case may be suspended at the request of a client if child care assistance is not being utilized with payment being discontinued to the provider. The client shall remain eligible for child care assistance through the remainder of their eligibility period.

B. If a client experiences a non-temporary change of activity including the loss of employment, is no longer attending school, or is no longer participating in a job training or education program, the child care placement agreement may close; however, the client shall remain eligible for the remainder of the approved eligibility period.

C. A case will be closed for failing to recertify at the end of approved eligibility period. [8.9.3.16 NMAC - Rp, 8.9.3.16 NMAC, 9/9/2026]

8.9.3.17 PROVIDER REQUIREMENTS: Child care providers must abide by all department regulations. Child care

provided for recreational or other purposes, or at times other than those outlined in the child care placement agreement, are paid for by the client.

A. In order to receive child care assistance payments for child care services, a child care provider must be licensed or registered by the department and meet and maintain compliance with the appropriate licensing and registration regulations. Child care providers holding a 1-star license are not eligible for child care assistance.

B. In accordance with 8.9.4.11 NMAC, the department honors properly issued military child care licenses to providers located on military bases, certified military child care homes serving only military families, and tribal child care licenses properly issued to providers located on tribal lands.

C. Signed child care placement agreements (including electronically signed child care placement agreements) must be returned by hand delivery, mail, email, or electronic submission to the department within 30 calendar days of issuance. Failure to comply may affect payment for services and the child care placement agreement will be closed. The department will provide reasonable accommodations to allow a client or provider to meet this requirement.

D. Child care providers shall collect required copayments from clients and provide child care according to the terms outlined in the child care placement agreement.

E. Notification of changes: Child care providers must notify the department if a child is disenrolled or child care has not been used for 14 consecutive calendar days without notice from the client. If a client notifies the provider of non-attendance beyond 14 consecutive calendar days, the department will continue to pay the provider for the period of non-attendance, not to exceed six weeks following the first date of non-attendance.

(1) If the provider notifies the department of the above, the provider will be paid through the period of non-attendance, not to exceed six weeks.

(2) If a provider does not notify the department of disenrollment or of non-use for 14 consecutive calendar days, the provider will be paid through the last date of attendance.

(3) If a child was withdrawn from a provider because the health, safety, or welfare of the child was at risk, as determined by a substantiated complaint against the child care provider, payment to the former provider will be made through the last day that care was provided.

(4) Providers who do not comply with this requirement are sanctioned and may be subject to recoupment or disallowance of payments as provided in 8.9.3.23 NMAC.

F. Child care providers must accept the rate the department pays for child care and shall not charge, accept, or require payment or donations in any form from families receiving child care assistance above the department rate for the hours listed on the child care placement agreement, except as provided in this section. Failure to comply with this requirement may result in sanctions.

(1) Providers shall not charge clients a registration/educational fee for any child who is receiving child care assistance benefits. The rates set forth in these regulations are informed by a cost estimation model and include expenses for registration/educational fees per child and child and family activities on behalf of clients under 8.9.3 NMAC. Providers are encouraged to participate in the United States department of agriculture (USDA) Child and Adult Care Food Program (CACFP). Providers that do not participate in CACFP may charge clients a reasonable fee to reimburse the cost of meals served during operating hours. Providers participating in the CACFP non-pricing program shall not charge any fees for meals or snacks. Providers participating in the CACFP pricing program shall not charge participants who qualify for the free rate but may charge the difference between the highest USDA reimbursement rate and the reimbursement rate for children eligible for the reduced-price or paid rate, consistent with CACFP requirements.

(2) In situations where an incidental cost may occur such as field trips, special lunches or other similar situations, the child care provider is allowed to charge the child care assistance family the additional cost, provided the cost does not exceed that charged to private pay families.

(3) Child care providers are not allowed to charge child care assistance families the gross receipts tax for the sum of the child care assistance benefit and copayment. Child care providers may claim the gross receipts tax deduction pursuant to Section 7-9-77.2 NMSA 1978, as applicable.

(4) Child care providers shall not charge, accept or receive payments for child care assistance for hours that a child is enrolled in a head start program or an early head start program or an early pre-kindergarten program or a pre-kindergarten program, except when determined necessary by the department

(5) Payments received by a child care facility for services provided under the child care assistance program shall not be used to supplant funding received through the state equalization guarantee distribution or funds appropriated for instructional or general funding.

G. Owners and licensees may not receive department payments for providing child care services under the child care assistance program to provide care for their own children.

H. Providers who are found to have engaged in fraud relating to any state or federal programs, or who have pending charges for or convictions of any criminal charge related to financial practices are ineligible to participate in the child care assistance program.

I. Child care providers participating in the child care assistance program shall:

(1) promote the equal access of services for all children and families by developing and implementing policies and procedures that prohibit discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, special needs, or age (40 or older);

(2) maintain all documentation related to the child care assistance program for at least five years after the termination of the contract and make it available for inspection upon request by the department;

(3) refer an at-risk child, including a child with special needs, to appropriate programs of the department and, when applicable, to an appropriate tribal department for services;

(4) meet and maintain required training as set by rule of the department to identify and refer at-risk children, including a child with special needs, to home visiting and the family, infant and toddler programs of the department and of tribal departments, as appropriate;

(5) use not less than fifty percent of the payment rates paid by the department under 8.9.3.19 NMAC for wages, mandatory taxes, and benefits for the following positions:

(a) director: a person in charge of the day-to-day operation and program of a child care facility;

(b) assistant director: a person who supports the director in managing the day-to-day operation and program of a child care facility;

(c) teacher: an adult who directly cares for, serves, and supervises children in a child care facility;

(d) substitute teacher: an adult who directly cares for, serves, and supervises children in a child care facility, who works in place of the regular educator, and who works fewer than an average of 40 hours per month in a six-month period;

(e) floater: an adult who provides coverage during breaks, supporting teachers' planning activities and facilitating release time;

(f) administrative support: an adult who supports day-to-day operations by making contact with parents, keeping appropriate records, working with the director and other staff members, and by engaging in other similar support duties;

(g) cooking personnel: an adult whose primary responsibility is cooking or preparing meals at a child care facility as part of the facility's daily operations;

(h) transportation staff: an adult whose primary responsibility is to provide transportation for children to and from a child care facility as part of the facility's daily operations;

(i) custodial staff: an adult whose primary responsibility is to conduct cleaning duties at a child care facility as part of the facility's daily operations; and

(j) any other staff member not included herein who provides daily, on-site operational support and for whom the child care facility has requested, and the department has granted, a waiver to be included in this paragraph.

(6) meet and maintain required training, professional development, and certification pathways, as required under 8.9.4 NMAC;

(7) not unreasonably exclude early intervention providers from accessing a child care setting to provide early intervention services. If a provider excludes an early intervention provider for any reason, the provider shall notify the department within 48 hours; and

(8) notify the department of any ownership changes to the facility or the provider not later than 60 days of the transaction closing.

J. Providers shall report data as follows, using department-designated information systems and in the format, method, and schedule required by the department.

(1) Providers shall report the following child care facility business information to the department by July 1, 2027, and annually by July 1 of each year thereafter:

(a) the legal name and address of the business;

(b) the legal name and address of any management company, owner or entity with a direct or indirect ownership interest in the business;

(c) the name and address, if applicable, of any members of a board of directors of the business;

(d) the legal structure of the business, including its form of organization;

(e) the legal structure of any owner or ownership entity of the business;

(f) each investment in the business by any person or entity comprising a ten percent equity stake or greater;

(g) each debt or lien against the business comprising at least ten percent of the annual revenue of the business;

(h) all documentation of any changes in ownership of the business in the past five years, including sales, transfers, mergers or acquisitions;

(i) all details of any out-of-state sources of funding or investment for the business;

(j) hours of operation and days of care provided annually; and,

(k) the employee benefit structure.

(2) By July 1, 2027, and annually by July 1 of each year thereafter, providers shall report the total amount spent in the previous calendar year on employee salaries

and benefits for the roles specified in Paragraph (4) of Subsection I of this section.

(3) Beginning July 1, 2027, and biannually by January 15 and July 1 of every year thereafter, providers shall report to the department the following for each employee: salaries, benefits, and professional qualifications of staff members, including staff members' roles and levels as established in the department's wage scale and career ladder framework, salaries and benefits for each employee.

(4) Beginning July 1, 2027, and monthly thereafter, providers shall report program participation through submission of daily attendance records.

[8.9.3.17 NMAC - Rp, 8.9.3.17 NMAC, 9/9/2026]

8.9.3.18 DEPARTMENT RESPONSIBILITIES:

A. The department pays child care assistance to providers who provide child care services to clients in a timely manner.

B. Child care assistance workers perform all casework functions in a timely manner, including the processing of payments and notifications of case actions.

C. Child care assistance workers will perform all eligibility and recertification determinations within 10 working days of receipt of all required documentation from an applicant. The department may seek to obtain verification data from federal agencies, New Mexico state agencies, or other trusted data sources.

D. Child care assistance workers notify clients and providers in writing of all actions that affect services, benefits, or provider payments or status, citing the applicable policy.

E. Child care assistance workers determine eligibility for all child care assistance programs except for TANF. Eligibility for TANF is determined by the New Mexico health care authority.

F. Child care assistance workers must inform parents or legal guardians of their right to choose their child care providers and provide information on how to look for quality child care in a provider.

G. The department and other organizations approved by the department provide information and orientation programs regarding child care assistance benefits, quality child care issues, and the impact of child care on the child's physical, cognitive, social, and emotional development to parents or legal guardians and providers.

H. The department and other organizations approved by the department offer provider education programs consisting of training on program participation requirements, parent or legal guardian and provider responsibilities, licensing and registration requirements, payment issuance and background check processing, the competency areas for child care providers as outlined by the office of child development, or the department, the importance of providing quality child care, and other topics of interest to parents or legal guardians and providers. These education programs count toward the continuing education hours required of providers by registration and licensing regulations.

I. The department expends federal child care assistance funds, including required state match and maintenance-of-efforts amounts, for federally eligible children prior to expending state funds for child care assistance. The department will reasonably ensure that eligible federal and state child care tax benefits are maximized.

[8.9.3.18 NMAC - Rp, 8.9.3.18 NMAC, 9/9/2026]

8.9.3.19 PAYMENT FOR SERVICES: The department pays child care providers on a monthly basis, according to standard practice for the child care industry. Payment is based on a child's enrollment with the provider as reflected in the child care placement agreement, rather than on daily attendance. As a result, most placements reflect a month of service provision and are paid on this basis. However, placements may be closed at any time during the month. A signed child care placement agreement must be returned to the department for payment to be issued to the provider. The following are circumstances under which the department may close placements or discontinue payment at a time other than the end of the month:

A. When a child care placement agreement expires during the month, or when the provider requests that the client change providers or the provider discontinues services; payment will be made through the last day that care is provided.

B. Payment for notification of changes:

(1) If a client fails to notify the department within 14 calendar days of their expected last day of enrollment, the department will pay the provider 14 calendar days from the last day of non-attendance. The child care placement agreement with the new provider shall become effective when payment to the previous provider ceases.

(2) If the provider notifies the department of a child who is disenrolled or child care has not been used for 14 consecutive calendar days, the provider will be paid through the 14th calendar day following the last day of attendance.

(3) If a provider does not notify the department of disenrollment or of non-attendance for 14 consecutive calendar days, the provider will be paid through the last date of attendance.

(4) If a provider notifies the department that it has received notification from a client of non-attendance beyond 14 consecutive calendar days, the department will continue to pay the provider for the period of non-attendance, not to exceed six weeks, following the period of non-attendance. The provider must submit documentation of the client notification and reasoning to the department.

(5) If a child was withdrawn from a provider because the health, safety, or welfare of the child was at risk, as determined by a substantiated complaint against the child care provider, payment to the former provider will be made through the last day that care was provided.

C. The child care assistance payment rates provided in this section correspond to differences in quality based on FOCUS and are informed by a cost estimation model developed in accordance with the requirements of the federal child care and development fund program authorized by the federal Child Care and Development Block Grant Act of 1990. The model incorporates feedback and input from early childhood education and development experts, a diverse group of child care facilities of a variety of facility types, families and organizations representing child care directors, tribal representatives, advocacy organizations, teachers, and other relevant parties as determined by the department. Rates are developed to promote equal access to child care services for eligible children, support parental choice by offering a full range of child care services, ensure adequate wages for child care facility staff, and account for allowable cost components including registration/educational fees per child and child and family activities on behalf of clients under 8.9.3 NMAC.

D. The amount of the payment is based upon the age of the child and average number of hours per week needed per child during the certification period. The number of hours of care needed is determined with the parent or legal guardian at the time of certification and is reflected in the provider agreement. Providers are paid according to the units of service needed, which are reflected in the child care placement agreement covering the certification period. Effective September 1, 2026, a preschool child's placement category will be changed to a school age placement if the child's 5th birthday is prior to September 1 of that year. Any preschool child who has a 5th birthday after September 1 will remain at a preschool category for that year.

E. The department pays for care based upon the following units of service:

Full-Time Care	Wrap-Around Care	Part Time Care (cases where a child may need two providers or less than full time care)
Hours of service are approved based on a negotiated arrangement between the family and a single provider with a minimum of 29 hours per week	Head Start, New Mexico PreK, and school age children needing Wrap-Around Care. Wrap-Around Care includes providing full-time care during the summer and during breaks for a single provider.	In the event one provider is unable to provide services for all child's needs, and care is needed for multiple providers or other purposes and for care needed fewer than 29 weekly hours

F. Hours of care shall be rounded to the nearest whole number.

G. Monthly reimbursement rates:

LICENSED CENTERS (2 STAR)											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part Time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
$1,200	$600	$720	$875	$438	$525	$735	$368	$552	$689	$525	$263
LICENSED FAMILY HOMES (2 STAR)											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
$1,325	$663	$795	$1,275	$638	$765	$1046.78	$523.39	$785.65	$730	$557	$278
LICENSED GROUP HOMES (2 STAR)											

Infant Full Time	Infant Part Time	Infant Wrap-Around Care	Toddler Full Time	Toddler Part Time	Toddler Wrap-Around Care	Preschool Full Time	Preschool Part time	Preschool Wrap-Around Care	School age Full time	School age (Wrap-Around Care, full year)	School age Part Time
$1,200	$600	$720	$1,150	$575	$690	$872	$436	$654	$654	$499	$249.52
REGISTERED HOMES AND FFN (2 STAR)											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
$750	$375	$450	$750	$375	$450	$425	$213	$255	$459	$350	$175.00

H. The department pays a different rate according to the license or registration status of the provider, national provider accreditation status of the provider if applicable, head start and early head start status, and star level status of the provider if applicable. In the case of a public health emergency, the department secretary may approve a different rate to be paid to licensed providers.

I. Providers holding and maintaining national provider accreditation status will receive the differential rate listed in Subsection J below, per child per month for full-time care above the base rate for type of child care (licensed center, group home or family home) and age of child. All providers who maintain national provider accreditation status will be paid at the accredited rates for the appropriate age group and type of care. In order to continue at this accredited reimbursement rate, a provider holding provider accreditation status must meet and maintain licensing standards and maintain national provider accreditation status without a lapse. If a provider holding national provider accreditation status fails to maintain these requirements, this will result in the provider reimbursement reverting to a lower level of reimbursement. The licensee shall notify the licensing authority within 48 hours of any adverse action by the national provider accreditation body against the licensee's national provider accreditation status, including but not limited to expiration, suspension, termination, revocation, denial, nonrenewal, lapse, or other action that could affect its national provider accreditation status. All providers are required to notify the department immediately when a change in national provider accreditation status occurs.

J. The department pays a higher rate per child per month for full-time care above the base reimbursement rate to providers achieving higher star levels by meeting FOCUS essential elements of quality, maintaining national provider accreditation status, or status as head start, or early head start, as follows:

LICENSED CENTERS											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
2 + Star											
$1,300	$650	$780	$975	$488	$585	$840	$420	$630	$758	$578	$263
3 Star											
$1,300	$650	$780	$975	$488	$585	$840	$420	$630	$758	$578	$289
4 Star											
$1,650	$825	$990	$1,250	$625	$750	$1,051	$525	$788	$895	$683	$289
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start											
$2,175	$1,088	$1,305	$1,700	$850	$1020	$1,182	$591	$886	$1,033	$788	$341

LICENSED FAMILY HOMES											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
2+ Star											
$1,450	$725	$870	$1,375	$688	$825	$1142.98	$571.49	$857.81	$826	$630	$315
3 Star											
$1,450	$725	$870	$1,375	$688	$825	$1142.98	$571.49	$857.81	$826	$630	$315
4 Star											
$1,700	$850	$1,020	$1,575	$788	$945	$1293.01	$697.08	$970.04	$937	$714	$357
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start											
$1,900	$950	$1,140	$1,800	$900	$1,080	$1396.08	$697.47	$1046.78	$999	$762	$381
LICENSED GROUP HOMES											
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part time**	**Preschool Wrap-Around Care**	**School age Full time**	**School age (Wrap-Around Care, full year)**	**School age Part Time**
2+ Star											
$1,300	$650	$780	$1,250	$625	$750	$956	$478	$717	$751	$573	$286.29
3 Star											
$1,300	$650	$780	$1,250	$625	$750	$956	$478	$717	$751	$573	$286.29
4 Star											
$1,575	$788	$945	$1,500	$750	$900	$1,087	$544	$816	$861	$657	$328.32
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start											
$1,750	$875	$1,050	$1,700	$850	$1,020	$1,177	$588	$883	$923	$704	$351.95

K. In order to continue at the FOCUS reimbursement rates, a provider must meet and maintain the most recent FOCUS eligibility requirements and star-level criteria. If the provider fails to meet the FOCUS eligibility requirements and star-level criteria, the provider's reimbursement rates will revert to the FOCUS criteria level demonstrated.

L. The department pays a differential rate equivalent to five percent, ten percent, or fifteen percent of the applicable full-time/part-time rate to providers who provide care during non-traditional hours. Non-traditional care will be paid according to the following charts:

	1-10 hrs/wk	11-20 hrs/wk	21 or more hrs/wk
After hours	5%	10%	15%

	1-10 hrs/wk	11-20 hrs/wk	21 or more hrs/wk
Weekend hours	5%	10%	15%

M. The department pays a higher rate, not to exceed an average of ten percent above the rate provided in Subsection G of this section, to providers who provide at least 10 hours of care during the day, at least five days a week (not including holidays, breaks, or special programming such as parent teacher conferences and professional

development), and meet the following minimum pay requirements for their floaters, assistant teachers, and assistant educators:

	2 Star	2+ Star Focus	3 Star Focus	4 Star Focus	5 Star Focus
Entry-level staff	16/ hour	$17/hour	$17/hour	$18/hour	$19/hour

N. The department pays the following enhanced rates to providers who comply with the requirements as outlined in Subsection M of 8.9.3.19 NMAC:

LICENSED CENTERS - ENHANCED RATE								
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part Time**	**Preschool Wrap-Around Care**
2 Star								
$1,350	$675	$810	$1,015	$508	$609	$825	$413	$619
2+ Star								
$1,400	$700	$840	$1,075	$538	$645	$890	$445	$668
3 Star								
$1,400	$700	$840	$1,075	$538	$645	$890	$445	$668
4 Star								
$1,950	$975	$1,170	$1,525	$763	$915	$1,150	$575	$863
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start								
$2,500	$1,250	$1,500	$1,975	$988	$1,185	$1,375	$688	$1,031

LICENSED FAMILY HOMES - ENHANCED RATE								
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part Time**	**Preschool Wrap-Around Care**
2 Star								
$1,500	$750	$900	$1,425	$713	$855	$1,050	$525	$788
2+ Star								
$1,625	$813	$975	$1,525	$763	$915	$1,175	$588	$881
3 Star								
$1,625	$813	$975	$1,525	$763	$915	$1,175	$588	$881
4 Star								
$1,975	$988	$1,185	$1,850	$925	$1,110	$1,375	$688	$1031
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start								
$2,175	$1,088	$1,305	$2,025	$1,013	$1,215	$1,450	$725	$1088

LICENSED GROUP HOMES - ENHANCED RATE								
Infant Full Time	**Infant Part Time**	**Infant Wrap-Around Care**	**Toddler Full Time**	**Toddler Part Time**	**Toddler Wrap-Around Care**	**Preschool Full Time**	**Preschool Part Time**	**Preschool Wrap-Around Care**
2 Star								
$1,375	$688	$825	$1,300	$650	$780	$975	$488	$731
2+ Star								
$1,475	$738	$885	$1,400	$700	$840	$1,075	$538	$806
3 Star								
$1,475	$738	$885	$1,400	$700	$840	$1,075	$538	$806
4 Star								

LICENSED CENTERS - ENHANCED RATE - SCHOOL AGE			
Star Rating	**School Age Full Time**	**School Age Part-time**	**School Age Wrap-Around Care**
2 Star	$699	$268	$535
2+ Star	$768	$294	$588
3 Star	$768	$ 294	$588
4 Star	$905	$ 347	$693
5 Star	$1,043	$ 399	$798

$1,775	$888	$1,065	$1,700	$850	$1,020	$1,200	$600	$900
5 Star FOCUS, national provider accreditation, or Head Start, or Early Head Start								
$1,940	$970	$1,164	$1,850	$925	$1,110	$1,300	$650	$975

LICENSED FAMILY HOMES - ENHANCED RATE - SCHOOL AGE			
Star Rating	**School Age Full Time**	**School Age Part-time**	**School Age Wrap-Around Care**
2 Star	$740	$284	$567
2+ Star	$836	$320	$640
3 Star	$836	$320	$640
4 Star	$947	$362	$724
5 Star	$1,009	$386	$772
LICENSED GROUP HOMES - ENHANCED RATE - SCHOOL AGE			
Star Rating	**School Age Full Time**	**School Age Part-time**	**School Age Wrap-Around Care**
2 Star	$664	$255	$509
2+ Star	$761	$292	$583
3 Star	$761	$292	$583
4 Star	$871	$334	$667
5 Star	$933	$357	$714

O. If a significant change occurs in the client's circumstances, (see Subsection C of 8.9.3.15 NMAC) the child care placement agreement may be modified and the rate of payment may be adjusted. The department monitors attendance and reviews the placement at the end of the certification period when the child is recertified.

P. The department may conduct provider, parent, or legal guardian, audits to assess whether the approved service units are consistent with usage. Providers found to be defrauding the department are sanctioned. Providers must provide all relevant information requested by the department during an audit.

Q. Payments are made to the provider for the period covered in the child care placement agreement or based on the availability of funds. [8.9.3.19 NMAC - Rp, 8.9.3.19 NMAC, 9/9/2026]

8.9.3.20 UNDER PAYMENTS: If a client or provider is underpaid for child care services, the department may issue a one-time payment within 15 calendar days of the department's knowledge or receipt of notification. The client or provider must notify the department within three months of the occurrence of the alleged underpayment, otherwise the underpayment may be denied. [8.9.3.20 NMAC - Rp, 8.9.3.20 NMAC, 9/9/2026]

8.9.3.21 OVER PAYMENT AND RECOUPMENT: If a provider receives payment for services for which the provider is not entitled, or a client receives benefits on behalf of their child for which the provider is not entitled, resulting in an overpayment, the child care worker will initiate recoupment procedures, unless the early childhood services director deems otherwise in exceptional circumstances. Recoupments will only be sought from providers. The department will not seek a recoupment from a client unless substantiated fraud by that client has been determined. The client or provider must repay the amount of the overpayment to the department within 30 calendar days of notification, unless the department determines that the amount is so large that it cannot be paid in one lump sum. In this case, the department may allow the client or provider to repay the amount over a payment period, negotiated between the client and the department and usually not to exceed four months. Failure to pay the overpayment within 30 days of the notice or failure to make regular payments under an agreed upon payment schedule may result in sanctions, including termination of benefits or referral of the account to a collection agency, or in legal action. [8.9.3.21 NMAC - Rp, 8.9.3.21 NMAC, 9/9/2026]

8.9.3.22 FRAUD: Fraud is the purposeful misrepresentation of facts, falsification of documents, or knowingly omitting information relating to eligibility, certification, recertification, or payments. If fraud is substantiated by the department, the department will impose appropriate sanctions, including recoupment, termination of benefits, or referral to law enforcement. Fraudulent cases must be reported by anyone with knowledge to the department, which will take such action as is deemed necessary. The case remains open at the same rate of benefits until the investigation is concluded and disposition is determined. In cases where substantiated fraud has been determined, the department may disqualify a client or provider until their debt has been paid in full. [8.9.3.22 NMAC - Rp, 8.9.3.22 NMAC, 9/9/2026]

8.9.3.23 SANCTIONS: The department may impose sanctions according to the severity of the infraction as detailed below.

A. Providers or clients who fail to make timely payments in the case of recoupment of overpayments may be referred to a collection agency.

B. The department may initiate the recoupment process against any provider who fails to report in a timely manner that a child has not been in attendance for 14 consecutive calendar days.

C. Providers who allow their registration or license to lapse without renewal will not be paid during the periods for which the license or registration is not current. Providers who lose provider accreditation status or lose eligibility for payment at any level of reimbursement for failure to maintain the standards required to be paid at that level of reimbursement, will not be paid at that level of reimbursement beginning with the first day of the month within which the loss of national provider accreditation or eligibility occurred. Payment recoupment will be sought for any period for which excessive benefits have been paid.

D. If a provider violates any of the provisions of 8.9.3 NMAC, the department may suspend or terminate a child care provider's assistance payments, license, or registration, adjust payments to align with care provided, impose a corrective action plan, or revoke eligibility for enhanced reimbursement rates. The department shall promptly report any suspected intentional misuse of funds or fraud to local law enforcement, the local district attorney or attorney general, and the state auditor.

E. If, under emergency circumstances, the department has reason to believe that the health, safety or welfare of a child is at risk, the department may immediately suspend or terminate child care assistance payments to a licensed or registered provider. The child care resource and referral will assist affected clients with choosing another ECECD approved provider. [8.9.3.23 NMAC - Rp, 8.9.3.23 NMAC, 9/9/2026]

8.9.3.24 FAIR HEARINGS: Clients who have been denied benefits, whose benefits have been reduced, terminated, or who have been sanctioned or disqualified from the program, or providers who have been sanctioned, disqualified from the program, had assistance payments suspended or terminated, or from whom a payment recoupment is being sought may request a fair hearing. The request for a fair hearing must be made in writing within 30 calendar days from the date the department took the adverse action affecting the claimant's benefits.

A. The department reviews the request for hearing and determines if the matter can be resolved without proceeding to a fair hearing. If the matter cannot be resolved without a fair hearing, the department conducts the fair hearing within 60 calendar days of receipt of the letter requesting the hearing and notifies the claimant of the date of the hearing no fewer than 14 calendar days prior to the hearing. The location of the hearing must be easily accessible to the claimant. Conducting the fair hearing by telephone or virtual format is permitted. The claimant may request a change of date, provided that the 60-calendar-day time limit is not exceeded.

B. The department appoints a hearing officer. The department is not responsible or liable for a claimant's travel costs, legal costs, or any other costs associated with the claimant's request for a fair hearing.

C. The hearing officer reviews all of the relevant information and makes a final decision within 30 calendar days of the hearing. The final decision is binding upon the department and claimant and implemented within 14 calendar days of the hearing decision. The claimant is notified in writing of the hearing officer's decision within 14 calendar days of the hearing decision.

D. At the claimant's option the case may remain open at the same benefit level until disposition. If the decision is in favor of the department, the claimant is responsible for repayment of all monies received to which the claimant was not entitled, unless the hearing decision provides otherwise or the early childhood services director authorizes otherwise in exceptional circumstances. The fair hearing process is not intended as a means to extend the time for receipt of child care assistance payments to which the recipient is not otherwise entitled, and therefore, exceptional circumstances must be explicitly stated.

E. Child care assistance workers determine eligibility for all child care assistance programs except for TANF. Eligibility for TANF is determined by the New Mexico HCA. If TANF benefits are modified or terminated by HCA, then the client applies for a fair hearing to HCA.

[8.9.3.24 NMAC - Rp, 8.9.3.24 NMAC, 9/9/2026]

8.9.3.25 COMPLAINTS: Clients or providers who are dissatisfied with the services provided by the department may express their complaints orally or in writing to the local field office, the central office, the director's office, or the office of the department secretary. The department's toll-free number is posted in each office and made available to clients and providers upon request. The local supervisor, bureau chief, director, or secretary responds to complaints by clients or providers orally or in writing, as is deemed appropriate in each case.

[8.9.3.25 NMAC - Rp, 8.9.3.25 NMAC, 9/9/2026]

8.9.3.26 CONFIDENTIALITY: Client files are established and maintained solely for use in the administration of the Child Care Assistance Program. Information contained in the records is confidential and is released only in the following limited circumstances:

A. to the client upon request;

B. to an individual who has written authorization from the client;

C. to department employees and agents who need it in connection with program administration, including program auditors;

D. to other agencies or individuals including law enforcement officers, who satisfy the following conditions:

(1) the agency or individual is involved in the administration of a federal or a federally assisted program, which provides assistance in cash, in-kind, or in services directly to individuals on the basis of need;

(2) information is to be used for the purpose of establishing eligibility, determining amount of assistance or for providing services for applicants or recipients;

(3) the agency or individual is subject to standards of confidentiality comparable to those contained herein; and

(4) the agency or individual has actual or implied consent of the applicant or recipient to release the information; in an emergency, information may be released without permission, but the client must be informed of its release immediately thereafter; consent may be considered as implied if the client has made application to the inquiring agency for a benefit of service; or,

E. as requested in a subpoena or subpoena duces tecum.

[8.9.3.26 NMAC - Rp, 8.9.3.26 NMAC, 9/9/2026]

8.9.3.27 APPROVED NATIONAL PROVIDER ACCREDITING BODIES:

A. The following are the only national accrediting bodies that are approved by ECECD for purposes of determining quality ratings:

(1) the association of Christian schools international (ACSI);

(2) the council on accreditation (COA) for early childhood education and after school programs;

(3) the international Christian accrediting association (ICAA);

(4) the national accreditation commission for early care and education programs (NAC);

(5) the national association for the education of young children (NAEYC) academy for early childhood program accreditation;

(6) the national association of family child care (NAFCC);

(7) the national early childhood program

accreditation (NECPA);

(8) association Montessori internationale (AMI); or

(9) American Montessori Society (AMS).

[8.9.3.27 NMAC - N, 9/9/2026]

8.9.3.28

CONSTRUCTION: Permissive language such as "may or may be" when referring to actions taken by the department, address situations where it is not always prudent or practical to apply these actions. It is not meant to reduce the weight of these actions, nor should the intent of the policies be circumvented due to this wording. This language is intended to be construed in a fiscally responsible and equitable manner, keeping in mind that consistency in application is the ultimate goal.

[8.9.3.28 NMAC - N, 9/9/2026]

HISTORY OF 8.9.3 NMAC: [RESERVED]

History of Repealed Material:

8.9.3 NMAC - CHILD CARE ASSISTANCE; REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS filed 10/7/2022 Repealed effective 9.9.2026.

EARLY CHILDHOOOD EDUCATION AND CARE DEPARTMENT

This is an amendment to 8.9.4 NMAC, Section 7, 11, 17, 22, 23, 32, 40, 41, 43, 44, and 46 effective 09/09/2026

8.9.4.7 DEFINITIONS:

A. Terms beginning with the letter "A":

(1) "Abuse" means any act or failure to act, performed intentionally, knowingly or recklessly, which causes or is likely to cause harm to a child, including:

(a) physical contact that harms or is likely to harm a child;

(b) inappropriate use of a physical restraint, isolation, medication or other means that harms or is likely to harm a child; and

(c) an unlawful act, a threat or menacing conduct directed toward a child that results or might be expected to result in fear or emotional or mental distress to a child.

(2) "Activity area" means space for children's activities where related equipment and materials are accessible to the children.

(3) "Adult" means a person who has a chronological age of 18 years or older.

(4) "Assessment of children's progress" means children's progress is assessed informally on a continuous basis using a series of brief anecdotal records (descriptions of the child's behavior or skills in given situations). Children's progress also can be assessed formally at least twice a year using a developmental checklist (checklist of behaviors that indicate physical, motor, language, cognitive, social and emotional development/ progress).

(5) "Attended" means the physical presence of a staff member or educator supervising and actively engaging children under care. Merely being within eyesight or hearing of the children does not meet the intent of this definition (See definition of "Supervision", Paragraph (12) of Subsection S of 8.9.4.7 NMAC).

B. Terms beginning with the letter "B": [**RESERVED**]

C. Terms beginning with the letter "C":

(1) "Capacity" means the maximum number of children a licensed child care facility can care for at any one time.

(2) "Cease and desist letter" means a formal letter from the licensing authority outlining any ongoing violation of applicable regulations and providing 24 to 72 hours, depending on the circumstances, to rectify the violation(s) before additional action, including suspension or revocation, is taken by the licensing authority. A cease and desist letter is usually issued when a provider violates applicable regulations, but there is not an immediate threat to the health and safety of children in care, and seeks to compel compliance before more serious action is taken. A cease and desist letter must provide the specific deadline to rectify the violation(s), 24 to 72 hours, and specify the subsequent action the licensing authority will take if the violation(s) is not corrected by that deadline.

(3) "Child" means a person who is under the chronological age of 19 years.

(4) "Child care center" means a facility required to be licensed under these regulations that provides care, services, and supervision for less than 24-hours a day to children. A child care center is in a non-residential setting and meets the applicable state and local building and safety codes.

(5) "Child with a disability or special needs" means a child with an identified disability, health, or mental health conditions requiring early intervention, special education services, or other specialized services and support; or children without identified conditions, but requiring specialized services, supports, or monitoring.

(6) "Class A deficiency" means any abuse or neglect of a child by a facility employee or volunteer for which the facility is responsible, which results in death or serious physical or psychological harm; or a violation or group of violations of applicable regulations, which results in death, serious physical harm, or serious psychological harm to a child.

(7) "Class B deficiency" means any abuse or neglect of a child by a facility employee or volunteer for which the facility is responsible; or a violation or group of violations of applicable regulations which present a potential risk of injury or harm to any child.

(8) "Class C deficiency" means a violation or

group of violations of applicable regulations as cited by surveyors from the licensing authority which have the potential to cause injury or harm to any child if the violation is not corrected.

(9) "Clean" means to physically remove all dirt and contamination.

(10) "Conditions of operation" means a written plan that applies to a licensed facility and is developed by the licensing authority when the licensing authority determines that provisions within these regulations have been violated. The plan addresses corrective actions that the licensee must take within a specified timeframe in order to come into compliance with licensing requirements. During this timeframe the licensing authority may increase its level of monitoring.

(11) "Core hours" means the daily hours of operation of the child care facility.

(12) "Corrective action plan" means the plan submitted by the licensee addressing how and when identified deficiencies will be corrected.

(13) "Curriculum" is what happens every day in the classroom and on the playground. It includes every aspect of the daily program. Curriculum derives from the program's mission statement, philosophy (which, in turn, is based on assumptions about young children's development and learning), and program goals and objectives. It includes how materials and equipment are used, activities that children and adults participate in, and interactions among children and between children and adults.

D. Terms beginning with the letter "D":

(1) "Deficiency" means a violation of these regulations.

(2) "Department" means the New Mexico Early Childhood Education and Care Department ("ECECD").

(3) "Direct provider of care" means any individual who, as a result of employment or contractual service or volunteer service has direct care responsibilities or potential unsupervised physical access to any care recipient in the settings to which these regulations apply.

(4) "Director" means the person in charge of the day-to-day operation and program of a child care center.

(5) "Disinfect" means to destroy or inactivate most germs, but not bacterial spores, on any inanimate object. Mix four tablespoons of bleach with one gallon of cool water or use an environmental protection agency (EPA) registered disinfectant.

(6) "Drop-in" means a child who attends a child care facility on an occasional or unscheduled basis.

E. Terms beginning with the letter "E":

(1) "Educator" means an adult who directly cares for, serves, and supervises children in a licensed child care facility. Educators are considered staff members.

(2) "Environment" means that the environment meets all required local, state, and federal regulations. It includes space (both indoors and outdoors) with appropriate equipment and materials that encourage children to engage in hands-on learning.

(3) "Exploitation" of a child consists of the act or process, performed intentionally, knowingly, or recklessly, of using a child's property for another person's profit, advantage or benefit without legal entitlement to do so.

(4) "Expulsion" means the involuntary termination of the enrollment of a child or family.

F. Terms beginning with the letter "F":

(1) "Facility" means any premises licensed under these regulations where children receive care, services, and supervision. A facility can be a center, home, program, or other site where children receive childcare.

(2) "Family child care home" means a private dwelling required to be licensed under these regulations that provides care, services and supervision for a period of less than 24 hours of any day for no more than six children. The licensee will reside in the home and be the primary educator.

(3) "Family handbook" is a written communication tool that provides valuable information to families of the children the program serves. It includes all matters of relevance to family members regarding the program and is updated annually, or as needed.

(4) "FOCUS" is a voluntary tiered quality rating and improvement program that is open to all licensed child care programs.

G. Terms beginning with the letter "G":

(1) "Group child care home" means a home required to be licensed pursuant to these regulations, which provides care, services, and supervision for at least seven but not more than 12 children. The licensee will reside in the home and be the primary educator.

(2) "Group size" is the number of children assigned to an educator or team of educators occupying an individual classroom or well-defined space within a larger room.

(3) "Guidance" means fostering a child's ability to become self-disciplined. Guidance shall be consistent and developmentally appropriate.

H. Terms beginning with the letter "H":

(1) "Home" means a private residence and its premises licensed under these regulations where children receive care, services, and supervision. The licensee will reside in the home and be the primary educator. A home will be considered a building or fixed dwelling that can be occupied for living purposes if it provides complete independent living facilities,

including permanent provisions for plumbing and electricity. Special consideration will be made for homes on tribal lands.

(2) "Homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence, which includes:

(a) Children and youth who are temporarily sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks (excludes mobile homes), or camping ground due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(b) children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(c) children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(d) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in Subparagraphs (a) through (c) of this Paragraph.

I. Terms beginning with the letter "I": "Infant" means a child age six weeks to 12 months.

J. Terms beginning with the letter "J": [**RESERVED**]

K. Terms beginning with the letter "K": [**RESERVED**]

L. Terms beginning with the letter "L":

(1) "License" means a document issued by ECECD to a child care facility licensed and governed by these regulations and granting the legal right to operate.

(2) "**Licensee"** means the person(s) who, or organization which, has ownership, leasehold, or similar interest in the child care facility and in whose name the license for the child care facility has been issued and who is legally responsible for compliance with these regulations.

(3) "Licensing authority" means the child care services bureau – regulatory oversight unit of the early education, care and nutrition division of the New Mexico early childhood education and care department which has been granted the responsibility for the administration and enforcement of these regulations by authority of Early Childhood Education and Care Department Act, Sections 9-29-1 to 9-29-12 NMSA 1978, as amended.

M. Terms beginning with the letter "M":

(1) "Media" means the use of televisions, video games, and non-educational online streaming such as video and social media.

(2) "Mission statement" describes what the program aspires to do and whom the program aspires to serve.

N. Terms beginning with the letter "N":

(1) "National accreditation status" means the achievement and maintenance of accreditation status by an accrediting body that has been approved by ECECD. ECECD determines the program criteria and standards to evaluate and approve accrediting bodies. The following are the only national accrediting bodies that are approved by ECECD:

(a) the association of Christian schools international (ACSI);

(b) the council on accreditation (COA) for early childhood education and after school programs;

(c) the international Christian accrediting association (ICAA);

(d) the national accreditation commission for early care and education programs (NAC);

(e) the national association for the education of young children (NAEYC) academy for early childhood program accreditation;

(f) the national association of family child care (NAFCC); [~~or~~]

(g) the national early childhood program accreditation (NECPA)**;**

(h) association Montessori internationale (AMI); or

(i) American Montessori Society (AMS).

(2) "Night care" means the care, services and supervision provided by a licensed child care facility to children between the hours of 10:00 p.m. to 6:00 a.m.

(3) "Neglect" means the failure to provide the common necessities including but not limited to: food, shelter, a safe environment, education, emotional well-being and healthcare that may result in harm to the child.

(4) "Notice of provisional employment" means a written notice issued to a child care center or home applicant indicating the Background Check Unit reviewed the applicant's fingerprint based federal or New Mexico criminal record and made a determination that the applicant may begin employment under direct physical supervision until receiving background eligibility. A notice may also indicate the applicant must receive a complete background eligibility prior to beginning employment.

(5) "Notifiable diseases" means confirmed or suspected diseases/ conditions as itemized by the New Mexico department of health which require immediate reporting to the office of epidemiology which include but are not limited to: measles, pertussis, food borne illness, hepatitis and acquired immune deficiency syndrome.

O. Terms beginning with the letter "O":

(1) "Orientation" means a process by which the employer informs each new employee, volunteer and substitute, in

advance of assuming their duties, of the mission, philosophy, policies, and procedures of the program, including clear direction about performance expectations.

(2) "Out of school time program" means a school age program at a specific site, usually a school or community center, offering on a consistent basis a variety of developmentally appropriate activities that are both educational and recreational.

P. Terms beginning with the letter "P":

(1) "Pacifier" means a rubber or plastic device, often shaped into a nipple, for an infant to suck or bite.

(2) "Pest" means any living organism declared a pest pursuant to the Pesticide Control Act.

(3) "Pesticide" means any chemical substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

(4) "Philosophy statement" describes how the program's mission will be carried out. It reflects the values, beliefs, and convictions of the program about how young children learn and describes the components of the program that contribute to that learning. It provides the program's perspective on early care and education and the nature of how children learn. The program's philosophy is implemented through the curriculum.

(5) "Policy" is a written directive that guides decision-making. Policies form the basis for authoritative action.

(6) "Premises" means all parts of the buildings, grounds, and equipment of a child care facility licensed pursuant to these regulations.

(7) "Procedure" is a series of steps to be followed, usually in a specific order, to implement policies.

(8) "Professional development" is an on-going plan for continued professional development for each educator, including the director.

(9) "Professional Development Information System (PDIS)" is a secure, centralized digital platform managed by the department and designed to collect, manage, and analyze data related to the education, training, certification, and ongoing professional development of individuals. It serves as the monitoring system to ensure compliance with professional development and training requirements and supports workforce development.

(10) "Program administrator" means the person responsible for planning or implementing the care of children in the program. This includes but is not limited to making contact with parents, keeping appropriate records, observing and evaluating the child's development, supervising staff members and volunteers, and working cooperatively with the site director and other staff members toward achieving program goals and objectives. This definition applies to out of school time programs only.

(11) "Punishment" means the touching of a child's body with the intent of inducing pain. This includes but is not limited to pinching, shaking, spanking, hair or ear pulling. It also includes any action which is intended to induce fear, shame or other emotional discomfort.

Q. Terms beginning with the letter "Q": [**RESERVED**]

R. Terms beginning with the letter "R":

(1) "Ratio" is the maximum number of children one educator can be responsible for.

(2) "Requirements" means the criteria and regulations developed by Early Childhood Education and Care Department in 8.9.4 NMAC; to set minimum standards of care, education and safety for the protection and enhancement of the well-being of children receiving care, services or supervision.

(3) "Restriction" means to control enrollment, service type, capacity, activities, or hours of operation.

(4) "Revocation" means the act of making a license null and void through its cancellation.

S. Terms beginning with the letter "S":

(1) "Sanction" means a measure imposed by the licensing authority for a violation(s) of these standards.

(2) "Sanitize" means to reduce germs on inanimate surfaces to levels considered safe by public health codes or regulations. Mix one and one-half teaspoons of bleach with one gallon of cool water or use an EPA registered sanitizer.

(3) "Serious injury" means the death of a child or accident, illness, or injury that requires treatment by a medical professional or hospitalization.

(4) "School-age" means a child in care who is [~~age five years old to 18 years~~] at least five years old by 12:01 a.m. on September 1 of the current school year and not older than 18 years old.

(5) "Staff evaluation" means that each staff member is evaluated by the director, using criteria from the individual's job description. The individual being evaluated knows ahead of time the criteria and procedures (which may include self-evaluation) for which they are being evaluated. The director discusses evaluation results with each staff member, and results are considered when determining salary increments and are incorporated into the individual's professional development plan.

(6) "Staff member" means any person, including educators, who are employed by the licensee and who are present at any time when children are present.

(7) "Substitute" means an adult who directly cares for, serves, and supervises children in a licensed child care facility, who works in place of

the regular educator, and who works less than an average of 40 hours per month in a six month period.

(8) **"Suspension"** means a temporary cancellation of a license pending an appeal hearing or correction of deficiencies.

(9) **"Site director"** means the person at the site having responsibility for program administration and supervision of an out of school time program. This definition applies to out of school time programs only.

(10) **"Star level"** means a license indicating the level of quality of an early childhood program. A greater number of stars indicates a higher level of quality.

(11) **"Substantiated complaint"** means a complaint determined to be factual, based on an investigation of events.

(12) **"Supervision"** means the direct observation and guidance of children at all times and requires being physically present with them. The only exception is school-age children who will have privacy in the use of bathrooms.

(13) **"Survey"** means a representative of the licensing authority enters a child care facility, observes activity, examines the records and premises, interviews parents and staff members and records deficiencies.

T. Terms beginning with the letter "T": "Toddler" means a child age 12 months to 24 months.

U. Terms beginning with the letter "U":

(1) **"U/L"** means the underwriters laboratory, which is a standards organization which tests electrical and gas appliances for safety.

(2) **"Unattended"** means an educator is not physically present with a child or children under care.

(3) **"Unsubstantiated complaint"** means a complaint not determined to be factual based on an investigation of events.

V. Terms beginning with the letter "V":

(1) **"Variance"** means an allowance granted by the licensing authority to permit non-compliance with a specified regulation for the period of licensure. The granting of variances is at the sole discretion of the licensing authority.

(2) **"Volunteer"** means any person who is not employed by the child care facility, spends six hours or less per week at the facility, is under direct physical supervision and is not counted in the facility ratio. Anyone not fitting this description must meet all requirements for staff members or educator.

W. Terms beginning with the letter "W": "Waiver" means an allowance granted by the licensing authority to permit non-compliance with a specified regulation for a specified, limited period of time. The granting of waivers is at the sole discretion of the licensing authority. [8.9.4.7 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.11 LICENSING:

A. TYPES OF LICENSES:

(1) INITIAL LICENSE: A license is issued to a child care facility that has met all requirements of these regulations and shall remain valid as long as the licensee maintains good standing in compliance with all applicable rules of the department, or if not in compliance with a rule, has been granted a waiver or variance of that rule by the department or has entered into a plan of correction during their annual inspection, and the child care facility certifies on its annual inspection survey its desire to renew the license for another year. A denial of an initial [~~or renewal~~] application may only occur pursuant to 8.9.4.12 NMAC.

(a) 1-star level is designated for programs not receiving child care subsidy. 1-star level requires meeting and maintaining licensing requirements at all times, except for the requirements outlined in the following items: Items (i), (ii) and (iii) of Subparagraph (a) of Paragraph (1) of Subsection A of 8.9.4.11 NMAC.

(i) for centers: Paragraph (17) of Subsection G of 8.9.4.22 NMAC, Paragraphs (5) through (9) of Subsection G of 8.9.4.24 NMAC, and Subsection H of 8.9.4.24 NMAC;

(ii) for licensed family and group child care homes: Paragraph (4) of Subsection E of 8.9.4.32 NMAC, Paragraph (15) of Subsection F of 8.9.4.32 NMAC, Paragraphs (4) through (8) of Subsection G of 8.9.4.34 NMAC, and Subsection H of 8.9.4.34 NMAC;

(iii) for licensed out of school time programs: Subparagraph (k) of Paragraph (1) of Subsection E of 8.9.4.41 NMAC, Paragraph (14) of Subsection F of 8.9.4.41 NMAC, Paragraphs (5) through (9) of Subsection B of 8.9.4.43 NMAC and Subsection C of 8.9.4.43 NMAC.

(b) 2-star level requires meeting and maintaining licensing requirements at all times.

(c) 2+ star level is voluntary and requires meeting and maintaining licensing requirements as well as meeting the most recent FOCUS eligibility requirements and 2+ star criteria.

(d) 3-star level is voluntary and requires meeting and maintaining licensing requirements and FOCUS level 3 quality criteria at all times.

(e) 4-star level is voluntary and requires meeting and maintaining licensing requirements and FOCUS levels 3 and 4 quality criteria at all times.

(f) 5-star level is voluntary and requires meeting and maintaining licensing requirements and maintaining at all times either FOCUS levels 3, 4, and 5 quality criteria [~~at all times and maintaining~~] or ECECD approved national accreditation status.

(2)
TEMPORARY LICENSE: The licensing authority will, at its discretion, issue a temporary license when it finds the child care facility in partial compliance with these regulations.

(a)
A temporary license can, at the discretion of the licensing authority, be issued for up to 120 days, during which time the child care facility shall correct all specified deficiencies.

(b)
The licensing authority will not issue more than two consecutive temporary licenses.

(c)
After a second temporary license has been issued, a new application must be submitted within 30 days.

(3)
AMENDED LICENSE: A child care facility shall submit a new [~~notarized~~] application to the licensing authority before modifying information required to be stated on the license. Examples of such modifications include dates, capacity, director and number of stars.

(a)
A child care facility will apply to the licensing authority for an amended license in order to change the director. The child care facility must notify the licensing authority within 24 hours after the child care facility becomes aware of the need to name a new director and, if necessary, appoint a temporary acting director with the minimum requirements of a high school diploma or GED and three years of experience. The temporary acting director's appointment is valid for 90 days.

(b)
[~~A notarized~~] An application must be submitted for a change of capacity. Application for an increase or decrease of capacity will not be approved nor an amended license issued until an on-site visit has been made by the licensing authority to determine that the child care facility meets all applicable codes and regulations. A child care facility must not accept additional children or change the layout of the child care facility until the licensing authority has approved and issued the amended license.

(c)
A child care facility will apply to the licensing authority for an amended license in order to change the number of stars. An application for a different star level will not be approved nor an amended license issued until on-site visits have been made and it has been determined that the child care facility meets all applicable criteria.

(4)
PROVISIONAL 2-STAR LICENSE: Newly licensed programs receiving child care
subsidy will be given a provisional 2-star license for up to three months, pending observation by the licensing authority of the interactions between teachers and children in the classrooms.

(5)
MILITARY LICENSE:

(a)
Centers on military installations and United States department of defense (DoD) certified homes serving only military families on or off the installation are governed and inspected by the [~~United States department of defense (DoD) and~~] DoD and must obtain national accreditations. Therefore, such centers [~~do not require an~~] and DoD certified homes are not subject to inspection by the New Mexico licensing authority.

(b)
In order to participate in the child care assistance program, providers licensed by the DoD must submit the following:

(i)
Licensing application

(ii)
Annual submission of a letter or memo detailing the approved DoD background clearance status for the director and all staff members in accordance with 8.9.6 NMAC, to include the individual's name, date of birth, and home address. For certified homes, the letter or memo must include the names of the licensee, household members over 18 years old, and all secondary educators;

(iii)
DoD annual certification;

(iv)
DoD approved accreditation, if applicable; and

(v)
W-9 form and supporting documentation, if applicable.

(6) TRIBAL GOVERNMENT LICENSE:

(a)
Centers and child care homes operating on sovereign tribal lands are governed and inspected by the federal Tribal Child Care and Development Fund (CCDF) Lead Agency or may maintain status as Tribal head start or early head start. Therefore, such centers and homes do not require an inspection by the New Mexico licensing authority.

(b)
Centers and child care homes governed and inspected by the federal Tribal Child Care and Development Fund (CCDF) Lead Agency, or who maintains status as Tribal head start or early head start, may choose to apply for a Tribal Government License from ECECD.

(i)
A Tribal Government license may be issued for the purposes of receiving child care assistance subsidies through 8.9.3 NMAC.

(ii)
Centers and licensed homes operating under a Tribal Government license must comply with their sponsoring Tribal Child Care and Development Lead Agency or Tribal head start and early head start requirements, and are not required to be inspected by the New Mexico licensing authority or comply with any other regulations under this part other than Paragraph (6) of Subsection A of 8.9.4.11 NMAC.

(iii)
[~~Centers and licensed homes operating under a Tribal Government license must comply with their sponsoring Tribal Child Care and Development Lead Agency or Tribal head start and early head start rules and requirements.~~

~~**(iv)**~~]
A Tribal Government license may be

revoked if the New Mexico licensing authority is notified by the center or licensed home's tribal child care and development lead agency of the center or home's non-compliance with their rules and requirements or is notified of a loss of tribal head or early head start status.

(c) Providers wishing to receive a tribal Government license must submit the following to obtain licensure from ECECD:

(i) Licensing application;

(ii) Proof of tribal CCDF lead agency approval;

(iii) Annual submission of a letter or memorandum attesting that the tribal CCDF's programs' director and all staff are in compliance with state, federal or tribal background check clearances;

(iv) Annual submission of a list of the director and all staff employed by the provider, listing each individual staff member's name, date of birth, and home address; and

(v) W-9 form and supporting documentation, if applicable.

(d) As an alternative to a tribal government license, centers and homes operating on sovereign tribal lands may choose to apply for a state license. To receive a state license, the center or home must follow the full process outlined in 8.9.4 NMAC and agree to follow and be subject to all the rules and requirements of 8.9.4 NMAC.

B. POSTING OF LICENSE: A child care facility shall post the license on the licensed premises in an area readily visible to parents, staff members, and visitors.

C. NON-TRANSFERABLE RESTRICTIONS OF LICENSE: A licensee will not transfer a license by assignment or otherwise to any other person or location. The license will be void and the licensee will return it to the licensing authority when:

(1) the owner of the child care facility changes;

(2) the child care facility moves;

(3) the licensee of the child care facility changes; or

(4) the child care facility closes.

D. AUTOMATIC EXPIRATION OF LICENSE: A license will expire automatically at midnight on the date the following occurs:

(1) on the day a child care facility closes;

(2) on the day a child care facility is sold, leased, or otherwise changes ownership or licensee;

(3) on the day a child care facility moves.

E. ACCREDITED PROGRAMS: Accredited programs must meet and maintain all licensing standards and their ECECD-approved national accreditation without a lapse in order to be designated as a 5-star facility. The licensing authority may, at its option, notify the program's accrediting body of the program's failure to meet and maintain licensing standards.

[8.9.4.11 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.17 SURVEYS FOR CHILD CARE FACILITIES:

A. The licensing authority will conduct a survey at least twice a year in each child care facility using these regulations as criteria. The licensing authority will conduct additional surveys or visit the child care facility additional times to provide technical assistance, to check progress on correction of deficiencies found on previous surveys, or to investigate complaints.

B. Upon the completion of a survey, the licensing authority will discuss the findings with the licensee or their representative and will provide the child care facility with an official written report of the findings and a request for a plan or plans of correction, if appropriate.

C. The licensee, director, or operator, will submit within 10 working days after the date of the survey, a corrective action plan to the licensing authority for deficiencies found during the survey. The corrective action plan will be specific on how and when the child care facility shall correct the deficiency or deficiencies.

D. The licensing authority may accept the corrective action plan as written or require modifications of the plan.

E. By applying for a new license [~~or a license renewal~~], the licensee grants the licensing authority representative the right to enter the premises and survey the child care facility, including inspection and copying of child care facility records, both while the application is being processed and, if licensed, at any time during the licensure period.

F. The licensing authority may or may not announce a survey. The licensee must grant immediate access upon the licensing authority's arrival. At all times, a person who is knowledgeable in the daily operations, has access to all records and locked areas, and can represent the licensee or director for survey purposes shall be present in the child care facility.

G. If a facility has video cameras on the premises that have recording capabilities, footage must be accessible to the licensing authority upon request.

[8.9.4.17 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.22 ADMINISTRATIVE REQUIREMENTS FOR CENTERS:

A. ADMINISTRATION RECORDS: A licensee shall display in a prominent place that is readily visible to parents, staff and visitors:

(1) all licenses, certificates, and most recent inspection reports of all state and local government agencies with jurisdiction over the center;

(2) the current child care regulations;

(3) dated weekly menus for meals and snacks;

(4) the guidance policy; and

(5) the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico department of health.

B. MISSION, PHILOSOPHY AND CURRICULUM STATEMENT: All licensed facilities must have a:

(1) mission statement;

(2) philosophy statement; and

(3) curriculum statement.

C. POLICY AND PROCEDURES: All facilities operating under these regulations are required to establish, implement, and adhere to written policies and procedures. These documents must be clearly dated to indicate when they were created and must be updated to reflect any revisions. Whenever policies or procedures are amended, the facility shall update the revision and date it. The written policies and procedures must cover the following areas:

(1) actions to be taken in case of accidents or emergencies involving a child, parents or staff members;

(2) policies and procedures for admission and discharge of children;

(3) policies and procedures for expulsion of children. Policies and procedures shall include how the center will maintain a positive environment and will focus on preventing the expulsion of children age birth to five. The center must develop policies that include clear, appropriate, consistent expectations, and consequences to address disruptive student behaviors; and ensure fairness, equity, and continuous improvement;

(4) policies and procedures for the handling of medications;

(5) policies and procedures for the handling of complaints received from parents or any other person;

(6) policies and procedures for actions to be taken in case children are discovered unattended or missing from the center;

(7) policies and procedures for the handling of children who are ill;

(8) an up to date emergency evacuation and disaster preparedness plan, which shall include steps for evacuation, relocation, shelter in place, lock-down, communication, reunification with parents, individual plans for children with special needs and children with chronic medical conditions, accommodations of infants and toddlers, and continuity of operations (see waivers, Subsection D of 8.9.4.14 NMAC). The plan shall be approved annually by the licensing authority and the department will provide guidance on developing these plans and

(9) policies and procedures that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older).

D. FAMILY HANDBOOK: All facilities operating under these regulations must have a family handbook. Upon updating the family handbook, changes must be approved and submitted to the licensing authority. After any changes, notice must be sent out to families, parents, or guardians and posted in a common area. The handbook shall include the following:

(1) GENERAL INFORMATION:

(a) mission statement;

(b) philosophy statement;

(c) program information (location, license information, days and hours of operation, services offered);

(d) name of director and their contact information;

(e) meals, snacks and types of food served (or alternatively, guidelines for children bringing their own food);

(f) daily schedule;

(g) a statement supportive of family involvement that includes an open-door policy to the classroom;

(h) appropriate dress for children, including request for extra change of clothes;

(i) celebrating holidays, birthdays and parties; and

(j) disclosure to parents that the licensee does not have liability or accident insurance coverage.

(2) POLICIES AND PROCEDURES:

(a) enrollment procedures;

(b) disenrollment procedures;

(c) expulsion procedures;

(d) fee payment procedures, including penalties for tardiness;

(e) notification of absence;

(f) fee credits, if any (e.g. for vacations, absences, etc.);

(g) field trip policies;

(h) health policies (program's policies on admitting sick children, when children can return after an illness, administering medication, and information on common illnesses);

(i) emergency procedures, safety policies, and disaster preparedness plan;

(j) snow days and school closure;

(k) confidentiality policy;

(l) child abuse/neglect reporting procedure;

(m) guidance policy;

(n) anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older); and

(o) employee cellular telephone usage policy that directs and defines safe and appropriate use.

E. CHILDREN'S RECORDS: A center shall maintain a complete record for each child, including drop-ins, completed before the child is admitted. Records shall be kept at the center for 12 months after the child's last day of attendance. Records shall contain at least:

(1) PERSONAL INFORMATION:

(a) name of the child; date of birth, gender, home address, mailing address and telephone number;

(b) names of parents or guardians, parents or guardians current places of employment, addresses, cellular and work telephone numbers;

(c) a list of people authorized to pick up the child and an authorization form signed by parent or guardian; identification of person authorized by the parent or guardian to pick up the child shall be verified at pick up;

(d) date the child first attended the center and the date of the child's last day at the center;

(e) a copy of the child's up-to-date immunization record or a public health division approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care, homeless children and youth, or at-risk children and youth as determined by the department;

(f) a record of any accidents, injuries or illnesses which require first aid or medical attention which must be reported to the parent or guardian;

(g) a record of observations of recent bruises, bites or signs of potential abuse or neglect, which must be reported to CYFD and ECECD;

(h) written authorization from the child's parent or guardian to remove a child from the premises to participate in off-site activities; authorization must contain activity destination, date and time of activity and expected return time from activity;

(i) written authorization from the child's parent or guardian for the educator to apply sunscreen, insect repellent and, if applicable, diaper cream to the child.

(j) a record of the time the child arrived and left the center and dates of attendance initialed by a parent, guardian, or person authorized to pick up the child;

(k) an enrollment agreement form which must be signed by a parent or guardian with an outline of the services and the costs being provided by the facility; and

(l) a signed acknowledgment that the parent or guardian has read and understands the family handbook.

(2) EMERGENCY INFORMATION:

(a) information on any allergies or medical conditions suffered by the child.

(b) the name and telephone number of two people in the local area to contact in an emergency when a parent or guardian cannot be reached. Emergency contact numbers must be kept up to date at all times.

(c) the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.

(d) a document giving a center permission to transport the child in a medical emergency and an authorization for medical treatment signed by a parent or guardian.

(e) if applicable, legal documentation regarding the child, including but not limited to: restraining orders, guardianship, powers of attorney, court orders, and custody by children's protective services.

F. PERSONNEL RECORDS:

[~~(1) A licensee shall keep and maintain a complete up-to-date file in ECECD's professional development information system (PDIS), for each staff member, including substitutes and volunteers working more than six hours of any week and having direct contact with the children. If the center chooses to retain duplicate physical copies of these records, these records shall be stored in a secure location for the privacy of the staff members. New information shall be updated in a timely manner in PDIS. Providers will have six months to comply from the date these regulations are promulgated. Records shall contain at a minimum the following:~~] A center shall keep and maintain an up-to-date personnel file with all information required by ECECD for each staff member, including substitutes and volunteers who work more than six hours in any week and have direct contact with children. Personnel files shall be updated as soon as practicable, but not longer than thirty days after any changes.

(1) The following items, at minimum, shall be maintained in ECECD's professional development information system (PDIS):

(a) name; [~~, address and telephone number;~~]

(b) current position;

[~~**(c)** current and past duties and responsibilities;~~

~~(d)~~ **(c)** dates of hire and termination;

[~~(c)~~ **(d)** documentation of a background check and employment history verification; if background check is in process, then documentation of the notice of provisional employment showing that it is in process must be placed in file. A background check must be conducted at least once per five-year interval on all required individuals;

[~~(f)~~ **(e)** an annual signed statement that the staff member would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC;

[~~(g)~~ **(f)** documentation of current first-aid and cardiopulmonary resuscitation training;

[~~(h)~~] **(g)** documentation of all appropriate training by date, time, hours and area of competency;

[~~(i) emergency contact number;~~

~~(j) universal precaution acknowledgment form;~~

~~(k) confidentiality form;~~

~~(l) results of performance evaluations (shall be maintained outside of PDIS);~~

~~(m) administrative actions or reprimands (shall be maintained outside of PDIS);~~

~~(n)~~] **(h)** written plan for ongoing professional development for each educator, including the director, that is based on the seven areas of competency, consistent with the career lattice, and based on the individual's goals; and

~~(o)~~] **(i)** signed acknowledgment that the staff have read and understand the personnel handbook.

[~~(p) signed acknowledgement that all staff have reviewed and are aware of the center's disaster preparedness plan and evacuation plan; and~~]

(2) The following items, at minimum, shall be maintained by the provider outside of PDIS and shall be made available for review upon request:

(a) current and past duties and responsibilities;

(b) emergency contact number;

(c) results of performance evaluations; and

(d) administrative actions or reprimands.

~~(2)~~] **(3)** A center shall maintain dated weekly work schedules for the director, all staff, all educators, and all volunteers and keep the records on file for at least 12 months. The record shall include the time the workers arrived at and left work and include breaks and lunch.

G. PERSONNEL HANDBOOK: The center shall give each employee a personnel handbook that covers all matters relating to employment. Upon updating the personnel handbook, changes must be approved and submitted to the licensing authority. After any changes, notice must be sent out to families, parents, or guardians and posted in a common area. The handbook shall include the following critical contents:

(1) organizational chart;

(2) job descriptions of all employees by title;

(3) benefits, including vacation days, sick leave, professional development days, health insurance, break times, etc.;

(4) code of conduct;

(5) training requirements, career lattice, professional development opportunities;

(6) procedures and criteria for performance evaluations;

(7) policies on absence from work;

(8) grievance procedures;

(9) procedures for resignation or termination;

(10) copy of licensing regulations;

(11) policy on parent involvement;

(12) health policies related to both children and staff;

(13) policy on sexual harassment;

(14) child guidance policy;

(15) anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older);

(16) confidentially statement; and

(17) a plan for retention of qualified staff.

[8.9.4.22 NMAC - N, 11/01/2022; A, 11/04/2025, A, 9/09/2026]

8.9.4.23 PERSONNEL AND STAFFING REQUIREMENTS FOR CENTERS:

A. PERSONNEL AND STAFFING REQUIREMENTS:

(1) An employer shall not allow any employee involved in an incident which would disqualify that employee under the department's most current version of the background check and employment history verification provisions pursuant to 8.9.6 NMAC to continue to work directly or unsupervised with children.

(2) All educators shall demonstrate the ability to perform essential job functions that reasonably ensure the health, safety and welfare of children in care.

(3) Educators who work directly with children and who are counted in the staff/child ratios must be 18 years of age or older.

(4) Clerical, cooking and maintenance personnel who also care for children and are included in the staff/child ratio shall have a designated schedule showing their normal hours in each role. Educators counted in the staff/child ratios shall not have as their primary

responsibility cooking, clerical or cleaning duties while caring for children.

(5) Volunteers shall not be counted in the staff/child ratios or left alone with children unless they meet all requirements for an educator.

(6) Substitutes and part-time educators counted in the staff/child ratios shall meet the same requirement as regular educators except for training requirements, professional development plan and evaluations. Substitutes, volunteers, and educators routinely employed in a center but working 20 hours or fewer a week, shall complete half the required training hours. Such employees working more than 20 hours a week shall meet full training requirements and have professional development plans and evaluations. See Paragraph (2) of Subsection B of 8.9.4.23 NMAC for additional training requirements.

(7) A director is responsible for one center only. Directors who are responsible for more than one center on the date these regulations are promulgated shall continue in that capacity. The director or co-director must be on the site of the center for a minimum of fifty percent of the center's daily core hours of operation. The licensing authority may require proof of the director's time on-site. See Paragraph (2) of Subsection F of 8.9.4.22 NMAC.

(8) During any absence, the director shall assign a person to be in charge and will post a notice stating the assignment.

(9) A program shall maintain staff/child ratios and group sizes at all times based on the age of the majority of children in the group. Children must never be left unattended whether inside or outside the facility. Staff will be onsite, available and responsive to children during all hours of operation. All educators shall perform head counts at regular intervals throughout the day.

(10) A center shall have a minimum of two staff members present at all times, with one being an educator. If the center has fewer than seven children, the second staff member may conduct other activities such as cooking, cleaning, or bookkeeping.

(11) A center shall keep a list of people who can substitute for any staff member. The list will include the people's names, telephone numbers, background check, health certificates and record of orientation.

(12) Each room of the center and its premises shall be inspected at closing time on a daily basis to assure the center is secure, free of hazards, and that no child has been left unattended.

B. STAFF QUALIFICATIONS AND TRAINING:

(1) DIRECTOR QUALIFICATIONS:

(a) Unless exempted under Subparagraph (b) below, a child care center shall have a director who is at least 21 years old and meets the requirements outlined in the table below.

<table>
<tr><th colspan="3">Professional Preparation</th><td rowspan="10"></td><th>Experience</th></tr>
<tr><td>Program Administration

The first of three AA-level Early Childhood Program Administration courses in the Early Childhood Program Administration career pathway: Program Management 1

Or

The National Administrator Credential (NAC)*</td><td>and</td><td>Child Development/ Early Childhood Education

Child Growth, Development and Learning (one of the AA-level “common core courses”)**</td><td rowspan="9">Two-years experience in an early childhood growth and development setting</td></tr>
<tr><td colspan="3">The Provisional AA-Level NM Early Childhood Program Administration Certificate (All three AA-level Early Childhood Program Administration Courses and Practicum: Program Management 1, Effective Program Development for Diverse Learners and Their Families & Practicum, Professional Relationships & Practicum)</td></tr>
<tr><td colspan="3">The New Mexico Child Development Certificate (CDC) (Includes the following four courses as well as additional non-coursework requirements: Child Growth, Development and Learning; Health, Safety and Nutrition; Family and Community Collaboration; and Assessment of Children and Evaluation of Programs)</td></tr>
<tr><td colspan="3">The Child Development Associate (CDA) certificate</td></tr>
<tr><td colspan="3">The Child Care Professional (CCP) certificate</td></tr>
<tr><td colspan="3">The New Mexico Early Childhood Program Administration Certificate</td></tr>
<tr><td colspan="3">Montessori Teacher Certification</td></tr>
<tr><td colspan="3">The New Mexico One-Year Vocational Certificate</td></tr>
<tr><td colspan="3">Associate of Arts (AA) or Applied Sciences (AA or AAS) in child development or early childhood education</td></tr>
</table>

Or		
A bachelor's degree or higher in early childhood education or a related field. Related fields include: early childhood special education, family studies, family and consumer sciences, elementary education with early childhood endorsement or any bachelor's degree with a transcript containing two or more Early Childhood courses.	and	One year of experience in an early childhood growth and development setting

*The NAC and two years of experience in an early childhood growth and development setting will be accepted as sufficient qualification for a director under the following conditions: a) The NAC was received prior to November 30, 2012 and b) the NAC has been maintained and has not expired subsequent to November 30, 2012.
**Directors shall be given until the end of the first full academic semester following their start date to successfully complete this course.

(b)
Current directors in a licensed center not qualified under these regulations will continue to qualify as directors as long as they continuously work as a director. Current directors having a break in employment of more than one year must meet the requirements as specified in Subparagraph (a) above.

(2)
TRAINING:

(a)
The director shall develop and document an orientation and training plan for new staff members and volunteers and shall provide information on training opportunities. The director shall have on file a signed acknowledgment of completion of orientation by employees, volunteers and substitutes as well as the director. New staff members shall participate in an orientation before working with children. Initial orientation shall include training on the following:

(i)
scope of services, activities, and the program offered by the center;

(ii)
emergency first aid procedures, recognition of childhood illness and indicators of child abuse;

(iii)
fire prevention measures, emergency evacuation plans and disaster preparedness plans;

(iv)
review of licensing regulations;

(v)
policies regarding guidance, child abuse and neglect reporting, and handling of complaints;

(vi)
review of written policies and procedures as defined in Subsection C of 8.9.4.22 NMAC;

(vii)
center/parental agreement;

(viii)
sanitation procedure;

(ix)
written goals of the program;

(x)
personnel handbook;

(xi)
family handbook;

(xii)
names and ages of children;

(xiii)
names of parents;

(xiv)
tour of the facility; and

(xv)
introduction to other staff and parents.

(b)
All new staff members working directly with children regardless of the number of hours employed per week shall complete the following training within three months of their date of hire. Training must be approved by ECECD to fulfill the following requirements. Approved trainings and substitutions will be listed on the ECECD's website. All current educators shall have three months to comply with the following training from the date these regulations are promulgated:

(i)
prevention and control of infectious diseases (including immunization);

(ii)
prevention of sudden infant death syndrome and use of safe sleeping practices;

(iii)
administration of medication, consistent with standards for parental consent;

(iv)
prevention of and response to emergencies due to food or other allergic reactions;

(v)
building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;

(vi)
prevention of shaken baby syndrome and abusive head trauma;

(vii)
emergency preparedness and response planning for emergencies resulting from natural or man-caused disasters;

(viii)
handling and storage of hazardous materials and the appropriate disposal of bio contaminants;

(ix)
precautions in transporting children (if applicable);

(x)
first aid and cardiopulmonary resuscitation (CPR) awareness with a pediatric component;

(xi)
recognition and reporting of child abuse and neglect; and

(xii)
a child development course that addresses all major domains of child development, including cognitive, social emotional, physical development and approach to learning as defined by the federal Child Care and Development Fund in 45 CFR § 98.44 Training and Professional development, or approved three-credit early care and education course or an equivalent approved by the department.

(c) New staff members working directly with children regardless of the number of hours employed per week shall complete the following, or a three-credit early care and education course or an equivalent approved by the department prior to or within twelve months of employment or the effective date of these regulation amendments. Substitute educators are exempt from this requirement. Training must be approved by ECECD to fulfill the requirements. Approved trainings and substitutions will be listed on ECECD's website.

(i) Learning Environment: How Classroom Arrangement Impacts Behavior

(ii) Challenging Behavior: Reveal the Meaning

(iii) Building Strong Relationships with Families

(iv) Honoring All Families

(d) Each staff person working directly with children and more than 20 hours per week, including the director, is required to obtain at least 24 hours of training each year. For this purpose, a year begins and ends at the anniversary date of employment. Training must address all seven competency areas within two years. The competency areas are:

(i) child growth, development and learning;

(ii) health, safety, nutrition and infection control;

(iii) family and community collaboration;

(iv) developmentally appropriate content;

(v) learning environment and curriculum implementation;

(vi) assessment of children and programs; and

(vii) professionalism.

(e) Training must be provided by individuals who are registered on the New Mexico trainer registry.

(f) Training provided by center employees, directors, owners, and direct affiliates of the provider shall count for no more than half of the required 24 hours of training each year.

(g) Online first aid and CPR training will not be approved, unless there is a hands-on component included. In-person requirements may be waived in case of an emergency.

(h) Identical trainings shall not be repeated for the purpose of obtaining credit.

(i) Directors may count hours in personnel and business training toward the training requirement.

(j) Infant and toddler educators must have at least four hours of training in infant and toddler care annually and within three months of starting work. The four hours shall count toward the 24-hour requirement.

(k) A center shall keep a training log on file for all staff with the employee's name, date of hire, and position. The log must include date of training, clock hours, competency area, source of training, and training certificate.

(l) A college credit hour in a field relevant to the competency areas listed above shall be considered equivalent to a minimum of 15 clock hours. Basic level pre-requisites, such as math and English courses, leading to a degree in early childhood development shall be considered equivalent to a minimum of 15 clock hours per credit hour.

(m) See Paragraph (6) of Subsection A of 8.9.4.23 NMAC for requirements for centers that operate less than 20 hours per week.

C. STAFF/CHILD RATIOS AND GROUP SIZES:

(1) Ratios and group sizes shall be observed as outlined in the tables below:

Centers where children are grouped by age		
Age Group	Adult to child ratio	Maximum group size
Infants	1:6 or fraction of group thereof	12*
Toddlers	1:6 or fraction of group thereof	12*
two years	1:10 or fraction of group thereof	20
three years	1:12 or fraction of group thereof	24
four years	1:12 or fraction of group thereof	24
five years	1:15 or fraction of group thereof	30
six years and older	1:15 or fraction of group thereof	30

Centers Where Age Groups Are Combined		
Age Group	Adult to child ratio	Maximum group size
six weeks through 24 months	1:6 or fraction of group thereof	12*
two through four years	1:12 or fraction of group thereof	24
three through five years	1:14 or fraction of group thereof	28
six years and older	1:15 or fraction of group thereof	30
18 to 24 months with children ages 24 through 35 months	1:6 or fraction of group thereof	12*

*Providers whose group size exceeds the maximum group size for infants and toddlers indicated above prior to the date these regulations are promulgated shall continue with their current group size as long as ratios are maintained at all times. Providers whose group size meets the maximum group size for infants and toddlers indicated above prior to the date these regulations are promulgated must continue to meet the maximum group size. All new licensed providers and those requesting an infant or toddler capacity change after the date these regulations are promulgated must meet the maximum group size as indicated above.

In accordance with AMI or AMS accreditation standards, providers applying for or maintaining AMI or AMS accreditation may combine age groups as follows:		
Age Group	**Adult to Child Ratio**	**Maximum Group Size**
2 months – 15 months	1:3	10
12 months –3 years	1:6	12
2.5 – 6 years	1:15	30
6 years and older	1:15	30

(2) The number of children who may be in a group and the number of caregivers is specified in Paragraph (1) of Subsection C of 8.9.4.23 NMAC. More than one group of children may occupy a room, provided the following conditions are met:

(a) the room is divided so that different activity/interest areas are well-defined (i.e. creative art, dramatic play, books, manipulatives, blocks, science, and math);

(b) each activity/interest area shall have a posted capacity, which may vary according to the activity and size of the space, and shall not exceed the group size requirement as specified in Paragraph (1) of Subsection C of 8.9.4.23 NMAC;

(c) placement of cabinets, tables, carpeting, room-dividers, or shelving clearly define the different activity/interest areas;

(d) individual children may freely move from one activity/interest area at their own pace as long as the capacity of any individual interest area is not exceeded;

(e) a single educator is responsible for supervising up to the number of children allowed in the adult to child ratio age grouping specified in Paragraph (1) of Subsection C of 8.9.4.23 NMAC in one or more interest area as long as every child is in direct eyesight of the educator; and

(f) the total number of children in a larger room must not exceed the room capacity based on activity space. For example, if a three to five year old classroom has a capacity of 40, and the maximum group size is 28, the room must be divided by at least two well-defined spaces that include various activity/interest areas and be supervised by at least three educators, who are spread out so that every child is "attended."

(3) Child care facilities not meeting the requirements as specified in Paragraph (1) of Subsection C of 8.9.4.23 NMAC, must be able to clearly demonstrate the intent of group sizing through written procedures that must be approved by ECECD. The written procedures shall address the following:

(a) maintenance of adult to child ratio within the group size in Paragraph (1) of Subsection C of 8.9.4.23 NMAC. to facilitate adult to child interaction and constructive activity among children;

(b) assignment of a group of children to an educator or team of educators; and

(c) demonstrate how the educators shall meet the needs of all children in the assigned classroom and account for all children at all times.

(4) A center shall schedule staff to minimize the number of primary educators a child has during the day and the week. A child shall have no more than three primary, consecutive educators in any day including educators in the early morning and late afternoon. Each child must have an educator who is aware of details of the child's habits, interests, and any special concerns.

(5) The same educator who cares for the children under age two years shall supervise those children when they play with children over two years.

[8.9.4.23 NMAC - N, 11/01/2022; A, 10/08/2024; A, 11/04/2025; A, 9/09/2026]

8.9.4.32 ADMINISTRATIVE REQUIREMENTS FOR HOMES:

A. ADMINISTRATIVE RECORDS: A licensee shall post the child care home license in an area readily visible to parents and visitors. The licensee shall also keep on file:

(1) all licenses, certificates, and most recent inspection reports of all state and local government agencies with jurisdiction over the home;

(2) the current child care regulations;

(3) the guidance policy;

(4) the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico department of health; and

(5) an up-to-date emergency evacuation and disaster preparedness plan, which shall include steps for evacuation, relocation, shelter-in-place, lock-down, communication, reunification with parents, individual plans for children with special needs and children with chronic medical conditions, accommodations of infants and toddlers, and continuity of operations. The plan shall be approved annually by the licensing authority and the department will provide guidance on developing these plans.

B. MISSION, PHILOSOPHY AND CURRICULUM STATEMENT: All licensed facilities must have a:

(1) mission statement;

(2) philosophy statement; and

(3) curriculum statement.

C. FAMILY HANDBOOK: All facilities using these regulations must have a family handbook. Upon updating the family handbook, changes must be approved and submitted to licensing and submitted to the licensing authority. After any changes, notices must be sent out to families, parents, or guardians and posted in a common area. The handbook shall include the following:

(1) GENERAL INFORMATION:

(a) mission statement;

(b) philosophy statement;

(c) program information (location, license information, days and hours of operation, services offered);

(d) name of licensee and how they may be reached;

(e) meals, snacks and types of food served (or alternatively, guidelines for children bringing their own food);

(f) daily schedule;

(g) a statement supportive of family involvement that includes an open-door policy to the family or group child care home;

(h) appropriate dress for children, including request for extra change of clothes;

(i) celebrating holidays, birthdays and parties; and

(j) disclosure to parents that the licensee does not have liability or accident insurance coverage.

(2) POLICIES AND PROCEDURES: All facilities operating under these regulations are required to establish, implement, and adhere to written policies and procedures. These documents must be clearly dated to indicate when they were created and must be updated to reflect any revisions. Whenever policies or procedures are amended, the facility shall update the revision and date it. The written policies and procedures must cover the following areas:

(a) enrollment procedures;

(b) disenrollment procedures;

(c) policies and procedures for expulsion of children. Policies and procedures shall include how the home will maintain a positive environment and will focus on preventing the expulsion of children age birth to five. The home must develop policies that include clear, appropriate, consistent expectations, and consequences to address disruptive student behaviors; and ensure fairness, equity, and continuous improvement;

(d) fee payment procedures, including penalties for tardiness;

(e) notification of absence;

(f) fee credits, if any (e.g. for vacations, absences, etc.);

(g) field trip policies;

(h) health policies (program's policies on admitting sick children, when children can return after an illness, administering medication, and information on common illnesses);

(i) emergency procedures, safety policies, and disaster preparedness plan;

(j) snow days and school closure;

(k) confidentiality policy;

(l) child abuse/neglect reporting procedure;

(m) guidance policy;

(n) anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older); and

(o) employee cellular telephone usage policy that directs and defines safe and appropriate use.

D. CHILDREN'S RECORDS: A home shall maintain a complete record for each child, including drop-ins, completed before the child is admitted and kept at the home for 12 months after the child's last day of attendance. Records shall contain at minimum:

(1) PERSONAL INFORMATION:

(a) name of the child, date of birth, gender, home address, mailing address and telephone number;

(b) names of the parents or guardians, the parents or guardians current places of employment, addresses, cellular and work telephone numbers;

(c) a list of people authorized to pick up the child and an authorization form signed by parent or guardian; identification of person authorized by the parent or guardian to pick up the child shall be verified at pick up;

(d) date the child first attended the home and the date of the child's last day at the home;

(e) a copy of the child's up-to-date immunization record or a public health division approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care, homeless children and youth, or at-risk children and youth as determined by the department;

(f) a record of any accidents, injuries or illnesses that require first aid or medical attention and any observations of recent bruises, bites or potential signs of abuse or neglect, both of which must be reported to a parent or guardian;

(g) written authorization from the child's parent or guardian to remove a child from the premises to participate in off-site activities; authorization must contain activity destination, date and time of activity and expected return time from activity;

(h) written authorization from the child's parent or guardian for the educator to apply sunscreen, insect repellent and, if applicable, diaper cream to the child;

(i) a record of the time the child arrived and left the home and dates of attendance initialed by a parent, guardian, or person authorized to pick up the child;

(j) an enrollment agreement must be signed by a parent or guardian with an outline of the services and the costs being provided by the home; and

(k) a signed acknowledgement that the parent or guardian has read and understands the family handbook.

(2) EMERGENCY INFORMATION:

(a) information on any allergies or medical conditions suffered by the child;

(b) the name and telephone number of two people to contact in the local area in an emergency when a parent or guardian cannot be reached; emergency contact numbers must be kept up to date at all times.

(c) the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency;

(d) a document giving a home permission to transport the child in a medical emergency and an authorization for medical treatment signed by a parent or guardian; and

(e) if applicable, legal documentation regarding the child, including but not limited to: restraining orders, guardianship, powers of attorney, court orders, and custody by children's protective services.

E. PERSONNEL RECORDS: [~~A home shall keep the following records on file and make them available to the licensing authority.~~] A licensed home shall maintain complete and up to date personnel records for the licensee and all second educators, including substitutes and volunteers working more than six hours per week. Records must be updated as soon as practicable, but no later than thirty days after any change.

(1) [~~Documentation of a background check and employment history verification for all staff members and all adults living in the home. If a background check is in process for a staff member, then documentation of the notice of provisional employment showing that it is in process must be placed in the file. A background check must be conducted at least once every five years on all required individuals.~~] The following items, at minimum, shall be maintained in ECECD's Professional Development Information System (PDIS):

(a) documentation of background check and employment history verification for all staff members; if a background check is in process, then documentation of the notice of provisional employment showing that it is in process must be placed in the file. A background check must be conducted at least once every five years on all required individuals;

(b) an annual signed statement that the individual would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC;

(c) documentation of all completed training, including first-aid and CPR;

(d) a written plan for ongoing professional development for each educator that is based on the seven areas of competency, consistent with the career lattice, and based on the individual's goals (family child care homes who do not have employees are exempted from this requirement); and

(e) signed acknowledgment that the individual has read and understands the personnel handbook.

(2) [~~An annual signed statement that the staff member would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC.~~]The following items, at minimum, shall be maintained by the home provider outside of PDIS and made available upon request:

(a) documentation of a background check and employment history verification for all adults living in the home. A background check must be conducted at least once every five years on all required individuals;

(b) records of arrival and departure times for second educators, including breaks and lunch;

(c) current and past duties and responsibilities for second educators;

(d) emergency contact information for second educators;

(e) results of performance evaluations for second educators;

(f) administrative actions or reprimands for second educators.

[~~**(3)** A record of the time the second educators arrived at and left work, to include breaks and lunch.~~

~~**(4)** A written plan for ongoing professional development for each educator that is based on the seven areas of competency, consistent with the career lattice, and based on the individual's goals. Family child care homes who do not have employees are exempted from this requirement.~~

~~**(5)** Licensed child care homes shall maintain the complete, up-to-date personnel records in ECECD's professional development information system, (PDIS), for each staff member, including substitutes and volunteers working more than six hours of any week and having direct contact with the children. If the home chooses to retain duplicate physical copies of these records, these records shall be stored in a secure location for the privacy of the staff members. New information shall be updated in a timely manner in PDIS. Records shall contain at a minimum the following:~~

~~**(a)** name, address and telephone number;~~

~~**(b)** position;~~

~~**(c)** current and past duties and responsibilities;~~

~~**(d)** dates of hire and termination;~~

~~**(e)** documentation of a background check and employment history verification; if background check is in process then documentation of the notice of provisional employment showing that it is in process, must be placed in file. A background check must be conducted at least once per five-year interval on all required individuals;~~

~~**(f)** an annual signed statement that the staff member would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC;~~

~~**(g)** documentation of current first-aid and cardiopulmonary resuscitation training;~~

~~**(h)** documentation of all appropriate training by date, time, hours and area of competency;~~

~~**(i)** emergency contact number;~~

~~**(j)** universal precaution acknowledgment form;~~

~~**(k)** confidentiality form;~~

~~**(l)** results of performance evaluations (shall be maintained outside of PDIS);~~

~~**(m)** administrative actions or reprimands (shall be maintained outside of PDIS);~~

~~**(n)** written plan for ongoing professional development for each educator, including the director, that is based on the seven areas of competency, consistent with the department's career lattice, and based on the individual's goals; and~~

~~**(o)** signed acknowledgment that the staff have read and understand the personnel handbook;~~

~~**(p)** signed acknowledgement that all staff have reviewed and are aware of the center's disaster preparedness plan and evacuation plan;~~]

F. PERSONNEL HANDBOOK: The educator shall give each non-resident employee a personnel handbook that covers all matters relating to employment. Upon updating the personnel handbook, changes must be approved and submitted to the licensing authority. After any changes, notices must be sent out to families, parents, or guardians and posted in a common area. The handbook shall include the following critical contents:

(1) job description of second educator;

(2) benefits, if provided, including vacation days, sick leave, professional development days, health insurance, break times, etc.;

(3) code of conduct;

(4) training requirements, professional development opportunities;

(5) procedures and criteria for performance evaluations;

(6) policies on absence from work;

(7) procedures for resignation or termination;

(8) copy of licensing regulations;

(9) policy on parent involvement;

(10) health policies related to both children and staff;

(11) policy on sexual harassment;

(12) child guidance policy;

(13) anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older);

(14) confidentially statement;

(15) plan for retention of qualified staff; and

(16) employee cellular telephone usage policy that directs and defines safe and appropriate use.

[8.9.4.32 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.40 LICENSURE REQUIREMENTS FOR OUT OF SCHOOL TIME CARE:

A. LICENSING REQUIREMENTS:

(1) APPLICATION FORM: An applicant shall complete an application form provided by the licensing authority. Applications will be rejected unless all supporting documents are received within six months of the date indicated on the application. A 45-day extension will be granted if the licensee provides documentation to the licensing authority that documents were submitted to the appropriate agencies in a timely manner but, through no fault of their own, they have not received responses from these agencies.

(2) A program shall submit a new application to the licensing authority before changing anything that is stated on the license such as dates, capacity, director, address, etc.

(3) BACKGROUND CHECK: The licensing authority will provide a copy of the most current version of the department's background check and employment history verification provisions (8.9.6 NMAC), regulations, fingerprint instructions, and forms for recording an employment history. The shall be responsible for obtaining background checks on all staff members, educators, volunteers, and prospective staff members, educators, volunteers, any person who may have unsupervised physical access to children, and all adults residing in the home as per the requirements of the most current version of the department's background check and employment history verification provisions. All requirements of the current background check and employment history verification provisions pursuant to 8.9.6 NMAC must be met prior to the issuance of an initial license. Prior to a staff member's employment, a staff member must receive a notice of provisional employment or obtain a background check in accordance with 8.9.6 NMAC. A background check must be conducted in accordance with 8.9.6 NMAC at least once every five years on all required individuals.

(4) ZONING, BUILDING AND OTHER APPROVALS: An applicant shall use the approvals provided to the schools and community centers as long as the approvals are current according to the applicable department's requirements. Acceptable documents shall be provided to the licensing authority before licensure. Otherwise, an applicant shall have:

(a) current written zoning approval from the appropriate city, county or state authority;

(b) current written building approval, such as a certificate of occupancy, from the appropriate city, county or state authority;

(c) current written approval of the state fire marshal office or other appropriate city, county or state fire-prevention authority; and

(d) current written approval from the New Mexico environment department or other environmental health authority for:

(i) a kitchen, if meals are prepared and served on site in the program;

(ii) private water supply, if applicable;

(iii) private waste or sewage disposal, if applicable; and,

(iv) a swimming pool, if applicable.

(5) ACCESS REQUIREMENTS FOR INDIVIDUALS WITH DISABILITIES IN NEW FACILITIES: Accessibility for individuals with disabilities is provided in all new facilities and shall include the following.

(a) Main entry into the facility is level or has a ramp to allow for wheelchair access.

(b) Building layout allows for access to the main activity area.

(c) Access to at least one bathroom is required to have a door clearance of 32 inches. The toilet unit also provides a 60-inch diameter turning radius.

(d) If ramps are provided to the building, the slope of each ramp is at least a 12-inch horizontal run for each inch of vertical rise.

(e) Ramps exceeding a six-inch rise are provided with handrails.

(f) Requirements contained herein are minimum and additional disability requirements may apply depending on the size and complexity of the facility.

(6) SCHEDULE: All applications for a new license shall include a description

of the programs proposed activities and schedule.

(7) INITIAL SURVEY: The licensing authority will schedule a survey for a program when it receives a complete application with all supporting documents.

B. CAPACITY OF A PROGRAM:

(1) The number of children in a program, either in total or by age, will not exceed the capacity stated on the license.

(2) The licensing authority will count all children in the care of the program even if the children are on a field trip or other outing outside the program site. Children shall not be cared for in unlicensed areas of the facility.

(3) A program must meet the following space requirements:

(a) 35 square feet of indoor activity space measured wall to wall on the inside for each child in a program, excluding single-use areas, such as restrooms, kitchens, and storage areas, and excluding offsets and built-in fixtures.

(b) [~~A program must have an outdoor activity space.~~] 75 square feet of outdoor activity space for each child using the area at one time.

(4) The capacity of each room shall be posted in an area of the room that is readily visible to parents, staff members and visitors.

C. INCIDENT REPORTING REQUIREMENTS:

(1) The licensee shall report to the appropriate authorities the following incidents. After making a report to the appropriate authorities, the licensee shall notify the licensing authority of the incident giving rise to its report as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification. The licensee shall report any incident that has threatened or could threaten the health and safety of children and staff members, such as, but not limited to:

(a) a lost, missing, or unattended child;

(b) a serious injury;

(c) the abuse or neglect of a child;

(d) fire, flood, or other natural disaster that creates structural damages to a program or poses a health hazard;

(e) any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico department of health;

(f) any legal action against a program or staff members;

(g) any incident that could affect the background check eligibility of any cleared person related to this license;

(h) the use of physical or mechanical restraints, unless due to documented emergencies or medically documented necessity; or

(i) any known change in an educator's health condition or use of medication that impairs his or her ability to provide for the health, safety or welfare of children in care.

(2) A program shall notify parents and guardians in writing of any incident, including notifiable illnesses, that has threatened the health or safety of children in the program. Incidents include, but are not limited to, those listed in Paragraph (1) of Subsection C of 8.9.4.40 NMAC. The licensee shall ensure that it obtains parent or guardian signatures on all incident reports within 24 hours of the incident. The licensee shall immediately notify the parent or guardian in the event of any head injury.

(3) Incident reports involving suspected child abuse and neglect must be reported immediately to children's protective services and local law enforcement. The licensing authority follows written protocols/procedures for the prioritization, tracking, investigation and reporting of incidents, as outlined in the complaint investigation protocol and procedures.

[8.9.4.40 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.41 ADMINISTRATIVE REQUIREMENTS FOR OUT OF SCHOOL TIME CARE:

A. ADMINISTRATION RECORDS: A licensee shall display in a prominent place that is readily visible to parents, guardians, staff and visitors:

(1) all licenses, certificates, and most recent inspection reports of all state and local government agencies with jurisdiction over the program;

(2) the current child care regulations;

(3) dated weekly menus for meals and snacks;

(4) the guidance policy; and

(5) the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico department of health.

B. MISSION, PHILOSOPHY AND CURRICULUM STATEMENT: All licensed facilities must have a:

(1) mission statement;

(2) philosophy statement; and

(3) curriculum statement.

C. POLICY AND PROCEDURES: All facilities operating under these regulations are required to establish, implement, and adhere to written policies and procedures. These documents must be clearly dated to indicate when they were created and must be updated to reflect any revisions. Whenever policies or procedures are amended, the facility shall update the revision and date it. The written policies and procedures must cover the following areas:

(1) actions to be taken in case of accidents

or emergencies involving a child, parents, or staff members;

(2) policies and procedures for admission and discharge of children;

(3) policies and procedures for expulsion of children. Policies and procedures shall include how the facility will maintain a positive environment and will focus on preventing the expulsion of school-age children. The facility must develop policies that include clear, appropriate, consistent expectations, and consequences to address disruptive student behaviors; and ensure fairness, equity, and continuous improvement;

(4) policies and procedures for the handling of medications;

(5) policies and procedures for the handling of complaints received from parents or any other person;

(6) policies and procedures for actions to be taken in case children are discovered unattended or missing from the facility;

(7) policies and procedures for the handling of children who are ill;

(8) an up-to-date emergency evacuation and disaster preparedness plan, which shall include steps for evacuation, relocation, shelter in place, lock-down, communication, reunification with parents, individual plans for children with special needs and children with chronic medical conditions, and continuity of operations (see waivers, Subsection D of 8.9.4.14 NMAC). The plan shall be approved annually by the licensing authority and the department will provide guidance on developing these plans;

(9) policies and procedures that promote the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older);

(10) policies and procedures that ensure the safe, developmentally appropriate, and intentional delivery of educational and recreational activities. These policies must outline expectations for activity planning, staff responsibilities, supervision practices, safety protocols, and strategies to promote meaningful engagement.

D. FAMILY HANDBOOK: All facilities using these regulations must have a family handbook. Upon updating the family handbook, changes must be approved and submitted to the licensing authority. After any changes, notice must be sent out to families, parents, or guardians and posted in a common area. The family handbook shall include the following.

(1) GENERAL INFORMATION:

(a) mission statement;

(b) philosophy statement;

(c) program information (location, license information, days and hours of operation, services offered);

(d) name of director and how they may be reached;

(e) meals, snacks and types of food served (or alternatively, guidelines for children bringing their own food);

(f) daily schedule;

(g) a statement supportive of family involvement that includes an open door policy to the classroom;

(h) appropriate dress for children, including request for extra change of clothes;

(i) celebrating holidays, birthdays and parties; and

(j) disclosure to parents that the licensee does not have liability or accident insurance coverage.

(2) POLICIES AND PROCEDURES: [~~All facilities operating under these regulations are required to establish, implement, and adhere to written policies and procedures. These documents must be clearly dated to indicate when they were created and must be updated to reflect any revisions. Whenever policies or procedures are amended, the facility shall update the revision and date it. The written policies and procedures must cover the following areas:~~]

(a) enrollment procedures;

(b) disenrollment procedures;

(c) expulsion procedures;

(d) fee payment procedures, including penalties for tardiness;

(e) notification of absence;

(f) fee credits, if any (e.g. for vacations, absences, etc.);

(g) field trip policies;

(h) health policies (program's policies on admitting sick children, when children can return after an illness, administering medication, and information on common illnesses);

(i) emergency procedures and safety policies;

(j) snow days and school closure;

(k) confidentiality policy;

(l) child abuse/neglect reporting procedure;

(m) guidance policy;

(n) education policy;

(o) recreation policy;

[~~**(m)**~~] **(p)** emergency procedures, safety policies, and disaster preparedness plan;

[~~**(o)**~~] **(q)** anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on

race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, or age (40 or older); and

[~~(p)~~] **(r)** employee cellular telephone usage policy that directs and defines safe and appropriate use.

[~~D.~~] **E.** CHILDREN'S RECORDS: A program shall maintain a complete record for each child, including drop-ins, to be completed before the child is admitted. Records shall be kept at the program, unless otherwise indicated in the list below, for 12 months after the child's last day of attendance. Records shall contain at least:

(1) PERSONAL INFORMATION:

(a) name of the child; date of birth, gender, home address, mailing address and telephone number;

(b) names of the parents or guardians, the parents or guardian's current places of employment, addresses, cellular and work telephone numbers;

(c) a list of people authorized to pick up the child and an authorized form signed by parent or guardian; identification of person authorized by the parent or guardian to pick up the child shall be verified at pick up;

(d) date the child first attended the program and the date of the child's last day at the program;

(e) a record of any accidents, injuries or illnesses that require first aid or medical attention and any observations of recent bruises, bites or signs of abuse or neglect, both of which must be reported to a parent or guardian; these records may be kept at a central location;

(f) written authorization from the child's parent or guardian to remove a child from the premises to participate in off-site activities; authorization must contain activity destination, date and time of activity and expected return time from activity;

(g) a record of the time the child arrived and left the program and dates of attendance initialed by a parent, guardian, or person authorized to pick up the child; and

(h) an enrollment agreement; this form shall be signed by a parent or guardian with an outline of the services and the costs; these forms shall be kept at a central location.

(2) EMERGENCY INFORMATION:

(a) information on any allergies or medical conditions suffered by the child; the name and telephone number of two people in the local area to contact in an emergency when a parent or guardian cannot be reached; emergency contact numbers must be kept up to date at all times;

(b) the name and telephone number of a physician or emergency medical facility authorized by a parent or guardian to contact in case of illness or emergency;

(c) a document giving a program permission to transport the child in a medical emergency and an authorization for medical treatment signed by a parent or guardian;

(d) if applicable, legal documentation regarding the child, including but not limited to: restraining orders, guardianship, powers of attorney, court orders, and custody by children's protective services.

[~~E.~~] **F.** PERSONNEL RECORDS: A program shall keep and maintain an up-to-date personnel file with all information required by ECECD for each staff member, including substitutes and volunteers who work more than six hours in any week and have direct contact with children. Personnel files shall be updated as soon as practicable, but not longer than thirty days after any changes.

[~~**(1)** A licensee shall keep a complete up-to-date file for each staff member, including substitutes and volunteers having direct contact with the children. A program shall keep the file for one year after the staff member's last day of employment. Unless otherwise indicated, a licensee shall keep the items listed below in a central location except the following items which shall be kept on site: background clearances, abuse and neglect statements, staff emergency numbers and first aid/CPR certificates. Records shall contain at least the following:~~

~~**(a)** name, address and telephone number;~~

~~**(b)** position;~~

~~**(c)** current and past duties and responsibilities;~~

~~**(d)** dates of hire and termination;~~

~~**(e)** documentation of a background check and employment history verification. If a background check is in process, then documentation of the notice of provisional employment showing that it is in process must be placed in the file. A background check must be conducted at least once every five years on all required individuals. A copy must be kept onsite;~~

~~**(f)** an annual signed statement that the staff member would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC. A copy must be kept onsite;~~

~~**(g)** documentation of first-aid and cardiopulmonary resuscitation with a pediatric component. A copy must be kept onsite;~~

~~**(h)** documentation of all appropriate training by date, time, hours and area of competency;~~

~~**(i)** emergency contact number;~~

~~**(j)** universal precaution acknowledgement; and~~

~~**(k)** a written plan for ongoing professional~~

~~development for each staff member, including the director, that is based on the seven areas of competency, consistent with the career lattice, and based on the individual's goals.~~]

[~~(2)~~] **(1)** A program shall maintain current work schedules and daily sign in sheets for the director, all staff, all educators, and volunteers and keep the records on file for at least 12 months. The record will include the time the employee arrived at and left work and include breaks and lunch.

[~~(3)~~] **(2)** [~~Licensed child care centers shall maintain the complete, up-to-date personnel records in ECECD's professional development information system, (PDIS), for each staff member, including substitutes and volunteers working more than six hours of any week and having direct contact with the children. If the program chooses to retain duplicate physical copies of these records, these records shall be stored in a secure location for the privacy of the staff members. New information shall be updated in a timely manner in PDIS. Records shall contain at a minimum the following:~~] The following items, at minimum, shall be maintained in ECECD's Professional Development Information System (PDIS):

(a) name; [~~, address and telephone number;~~]

(b) current position;

[~~**(c)** current and past duties and responsibilities~~]

[~~**(d)**~~] **(c)** dates of hire and termination;

[~~**(e)**~~] **(d)** documentation of a background check and employment history verification; if background check is in process, then documentation of the notice of provisional employment showing that it is in process must be placed in file. A background check must be conducted at least once per five-year interval on all required individuals;

[~~(f)~~] (e) an annual signed statement that the staff member would or would not be disqualified as a direct provider of care under the most current version of the background checks and employment history verification provisions pursuant to 8.9.6 NMAC;

[~~(g)~~] (f) documentation of current first-aid and cardiopulmonary resuscitation training;

[~~(h)~~] (g) documentation of all appropriate training by date, time, hours and area of competency;

~~**(i)** emergency contact number;~~

~~**(j)** universal precaution acknowledgment form;~~

~~**(k)** confidentiality form;~~

~~**(l)** results of performance evaluations (shall be maintained outside of PDIS);~~

~~**(m)** administrative actions or reprimands (shall be maintained outside of PDIS);~~]

[~~(n)~~] (h) written plan for ongoing professional development for each educator, including the director, that is based on the seven areas of competency, consistent with the department's career lattice, and based on the individual's goals; and

[~~(o)~~] (i) signed acknowledgment that the staff have read and understand the personnel handbook.

~~**[(p)** signed acknowledgement that all staff have reviewed and are aware of the center's disaster preparedness plan and evacuation plan;~~]

(3) The following items, at minimum, shall be maintained by the provider outside of PDIS and shall be made available for review upon request:

(a) current and past duties and responsibilities

(b) emergency contact number;

(c) results of performance evaluations; and

(d) administrative actions or reprimands.

[**~~F.~~**] **G.** PERSONNEL HANDBOOK: The educator shall give each employee a personnel handbook that covers all matters relating to employment. Upon updating the personnel handbook, changes must be approved and submitted to the licensing authority. After any changes, notice must be sent out to families, parents, or guardians and posted in a common area. The handbook shall include the following critical contents:

(1) organizational chart;

(2) job descriptions of all employees by title;

(3) benefits, including vacation days, sick leave, professional development days, health insurance, break times, etc.;

(4) code of conduct;

(5) training requirements

(6) procedures and criteria for performance evaluations;

(7) policies on absence from work;

(8) grievance procedures;

(9) procedures for resignation or termination;

(10) copy of licensing regulations;

(11) policy on parent involvement;

(12) health policies related to both children and staff;

(13) policy on sexual harassment;

(14) plan for retention of qualified staff; and

(15) employee cellular telephone usage policy that directs and defines safe and appropriate use.

(16) anti-discrimination policy that promotes the equal access of services for all children and families and prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual

orientation, or gender identity), national origin, disability, or age (40 or older);

(17) child guidance policy;

(18) confidentiality statement;

(19) an up-to-date emergency evacuation and disaster preparedness plan, which shall include steps for evacuation, relocation, shelter in place, lock-down, communication, reunification with parents, individual plans for children with special needs and children with chronic medical conditions, and continuity of operations (see waivers, Subsection D of 8.9.4.14 NMAC). The plan shall be approved annually by the licensing authority and the department will provide guidance on developing these plans; and

(20) policies and procedures for expulsion of children. Policies and procedures shall include how the program will maintain a positive environment and will focus on preventing the expulsion of children age five and older. The program must develop policies that include clear, appropriate, consistent expectations, and consequences to address disruptive student behaviors; and ensure fairness, equity, and continuous improvement.

[8.9.4.41 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.43 SERVICES AND CARE OF CHILDREN IN OUT OF SCHOOL TIME CARE:

A. GUIDANCE:

(1) A program shall have written policies and procedures clearly outlining guidance practices. Facilities shall give this information to all parents and staff who will sign a form to acknowledge that they have read and understand these policies and procedures.

(2) Guidance shall be consistent and age appropriate.

(3) Guidance shall be positive and include redirection and clear limits that encourage the child's ability to become self-disciplined. The use of physical or mechanical restraints is prohibited unless due to documented emergencies or medically documented necessity.

(4) A program shall not use the following disciplinary practices:

(a) physical punishment of any type, including shaking, biting, hitting or putting anything on or over a child's mouth;

(b) withdrawal of food, rest, bathroom access, or outdoor activities;

(c) abusive or profane language, including yelling;

(d) any form of public or private humiliation, including threats of physical punishment; or

(e) unsupervised separation.

(5) Children shall not be lifted by the arms, hands, wrist, legs, feet, ankles, or clothing.

B. PHYSICAL ENVIRONMENT:

(1) Environment shall be organized into age appropriate functional identifiable learning areas. If any of the selected learning areas are not represented at a given time, the areas shall be rotated to provide children with the opportunity to gain skills supported by a variety of learning experiences. The areas may include:

(a) dramatic play;

(b) creative art;

(c) books;

(d) blocks and accessories;

(e) manipulatives;

(f) music;

(g) science;

(h) math/number; and

(i) sensory.

(2) Each center is clearly defined, using shelves and furniture.

(3) Adults can visually supervise all centers at all times.

(4) The capacity of each room shall be posted in an area of the room that is readily visible to parents, staff members, and visitors.

(5) Learning areas have adequate space and quiet areas are arranged so that children's activities can be sustained without interruption.

(6) Materials are properly cared for and organized by type. Where appropriate, materials are labeled with words or pictures. Adaptations to materials are made when needed to accommodate various abilities of all children. Unused materials are stored in inaccessible storage.

(7) Examples of children's individually expressed artwork are displayed in the environment at the children's eye level.

(8) The floor surface is suitable for activities that will occur in each learning area.

(9) File and storage space is available for educators' materials.

C. SOCIAL-EMOTIONAL RESPONSIVE ENVIRONMENT:

(1) Educators remain calm in stressful situations.

(2) Educators are actively engaged with children. Educators talk, actively listen and respond to children appropriately by responding to children's questions and acknowledging their comments, concerns, emotions and feelings.

(3) Educators help children communicate their feelings by providing them with language to express themselves.

(4) Educators model appropriate social behaviors, interactions and empathy. Educators respond to children that are angry, hurt, or sad in a caring and sensitive manner. Educators make appropriate

physical contact to comfort children who are distressed.

D. EQUIPMENT AND PROGRAM:

(1) A program shall provide sufficient equipment, materials, and furnishings for both indoor and outdoor activities so that at any one time each child can be individually involved. Toys shall be disinfected at a minimum of once per week. Frequency of disinfection of toys must be increased in the event of a communicable disease, following appropriate guidance.

(2) Each child at a program shall have a designated space for storage of clothing and personal belongings.

(3) A program shall store equipment and materials for children's use within easy reach of the children, including those with disabilities. A program shall store the equipment and materials in an orderly manner so children can select and replace the materials by themselves or with minimal assistance.

(4) A program shall provide children with toys, educational materials that reinforce and complement the regular academic program, equipment, and other materials and activities that are safe, developmentally appropriate, and encourage the child's educational progress, creativity, social interaction, and a balance of individual and group activity. Program staff must be onsite, available and responsive to children during all hours of operation.

(5) A program shall post a daily activity schedule. A program shall follow a consistent pattern for routine activities such as meals, snacks and rest.

(6) Media viewing shall be limited to six hours per month, but not to exceed one full length film in one day. Programs, movies, music and music programs shall be age appropriate and shall not contain adult content. Media viewing to include all of the above as well as computers, tablets, phones, smart devices and screen-based learning equipment. An exception is media that is used for curriculum-based purposes or led by an educator.

(7) Children and family members shall be acknowledged upon arrival and departure.

(8) Equipment and program requirements apply during all hours of program operation.

(9) Programs should reflect local community strengths, cultural knowledge, and student interests.

(10) Programs should create meaningful opportunities for families to engage in student learning. Opportunities may include:

(a) family learning nights;

(b) student showcases;

(c) cultural events;

(d) parent workshops; and

(e) community celebrations.

E. ADDITIONAL REQUIREMENTS FOR CHILDREN WITH SPECIAL NEEDS:

(1) Child care facilities are responsible for staff awareness of community resources for families of children with disabilities, including children under the age of five years as well as those of school age. If staff believe that a child may have a delay or disability, possible resources for referral and assistance are provided to parents when appropriate. No referral for special needs services to an outside agency will be made without a parent's consent. Family Education Right and Privacy Act (FERPA) will be respected at all times.

(2) Child care facilities are responsible for staff awareness of the Americans with Disabilities Act (ADA) as it relates to enrolling and caring for children with disabilities.

F. OUTDOOR PLAY AREAS:

(1) Outdoor play equipment used in out of school time programs shall be:

(a) intended for public (non-residential) use and installed and maintained according to the manufacturer's instructions; and

(b) if intended for residential use, shall be safe and securely anchored.

(2) A program shall place sufficient energy absorbing surfaces beneath climbing structures, swings and slides. Based on the consumer product safety commission (CPSC) playground guidelines, grass, artificial turf, and rubber play mats are not energy absorbent material (as determined by Subsection N of 8.9.4.8 NMAC).

Continued Next Page

Critical Heights of Playground Equipment for Various Types and Depths of Resilient Surfaces Based on Information from the U.S. CONSUMER PRODUCT SAFETY COMMISSION (CPSC Publication No. 325), Handbook for Public Playground Safety. When no requirement is provided for a specific height of equipment, we have used the requirement for the next higher height, so requirements are conservative, erring on the side of safety.						
Equipment Height	Wood Chips	Double Shredded Bark	Uniform Wood Chips	Fine Sand	Coarse Sand	Fine Gravel
	Uncompressed Depths of Materials In Fall Zone					
Five feet or less	6 inches	6 inches	6 inches	6 inches	6 inches	6 inches
Six feet	6 inches	6 inches	6 inches	12 inches	12 inches	6 inches
Seven feet	6 inches	9 inches	9 inches	12 inches	12 inches	9 inches
Eight feet	9 inches	9 inches	12 inches	12 inches	12 inches	12 inches
Nine Feet	9 inches	9 inches	12 inches	12 inches	N/A	12 inches
Ten Feet	9 inches	9 inches	12 inches	N/A	N/A	12 inches
For poured or installed foam or rubber surfaces, the materials must meet the ASTM F1292 requirements with written verification from the manufacturer.						

(3) The use of a trampoline is prohibited during the hours of operation or by any children receiving care at the facility.

(4) Licensees shall protect children from the sun during outdoor play by providing shade (as necessary), sunscreen (as permitted by parent/guardian), proper attire and by limiting the time of exposure to the elements. The program must also consider instruction by the child's parent or guardian. Drinking water shall be available as needed and maintained at a cool temperature while children are playing outside.

G. SWIMMING, WADING AND WATER:

(1) Each child shall have written permission from a parent or guardian before the child enters the pool.

(2) Children shall be constantly supervised while swimming, wading, or in or near, and the number of adults present must be proportional to the ages and abilities of the children and type of water hazard in use.

(3) If a program has a portable wading pool:

(a) a program shall drain and fill the wading pool with fresh water daily and disinfect the pool regularly;

(b) a program shall empty a wading pool when it is not in use and remove it from areas accessible to children; and

(c) a program shall not use a portable wading pool placed on concrete or asphalt.

(4) If a program has a built in or above ground swimming pool, ditch, fishpond or other water hazard:

(a) the fixture shall be constructed, maintained and used in accordance with applicable state and local regulations;

(b) the fixture shall be constructed and protected so that, when not in use, it is inaccessible to children; and

(5) The following ratios shall be observed for swimming pools more than two feet deep:

	Ratio for swimming pools more than two feet deep	
Age of the youngest child	Number of educators, lifeguards or volunteers	Number of children
5 years	1	10
6 years and older	1	12

H. FIELD TRIPS:

(1) A program shall ensure the children's safety on field trips and excursions. See Subparagraph (f) of Paragraph (1) of Subsection D of 8.9.4.41 NMAC for requirements concerning field trip permission slips.

(2) Children shall not go to a private residence unless accompanied by two adults.

[8.9.4.43 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

8.9.4.46 TRANSPORTATION REQUIREMENTS FOR OUT OF SCHOOL TIME CARE:

A. All vehicles used for transportation of children shall have an operable, fully-charged fire extinguisher, first-aid kit, first-aid manual, water and blanket.

B. A program shall load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program shall ensure children do not cross a street unsupervised after leaving the vehicle.

C. No one shall smoke, use e-cigarettes or vaporizers in a vehicle used for transporting children.

D. A program shall license all vehicles used for transporting children and shall meet all applicable state vehicle laws. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt as follows. School buses that are not equipped with passenger restraint devices are exempt from this requirement.

(1) Children five years of age through six years of age, regardless of weight, or children who weigh less than 60 pounds, regardless of age, shall be properly secured in either a child booster seat or an appropriate child passenger restraint device that meets federal standards.

(2) Children seven years of age through 12 years of age shall be secured in a child passenger restraint device or by a seat belt.

E. Vehicles used for transporting children shall be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out at least weekly.

F. Vehicles operated by the program to transport children shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit the program shall ensure the vehicle is heated.

G. Children may be transported only in vehicles that have current registration and insurance coverage. All drivers must have current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children under the auspices of a licensed facility/program.

H. At least one adult transporting children shall be currently certified in cardiopulmonary resuscitation (CPR) with a pediatric component.

I. Providers shall conduct frequent head counts on all trips and when loading and unloading the vehicle.

J. At all times, drivers shall have a way to communicate to the facility the number of children being transported. Drivers shall maintain a log to include the name of children, and drop-off and pick up times of all children being transported. The log shall be kept for a minimum of 12 months for review.

[8.9.4.46 NMAC - N, 11/01/2022; A, 11/04/2025; A, 9/09/2026]

PUBLIC REGULATION COMMISSION

The New Mexico Public Regulation Commission approved, on 8/14/2026, the repeal of its rule 17.9.573 NMAC - Community Solar (filed 7/12/2022) and replaced it with 17.9.573 NMAC - Community Solar (adopted on 8/14/2026 and effective 9/9/2026).

PUBLIC REGULATION COMMISSION

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 9 ELECTRIC SERVICES
PART 573 COMMUNITY SOLAR

17.9.573.1 ISSUING AGENCY: New Mexico public regulation commission.
[17.9.573.1 NMAC - Rp, 17.9.573.1 NMAC, 9/9/2026]

17.9.573.2 SCOPE: This rule applies to investor-owned electric utilities subject to the commission's jurisdiction and to rural electric distribution cooperatives that opt into the community solar program. This rule also applies to subscriber organizations and subscribers as defined in the Community Solar Act, Subsections M and N of Section 62-16B-2 NMSA 1978.
[17.9.573.2 NMAC - Rp, 17.9.573.2 NMAC, 9/9/2026]

17.9.573.3 STATUTORY AUTHORITY: Paragraph (10) of Subsection B of Section 62-19-9 and Section 62-16B-7 NMSA 1978.
[17.9.573.3 NMAC - Rp, 17.9.573.3 NMAC, 9/9/2026]

17.9.573.4 DURATION: Permanent, unless otherwise indicated.
[17.9.573.4 NMAC - Rp, 17.9.573.4 NMAC, 9/9/2026]

17.9.573.5 EFFECTIVE DATE: September 9, 2026 unless a later date is cited at the end of a section.
[17.9.573.5 NMAC - Rp, 17.9.573.5 NMAC, 9/9/2026]

17.9.573.6 OBJECTIVES: The objectives of this rule are to implement the Community Solar Act, Section 62-16B-1 *et seq*. NMSA 1978, and to reasonably allow for the creation, financing and accessibility of community solar facilities.
[17.9.573.6 NMAC - Rp, 17.9.573.6 NMAC, 9/9/2026]

17.9.573.7 DEFINITIONS: When used in this rule, unless otherwise specified the following definitions shall apply:

A. Definitions beginning with "A": [RESERVED]

B. Definitions beginning with "B": [RESERVED]

C. Definitions beginning with "C": [RESERVED]

D. Definitions beginning with "D": [RESERVED]

E. Definitions beginning with "E": [RESERVED]

F. Definitions beginning with "F": Fuel and purchased power cost adjustment clause means the existing fuel and purchased power cost adjustment clause approved by the commission pursuant to 17.9.550 NMAC for all New Mexico electric utilities.

G. Definitions beginning with "G": [RESERVED]

H. Definitions beginning with "H": [RESERVED]

I. Definitions beginning with "I": [RESERVED]

J. Definitions beginning with "J": [RESERVED]

K. Definitions beginning with "K": [RESERVED]

L. Definitions beginning with "L": [RESERVED]

M. Definitions beginning with "M": [RESERVED]

N. Definitions beginning with "N": Net bill credit means the remaining credit on a bill rendered by an electric utility for electric service to a subscriber that is participating in consolidated billing.

O. Definitions beginning with "O": [RESERVED]

P. Definitions beginning with "P": [RESERVED]

Q. Definitions beginning with "Q": [RESERVED]

R. Definitions beginning with "R": [RESERVED]

S. Definitions beginning with "S":

(1) Savings rate means a percentage set by a subscriber organization for a subscriber which represents the discount to the subscriber's bill credit allocation.

(2) Subscription charge means an amount charged by a subscriber organization to a subscriber as a portion of the subscriber's bill credit allocation.

T. Definitions beginning with "T": [RESERVED]

U. Definitions beginning with "U": [RESERVED]

V. Definitions beginning with "V": [RESERVED]

W. Definitions beginning with "W": [RESERVED]

X. Definitions beginning with "X": [RESERVED]

Y. Definitions beginning with "Y": [RESERVED]

Z. Definitions beginning with "Z": [RESERVED]

[17.9.573.7 NMAC - Rp, 17.9.573.7 NMAC, 9/9/2026]

17.9.573.8 LIBERAL CONSTRUCTION: If any part or application of this rule is held invalid, the remainder of its parts and any other applications of the rule shall not be affected.

[17.9.573.8 NMAC - Rp, 17.9.573.8 NMAC, 9/9/2026]

17.9.573.9 UTILITY FILINGS FOR IMPLEMENTATION OF PROGRAM: Utilities shall file all tariffs, agreements and forms necessary for implementation of the provisions of the most recent amendments to this rule with the commission within 30 days of the effective date of the amendments.

[17.9.573.9 NMAC - Rp, 17.9.573.9 NMAC, 9/9/2026]

17.9.573.10 COMMUNITY SOLAR FACILITY REQUIREMENTS:

A. A community solar facility, excepting any native community solar project, shall:

(1) have a nameplate capacity rating of five megawatts alternating current or less;

(2) be located in the service territory of the qualifying utility and be interconnected to the electric distribution system of that qualifying utility;

(3) have at least ten subscribers;

(4) have the option to be co-located with other energy resources, but shall not be co-located with other community solar facilities;

(5) not allow a single subscriber to be allocated more than forty percent of the generating capacity of the facility; and

(6) make at least forty percent of the total generating capacity of a community solar facility available in subscriptions of 25 kilowatts or less.

B. At least thirty percent of electricity produced from each community solar facility shall be subscribed by low-income customers and low-income service organizations. The commission will issue guidelines to ensure the carve-out is achieved each year and develop a list of low-income service organizations and programs that may pre-qualify low-income customers.

[17.9.573.10 NMAC - Rp, 17.9.573.10 NMAC, 9/9/2026]

17.9.573.11 STATEWIDE CAPACITY PROGRAM CAPS:

A. The statewide capacity program cap, effective November 1, 2024, is 300 megawatts alternating current. This cap does not apply to applications and projects that have been processed in the commission's initial application selection process as such applications and projects remain subject to the initial cap of 200 megawatts. The 300-megawatt cap will apply to the first selection process to be conducted after November 1, 2024, and will be in addition to the 200-megawatt cap applied to the initial selection process, resulting in a total cap of 500 megawatts. The 300-megawatt cap is allocated among the service territories of the three qualifying utilities according to addressable market estimations, subject to further refinement, as follows:

(1) public service company of New Mexico (PNM), 185 MW;

(2) southwestern public service company (SPS), 70 MW; and

(3) El Paso electric company (EPE), 45 MW.

B. The commission may, at its discretion, reallocate the capacity cap among the territories of the utilities to avoid a significant shortfall of the capacity actually used vis-à-vis the capacity cap.

C. Beginning January 1, 2026, and thereafter, the commission will review the statewide capacity program cap and megawatt

allocation amongst the qualifying utilities on a triennial basis.

D. All project waitlists established under prior solicitations shall be vacated upon the opening of a new solicitation's bid window. Any vacated capacity from prior solicitations will be added, on a rolling basis, to the capacity available under the most recent solicitation.

E. Statewide capacity program caps shall exclude native community solar projects and rural electric distribution cooperatives.

[17.9.573.11 NMAC - Rp, 17.9.573.11 NMAC, 9/9/2026]

17.9.573.12 PROCESS FOR SELECTION OF COMMUNITY SOLAR FACILITIES:

A. The commission will engage a third-party administrator to manage an unbiased and nondiscriminatory process for the scoring and selection of proposed projects for building and operating community solar facilities. Any participant in the process may raise, by petition to the commission, an issue that is not fully addressed in this rule and that the commission finds, in its discretion, that it should address. This selection process does not apply to any native community solar project.

B. The program administrator shall develop, in consultation with public stakeholders, a framework for the implementation of a competitive solicitation that includes detailed timeline milestones and non-price factor criteria to be used by the program administrator in evaluating eligible bids.

(1) The competitive solicitation implementation framework and related documents must be submitted for public review and input, and commission approval. Following commission approval, the program administrator must conduct at least one public stakeholder meeting to present the non-price factor evaluation criteria to potential bidders and respond to questions concerning the application of the evaluation criteria to prospective bids. Any changes to the non-price factor evaluation criteria must be approved by the commission prior to being implemented by the program administrator.

(2) The program administrator must create a publicly-available resource to answer any and all stakeholder questions and endeavor to ensure answers are posted promptly, in a searchable format. The program administrator will endeavor to use consistent terminology and ensure its answers do not conflict. After the release of the competitive solicitation documents, the publicly available resource will be the sole location in which the program administrator will respond to questions received regarding the competitive solicitation process or related documents. After the release of the initial competitive solicitation framework, the program administrator will not communicate with individual bidders through any other means than the publicly available resource.

(3) The competitive solicitation implementation framework shall be submitted to the commission for approval.

C. Community solar facility bids shall be scored through a competitive solicitation process, with each bid meeting the following minimum requirements for eligibility:

(1) the subscriber organization's legally binding site control or an executed short-term lease for a state land site;

(2) the subscriber organization's commitment to meeting statutory subscriber minimums and not exceeding statutory maximums;

(3) the subscriber organization's completion of a utility pre-application report or an equivalent report by the utility; and

(4) the subscriber organization's payment of a $500/MW non-refundable bid application fee to the commission.

D. The program administrator shall limit the capacity of projects selected to proceed to the interconnection application process by any one subscriber organization bidder and its affiliates to a maximum total for such bids of thirty percent of the statewide capacity cap allocated to the applicable utility prior to any unallocated capacity from prior solicitations being rolled forward. Additionally, the total capacity of awarded capacity for any bids initially submitted by one subscriber organization and its affiliates shall not exceed twenty percent of the capacity cap allocated to the applicable utility.

E. No utility shall use any information provided in the interconnection application process or any information to which the utility has superior access to gain an unfair advantage for itself or any utility-affiliated bidder in the project scoring process.

F. Eligible bids shall be scored using a set of non-price factors, with each factor weighted by the number of points awarded to the factor, as follows:

(1) each bid shall be awarded to one of the following categories pertaining to permitting status, each with its own point weighting:

(a) a bid for which all necessary non-ministerial permits and approvals have been secured, based upon a permitting plan signed by a licensed engineering firm, shall be categorized as fully permitted and shall be awarded 15 points:

(b) a bid for which applications are pending for all necessary non-ministerial permits, or for which one or more permits have been granted and applications are pending for the remainder, based upon permitting plan signed by a licensed engineering firm, shall be categorized as partially permitted and shall be awarded 10 points; or

(c) a bid for which all necessary non-ministerial permits have been identified and applied for but not granted, based upon a permitting plan signed by a licensed engineering firm, shall be categorized as permits pending and shall be awarded five points.

(2) each bid shall be assigned to one of the following categories pertaining to

financing status, each with its own point weighting:

(a) a bid for which financing has been secured, whether in the form of an executed commitment letter from the project financier(s) or in the form of written confirmation of executive-level approval for internal financing, shall be categorized as financing secured and shall be awarded five points; or

(b) a bid for which financing has not been secured but for which a detailed and feasible financing plan has been prepared shall be categorized as financing planned and shall be awarded two points.

(3) each bid shall be awarded points for having one or both of the following attributes concerning the proposed project site's viability for interconnection, with the attributes being additive, not exclusive, for a range of zero to five potential points per bid:

(a) a bid for which the proposed project site's distance to the utility's nearest three-phase line is less than one mile, as demonstrated by the utility's pre-application report or convincing alternative evidence presented by the bidder, shall be awarded two points; and

(b) a bid for which the proposed project would interconnect to a line of voltage 12 kV or higher, as demonstrated by the utility's pre-application report, shall be awarded three points.

(4) each bid shall be awarded points, in amounts as whole numbers and tenths of whole numbers, such as 1.1 points, for including any, some, or all the following commitments beyond what is required by the statute, with the commitments being additive, not exclusive, for a range of zero to 26 potential points per bid:

(a) a bid including a commitment to exceed the statutory thirty percent minimum level of subscription of low-income customers and low-income service organizations shall be awarded , points pro rata for a commitment above the thirty percent minimum, up to a maximum of eight points for a commitment to a fifty percent low-income subscription level for the proposed project;

(b) a bid including a commitment to serve a specific percentage of direct-billed residential low-income customers shall be awarded points pro rata, up to a maximum of eight points for a commitment to forty percent of total project capacity comprised of direct-billed, low-income customers for the proposed project;

(c) a bid including a commitment to refrain from imposing upon any potential low-income customer or low-income service organization any up-front costs of subscribing, a commitment to refrain from imposing upon any potential low-income customer or low-income service organization any early termination fee, and a commitment to refrain from requiring or ordering any credit check or credit report for any low-income customer or low-income service organization, shall be awarded two points; and

(d) a bid including a commitment to provide an additional discount on the community solar bill credit for any low-income customer or low-income service organization, for a minimum period of five years, by including, with respect to the solar bill credit as calculated and provided by the utility, a discount from the subscriber organization to the subscriber in the amount of twenty to thirty percent off the utility solar bill credit, shall be awarded four points for a commitment of twenty percent and additional points pro rata, up to a maximum of eight points for a commitment to a discount of thirty percent.

(5) each bid shall be awarded points, for having any, some, or all of the following attributes, with the attributes being additive, not exclusive, for a range of zero to 36 potential points per bid:

(a) a bid including a commitment to offer workforce training or educational opportunities within the state shall be awarded six points;

(b) a bid including a commitment to contract for engineering or construction services performed directly by, and with compensation paid to, one or more resident New Mexico businesses, including subcontractors, shall be ratably awarded points based on the percentage of services committed to. Each ten percent of services shall yield one point, up to ten points for one hundred percent of engineering or one hundred percent construction services committed to; with a maximum of twenty available points if the commitment is to one hundred percent of engineering services and one hundred percent of constructions services performed directly by, and with compensation paid to, one or more resident New Mexico businesses; and

(c) a bid including a commitment to a minimum of fifty percent ownership of the proposed facility by one or more New Mexico resident businesses for a minimum of five years after the date of commercial operation shall be awarded five points for the minimum fifty percent ownership, with an additional one point for each additional ten percent of resident business ownership, for a maximum of ten available points.

(6) each bid shall be awarded points for having any, some, or all of the following attributes concerning the proposed project site, with the attributes being additive, not exclusive, for a range of zero to seven potential points per bid:

(a) a bid for a project to be sited on a brownfield, built environment, or rooftop shall be awarded two points;

(b) a bid for a project to be sited on land owned by a municipal, county, or state entity shall be awarded three points; and

(c) a bid for a project that has received a favorable analysis from the department of cultural affairs or a qualified independent expert shall be awarded two points.

(7) each subscriber organization submitting a bid shall be categorized according to the provisions of Section 13-1-21 NMSA 1978, as a resident business, Native American resident business, resident veteran business, Native American resident veteran business, or none of these, which status must remain in place until the project bid has at least reached mechanical completion. For the purpose of scoring this category, the subscriber organization itself, not its partners or subsidiaries, is considered the "business". Ownership structure documentation demonstrating compliance with this subsection must be maintained with the program administrator. Any sale, equity transfer, or assignment of the subscriber organization to a non-resident entity prior to achieving mechanical completion may result in penalties including the possible disqualification of the project bid in question. Points shall be awarded according to the following schedule:

(a) a subscriber organization that is a resident business or Native American resident business shall receive seven points.

(b) a subscriber organization that is a resident veteran business or Native American veteran resident business shall receive nine points.

G. The program administrator shall score projects based upon these qualifications and scoring criteria within each qualifying utility's territory. Within 30 days of the completion of the scoring process, the program administrator must publicly disclose the points awarded to each scored bid for each category enumerated in Paragraphs (1) - (7) of Subsection F of 17.9.573.12 NMAC.

(1) The program administrator will select applications up to one hundred-fifty percent of each utility's pro-rata allocation of the solicitation capacity to proceed to the interconnection application process. Should an application withdraw or be withdrawn from the program, the administrator will select the next eligible application to replace it, without regard to the thirty percent developer cap.

(2) Program capacity will be allocated to each scored bid upon submission to the program administrator of a fully executed interconnection agreement with the applicable qualifying utility and the subscriber organization's payment to the commission of an application fee in the amount of $2,500 for each megawatt AC of nameplate capacity the proposed facility is expected to have according to the fully executed interconnection agreement. The program administrator shall limit the total program capacity allocated to any single subscriber organization and its affiliates' bids to a maximum total of twenty percent of the statewide capacity cap allocated to the applicable qualifying utility prior to any unallocated capacity from prior solicitations being rolled forward. This limitation shall apply only to capacity allocated directly to a subscriber organization for its own bidded projects. Capacity that is subsequently acquired by a subscriber organization through the purchase or transfer of bids or allocation from other non-affiliated subscriber organizations may exceed this twenty percent limitation. Failure to pay the application fee within 30 calendar days of selection of the project will result in the project's removal from the program. This process shall continue until the allocated capacity cap for each utility has been reached.

(3) The program administrator shall maintain a publicly accessible record of all projects allocated capacity within each utility's service territory. This project registry shall be updated on at least a weekly basis until the allocated capacity cap for each utility has been reached.

(4) The program administrator may decline to award capacity to a project that will interconnect to a portion of the distribution grid at which there is insufficient load to offset the additional generation to be provided by the project and which will require additional point-to-point transmission service over a third-party system to a separate portion of the utility's distribution grid.

H. The program administrator shall maintain a scoring list for each qualifying utility.

I. A utility must consider interconnection applications for community solar projects that have been selected by the program administrator to proceed to the interconnection application process and shall not consider interconnection applications for community solar projects that have not been selected to proceed to the interconnection application process. Among the group of interconnection applications for community solar projects that have been selected to proceed to the interconnection process by the administrator or have replaced selected projects, a utility must prioritize starting to review applications in the order of ranking by points awarded to each project in the scoring process. When projects are not on the same substation or feeder, a utility shall make reasonable efforts to review interconnection applications for eligible community solar projects in parallel rather than sequentially, in order to avoid delays in project advancement.

J. If a scored project fails to meet any mandatory engineering data deadline, fee submission requirement or execution timeline set forth in 17.9.568 NMAC, the utility shall deem the application withdrawn, adjust the queue order, and proceed with subsequent applications without delay. The project shall not be withdrawn if the execution delay is caused by utility-administered engineering evaluations under 17.9.568 NMAC - Detailed Study Process, unresolved technical disputes timely filed under 17.9.568.27 NMAC - Dispute Resolution, or utility equipment procurement constraints.

K. A project under consideration for program capacity may not submit an interconnection application prior to being selected by the program administrator to proceed to the interconnection application process.

L. Each utility must provide a report to the program administrator on the status of the community solar project interconnection queue as of January 1, April 1, July 1, and October 1, no later than the 15th of each of those months, respectively. Such reports must include information on the status of each scored community solar project that has made application with respect to the following data, which the program administrator must post publicly to the program website:

(1) project name;

(2) project Location / Circuit ID;

(3) subscriber Organization.

(4) project size (MWac);

(5) interconnection Review Status;

(6) permission to Operate Date;

(7) withdrawn Date (if applicable).

M. A subscriber organization shall not make any modification to a scored project's bid commitments without the express, prior written approval of the program administrator. Any modification executed or implemented by a subscriber organization prior to receiving formal written approval under this subsection may result in the revocation of the project's conditional capacity allocation, cancellation of its place in the utility queue, and forfeiture of all paid fees. Any modification approved by the program administrator under this subsection remains subject to the utility's independent engineering review under Subsection E of 17.9.568.13 NMAC. If the utility determines that the approved relocation or adjustment constitutes a material modification that cancels or alters the project's original interconnection queue position, the subscriber organization must immediately report the utility's determination to the program administrator for a secondary capacity review.

[17.9.573.12 NMAC - Rp, 17.9.573.12 NMAC, 9/9/2026]

17.9.573.13 INTERCONNECTION AND ADMINISTRATIVE COSTS:

A. The commission may determine on a case-by-case basis whether the cost of distribution system upgrades necessary to interconnect one or more community solar facilities, including native community solar projects, may be eligible for some form of cost-sharing:

(1) among subscriber organizations using the same distribution facilities;

(2) among all ratepayers of the qualifying utility via rate base adjustments; or

(3) among ratepayers of the same rate class as subscribers to the community solar facility via a rate rider for that class.

B. In making a determination that there are public benefits to such a cost-sharing mechanism, the commission will employ the analysis that the commission employs when considering cost sharing or rate basing grid modernization projects as defined by Section 62-8-13 NMSA 1978, the Grid Modernization Act, to make a finding that the approved expenditures are:

(1) reasonably expected to improve the utility's electrical system efficiency, reliability, resilience and security;

(2) reasonably expected to maintain reasonable operations, maintenance and ratepayer costs;

(3) reasonably expected to meet energy demands through a flexible, diversified and distributed energy portfolio;

(4) reasonably expected to increase access to and use of clean and renewable energy, with consideration given to increasing access to low-income subscribers and subscribers in underserved communities; or

(5) designed to contribute to the reduction of air pollution, including greenhouse gases.

C. The commission will consider approving sharing of interconnection costs with non-subscribing ratepayers only to the extent that the costs borne by such ratepayers are matched or exceeded by demonstrable benefits to such ratepayers, so that there will be no subsidization of interconnection costs by non-subscribing ratepayers.in appropriate cases.

D. A utility may recover administrative costs of carrying out its responsibilities concerning the community solar program through a rate rider from which non-subscribing ratepayers are exempt. A utility may apply to the commission to establish such a rider. Each utility must publicly report to the program administrator details on actual administrative costs and recovered costs via the administrative rate rider on an annual basis. The program administrator must publish and maintain all utility reports on the program website.

[17.9.573.13 NMAC - Rp, 17.9.573.13 NMAC, 9/9/2026]

17.9.573.14 REGISTRATION OF SUBSCRIBER ORGANIZATIONS:

A. The commission will issue a registration form that each subscriber organization shall file with the commission, that includes ownership and contact information, non-profit registration, or proof of certification to operate in New Mexico, and a general description of the project(s) proposed by the subscriber organization.

B. Each subscriber organization's ongoing authorization to operate community solar facilities shall be dependent upon the organization's compliance with the statutory thirty percent low-income subscription minimum (or their low-income bid commitment if above thirty percent) for each facility operated by the subscriber organization. For each facility, the subscriber organization shall share the initial validated subscriber list received from the utility with the program administrator. The subscriber organization shall subsequently share updated validated subscriber lists with the program administrator on a monthly basis. In

each case, the validated subscriber allocation list must indicate low-income status for each subscriber. Updated validated subscriber allocation lists shall be submitted no later than five business days before the end of each month to ensure alignment with monthly allocation changes permitted under Subsection B of 17.9.573.21 NMAC. Subscriber organizations that fail to reach the required low-income subscription level by the date of commercial operation of each community solar facility may be subject, at the commission's discretion, to penalties up to and including suspension or revocation of the subscriber organization's authorization to operate.

C. In addition to meeting the statutory minimum requirements, each subscriber organization shall be required to materially fulfill their bid commitments made in their community solar project application for which they received points in the scoring process.

D. Subscriber organizations shall submit, on an annual basis, a compliance attestation affirming that all such commitments remain in place or have been materially fulfilled. This attestation shall be submitted to the program administrator and signed by an authorized representative of the subscriber organization until all commitments have been fulfilled.

E. The program administrator or commission may, at its discretion, review any subscriber organization's compliance with their bid commitments or program requirements. Any material failure to fulfill their bid commitments or program requirements without prior program administrator or commission approval may result in fines and other penalties up to and including suspension or revocation of the subscriber organization's authorization to operate, in accordance with Subsection A of Section 62-16B- 7 NMSA 1978.

[17.9.573.14 NMAC - Rp, 17.9.573.14 NMAC, 9/9/2026]

17.9.573.15 SPECIAL SUBSCRIBER PROVISIONS:

A. Low-income customers who are eligible to meet the thirty percent carve out of Paragraph (3) of Subsection B of Section 62-16B-7 NMSA 1978 may be pre-qualified based on participation in any of the following programs (to the extent that they are still active), as well as additional programs identified by commission staff. A low-income customer may demonstrate participation in pre-qualified programs through signing a self-attestation of participation in one of the following programs:

(1) medicaid;

(2) supplemental nutrition assistance program (SNAP);

(3) low-income home energy assistance program (LIHEAP);

(4) participants, within the last year, of first-time homeowner programs and housing rehabilitation programs;

(5) living in a low-income/affordable housing facility;

(6) state and federal income tax credit programs that have relevant low-income tax requirements;

(7) section 8 housing choice voucher program;

(8) food distribution program on Native American reservations (FDPIR);

(9) temporary assistance for needy families (TANF);

(10) the special supplemental nutrition program for women, infants, and children (WIC);

(11) tribally-administered temporary assistance for needy families (TTANF); or

(12) federal weatherization assistance program.

B. An entire multi-family affordable housing project may prequalify its entire load as a low-income subscriber.

C. A customer who does not qualify under subpart A may qualify as a low-income subscriber by signing a self-attestation that the customer's income and household size qualify the customer as a low-income subscriber.

D. Low-income service organizations need only fit the special definition of this term provided in the community solar act, Subsection H of Section 62-16-2 NMSA 1978.

E. A subscriber organization must initially certify to the program administrator that the subscriber organization has complied with the thirty percent-low-income-subscription requirement and must recertify on an annual basis. The annual recertification requires that each subscriber organization certify that it is in compliance with the low-income subscription requirement for each facility owned by the subscriber organization, by providing a certification to the program administrator in a form to be provided by the program administrator. The subscriber organization shall provide the certification to the program administrator in January of each year, certifying that the low-income subscription requirement was fulfilled as of December 31st of the previous calendar year. The subscriber organization shall, on an annual basis, submit to each subscriber who has qualified as a low-income subscriber a form that has check boxes for confirmation that such subscriber either remains qualified or no longer qualifies as a low-income subscriber. The subscriber organization shall omit from its list of low-income subscribers those subscribers who indicate they no longer qualify as low-income subscribers. The subscriber organization may assume that subscribers who fail to return the form remain in their current status. The subscriber organization shall maintain all such documentation received, as well as a list of those persons who failed to return the form. The documentation shall be maintained, easily accessible, and organized by year. The form may be delivered electronically to a subscriber who has consented to electronic communications. A subscriber may opt out of electronic delivery. For a subscriber who

opts out, has not consented, or lacks a valid electronic contact, the form shall be mailed with a self-addressed prepaid return envelope or prepaid postcard. A summary of the documentation shall be submitted to the program administrator annually, and the documentation shall be made available to the program administrator upon request.

F. The commission shall contract with an experienced service provider to partner with community organizations to provide education and outreach to low-income serving organizations and to manage an outreach program to attract low-income subscribers to the program.
[17.9.573.15 NMAC - Rp, 17.9.573.15 NMAC, 9/9/2026]

17.9.573.16 SUBSCRIBER PROTECTIONS:

A. The commission has adopted a uniform disclosure form that may be updated as needed by the commission or the program administrator. The uniform disclosure form shall identify the information to be provided by subscriber organizations to potential subscribers, in both English and Spanish, and when appropriate, native or indigenous languages, to ensure fair disclosure of future costs and benefits of subscriptions, key contract terms, security interests and other relevant but reasonable information pertaining to the subscription, as well as grievance and enforcement procedures. The key contract terms to be disclosed on the form are estimated subscription size (kw AC), estimated contract effective date, contract term (months or years), option to renew y/n?, enrollment costs/subscription fees, current administrative cost rider rate, payment terms, rate discount, estimated total one year payments, a uniform visual example which shows estimated net monthly utility bill savings based on average usage of a residential customer, stated in terms of dollar and percent savings as well as stated estimates of annual and monthly average dollar and percent savings, early termination fees or cancellation terms, and subscription portability or transferability. The subscriber organization shall provide the form to a potential subscriber and allow them time to review the form's disclosures and sign the form before entering into a subscription agreement. The subscriber organization shall maintain in its files a signed form for each subscriber for the duration of the subscriber's subscription, plus one year, and shall make the form available to the commission upon the commission's request.

B. The subscriber organization must maintain a minimum level of general liability insurance coverage for each facility that it operates, with the minimum level dependent upon the nameplate capacity of the facility, according to the following schedule: one million dollars per occurrence for a facility with a capacity greater than 250 kW, five hundred thousand dollars per occurrence for a facility with a capacity in the range of 40 kW - 250kW, and three hundred thousand dollars per occurrence for a facility with a capacity below 40 kW.

C. False advertising prohibited - subscriber organizations, subscriber managers, and authorized contractors shall not engage in false or misleading advertising. This includes, but is not limited to, representing the value of a subscription by advertising the solar bill credit discount as the net discount on the customer's total electricity bill. Such conduct constitutes false advertising under New Mexico statutes, chapter 57, article 15 - trade practices and regulations. Failure to abide by this requirement may result in temporary suspension, or complete revocation, of authority to participate in the community solar program from the program administrator.

D. Compliance with local solicitation laws - subscriber organizations, subscriber managers, and authorized contractors shall comply with all applicable local laws governing solicitation activities. This includes obtaining any required solicitor's permits and business licenses before engaging in door-to-door or in-person solicitation. In some jurisdictions, unpermitted solicitation is a misdemeanor offense. Subscriber managers are responsible for ensuring that their authorized representatives are aware of and comply with all relevant local requirements. Failure to prevent unauthorized solicitation by an authorized representative may result in the suspension of the subscriber manager's authorization to enroll subscribers in the New Mexico community solar program.
[17.9.573.16 NMAC - Rp, 17.9.573.16 NMAC, 9/9/2026]

17.9.573.17 SUBSCRIPTION AGREEMENTS: Each subscriber organization shall develop and implement a written subscriber agreement containing the organization's terms and conditions for subscribing to its project.

A. The subscriber agreement must include the following terms, at a minimum:

(1) general project information;

(2) the effective date and term of the agreement;

(3) identification of all charges and fees;

(4) payment details;

(5) information about the bill credit mechanism;

(6) estimated annual net dollar savings in year one based on average usage of a residential customer;

(7) the terms and conditions of service;

(8) the process for customer notification if the community solar facility is out of service;

(9) the customer protections provided;

(10) contact information for questions and complaints; and

(11) the subscriber organization's commitment to notify the subscriber of changes that could impact the subscriber.

B. Subscriber organizations may update subscriber agreements or related enrollment information to reflect non-material changes without submitting a new agreement, provided that such changes do not alter the terms of service in a manner that affects subscriber rights or obligations. Non-material changes include administrative updates, any decrease in subscription size consistent with the executed subscriber agreement that does not reduce the savings rate or alter other material rights, and an increase of no more than twenty-five percent of the original subscription size if authorized by the executed agreement and compliant with Paragraph (1) of Subsection A of Section 62-16B-5 NMSA 1978, changes in subscriber location within the same utility service territory, or reassignment to another approved project administered by the same subscriber organization.

C. Qualifying utilities shall implement and maintain an electronic system to allow subscriber organizations to submit enrollment materials and make updates through a streamlined digital process. The system shall allow batch submission of subscriber information and documentation, provide confirmation of receipt, and support standard file formats including CSV and PDF, and notice of review within a specified number of business days.

D. The electronic system shall be fully implemented and available to subscriber organizations no later than 90 days after the rules are enacted by the commission. After that date, utilities shall not require paper-based or manual submission of subscriber materials, including consent forms. The program administrator shall monitor implementation and may recommend action to the commission in cases of noncompliance.

E. The commission may consider additional required terms in a future proceeding.

F. Complaints by subscribers against subscriber organizations may be submitted to the commission's consumer relations division for informal resolution. The commission may, in its discretion, refer serious issues to the attorney general to pursue enforcement proceedings.

G. The program administrator may require additional, reasonable reporting by subscriber organizations and qualifying utilities that the program administrator finds necessary or convenient for the efficient administration of the community solar program.
[17.9.573.17 NMAC - Rp, 17.9.573.17 NMAC, 9/9/2026]

17.9.573.18 CO-LOCATION OF COMMUNITY SOLAR FACILITIES: As long as a community solar facility is not located on the same parcel as another community solar facility, it shall not be considered co-located with another community solar facility. For any parcel that has been subdivided in the two years prior to a community solar project bid, all subdivided parcels shall be considered a single parcel for the purposes of this rule. The commission will consider, on a case-by-case basis, allowing more than one community solar facility to be located on the same parcel.
[17.9.573.18 NMAC - Rp, 17.9.573.18 NMAC, 9/9/2026]

17.9.573.19 PRODUCTION DATA:

A. The subscriber organization shall pay for a production meter to be used to measure the amount of electricity and renewable energy certificates generated by each community solar facility.

B. The subscriber organization shall provide real-time reporting of production as specified by the utility. For a community solar facility with production capacity greater than 250 kW AC, the subscriber organization shall provide real-time electronic access to production and system operation data to the utility.

C. Production from the facility shall be reported to the subscribers by the subscriber organization on at least a monthly basis. Subscriber organizations are encouraged to provide website access to subscribers showing real-time output from the facility, if practicable, as well as historic production data.
[17.9.573.19 NMAC - Rp, 17.9.573.19 NMAC, 9/9/2026]

17.9.573.20 COMMUNITY SOLAR BILL CREDIT RATE:

A. In calculating the solar bill credit rate, the utility shall calculate the total aggregate retail rate on a per-customer-class basis, less the commission-approved distribution cost components, and identify all proposed rules, fees and other charges converted to a kilowatt-hour rate, including fuel and purchased power cost adjustments, the value of renewable energy attributes and other charges of a qualifying utility's effective rate schedule applicable to a given customer rate class, but does not include charges described on a qualifying utility's rate schedule as minimum monthly charges, including customer or service availability charges, energy efficiency program riders or other charges not related to a qualifying utility's power production, transmission or distribution functions, as approved by the commission, franchise fees and tax charges on utility bills.

B. The total aggregate retail rate is the total amount of a qualifying utility's demand, energy and other charges converted to a kilowatt-hour rate, including fuel and purchased power cost adjustments, the value of renewable energy attributes and other charges of a qualifying utility's effective rate schedule applicable to a given customer rate class, but does not include charges described on a qualifying utility's rate schedule as minimum monthly charges, including customer or service availability charges, energy efficiency program riders or other charges not related to a qualifying utility's power production, transmission or distribution functions, as approved by the commission, franchise fees and tax charges on utility bills. The

utility's tariff for the bill credit shall include a table specifying the components of the total aggregate retail rate, the value of the renewable energy attributes and the distribution costs to be subtracted.

C. The utility shall base its distribution cost calculation upon its most recently commission-approved cost-of-service study.

D. The utility shall not subtract any costs of transmission from the solar bill credit rate calculation.

E. The utility shall value the environmental attributes of renewable energy certificates (RECs) at the utility's average cost of meeting its renewable portfolio standard requirement.

F. The utility shall ensure that the fuel and purchased power cost components credit rate is equal to the utility's commission-approved fuel and purchased power cost adjustment clause rate on the subscriber's bill.

[17.9.573.20 NMAC - Rp, 17.9.573.20 NMAC, 9/9/2026]

17.9.573.21 UNSUBSCRIBED ENERGY:

A. The utility shall document any payments made for unsubscribed energy, including documentation of the utility's calculation of avoided cost and make such documentation available to the commission upon request. The utility may request recovery of such payments in its next base rate case.

B. Subscriber organizations may modify subscriber's allocation monthly. Subscriber organizations will prioritize the banked unsubscribed energy ahead of newly produced energy, even if this will cause a portion of the newly produced energy in the current month to be unsubscribed.

C. Utilities will utilize the solar bill credits in effect at the time the unsubscribed energy is applied.

D. Avoided cost of energy rate for unsubscribed energy:

(1) The qualifying utility shall pay for unsubscribed energy which has been rolled forward for greater than 12 months to the subscriber organization at an avoided cost of energy rate as determined by the qualifying utility's commission-approved qualifying facility tariff.

(2) The payments for unsubscribed energy shall be recovered in the fuel and purchased power cost adjustment clause as economic eligible fuel expense.

(3) The qualifying utility shall seek recovery of the incremental costs to administer the unsubscribed energy through the community solar administrative cost rider.

[17.9.573.21 NMAC - Rp, 17.9.573.21 NMAC, 9/9/2026]

17.9.573.22 CONSOLIDATED BILLING:

A. Each qualifying utility shall submit a proposed consolidated billing proposal for commission approval by January 1, 2027. Proposals may vary among utilities and should be specific to billing system requirements and constraints.

(1) Proposals shall include, at a minimum:

(a) the calculation of the community solar bill credit rate, including applicable taxes and fees;

(b) the calculation of the utility administrative costs;

(c) the calculation of the payment due to the subscriber organization, including the subscription rate, taxes, and fees;

(d) any applied unsubscribed energy from the subscriber organization;

(e) proposed mechanisms for customers participating in other utility programs, such as multiple community solar subscriptions, budget billing, on-bill financing, and additional green tariff programs;

(f) proposed data privacy for subscriber information to avoid misuse or exposure of financial or personal information;

(g) estimated costs and timelines; and

(h) descriptions of resource requirements and constraints.

(2) The commission will review the proposed design specifications to ensure full compliance with applicable statutory and regulatory requirements.

(3) The commission may request changes to any proposed design specification prior to approval or denial.

B. Each qualifying utility shall propose an implementation plan for consolidated billing for all community solar subscribers within 180 days of receiving commission approval of a consolidated billing design specification. Utility implementation plans shall include relevant estimated costs and timelines, as well as descriptions of resource requirements or constraints.

C. Each qualifying utility shall provide quarterly reporting on the implementation plan until full consolidated billing is achieved for each qualifying utility. Each quarterly report shall include any changes to the estimated completion date, expenses incurred and recovered to date, and any new information relevant to the estimated budget and timeline.

D. Once a qualifying utility has implemented an approved consolidated billing program, all subscriber organizations operating within the utility's territory shall participate in the consolidated billing program.

E. A subscriber organization shall provide to the utility a subscriber list for each community solar facility enrolled in consolidated billing and a savings rate for each subscriber's electric utility account.

F. A qualifying utility shall calculate an electric utility

account's net bill credit using a savings rate
with precision up to one-tenth of a percent.

G. For all customers participating in consolidated billing, a subscriber organization shall set a percentage savings rate that is greater than zero. A subscriber organization may set a unique savings rate for each electric utility account subscribed to a community solar facility.

H. When calculating a net bill credit, a qualifying utility shall use the savings rate information provided by a subscriber organization. A qualifying utility must apply updated savings rate information no later than
the first full billing cycle for the subscriber's account that occurs after receiving the information.

I. The calculation of subscription credits and charges shall be completed as follows:

(1) A qualifying utility shall calculate the dollar amount of the net bill credit for a subscriber's account by multiplying the savings rate by the dollar value of the solar bill credit during the billing period.

(2) A qualifying utility shall calculate the dollar amount of the subscription charge by subtracting the net bill credit dollar value from the dollar value of the solar bill credit during the billing period.

(3) A qualifying utility shall deduct a subscriber's net bill credit from the monthly electric energy charges due to the qualifying utility.

(4) For a subscriber on budget billing, a qualifying utility shall deduct a subscriber's net bill credit from the subscriber's monthly budget bill amount due.

J. For each billing period in which a subscriber is enrolled in consolidated billing, the qualifying
utility shall include the following on the subscriber's bill for electric service:

(1) the dollar value of the subscription credit during the billing period;

(2) the savings rate as specified by the subscriber organization under Subsection G of 17.9.573.22 NMAC;

(3) the subscription charge in dollars; and

(4) the net bill credit in dollars applied under Paragraph (3) of Subsection I of 17.9.573.22 NMAC.

K. A qualifying utility shall, on a subscriber's electricity bill, label the subscription components in Subsection J of 17.9.573.22 NMAC as being associated with the subscriber's community solar subscription.

L. Subscription charges shall be remitted by the utility to the subscriber organization as follows:

(1) For each month that an account is subscribed to a community solar facility, the qualified
utility shall remit to the subscriber organization of the community solar facility an amount equal to the subscription
charge calculated in Paragraph (2) of Subsection I of 17.9.573.22 NMAC.

(2) A qualifying utility shall remit the amount in Paragraph (1) of Subsection L of 17.9.573.22 NMAC no later than 60 calendar days from the date on which the qualifying utility determines the most recent energy reading from the community solar facility.

(3) A qualifying utility shall make the payment required under Paragraph (1) of Subsection L of 17.9.573.22 NMAC to the subscriber organization through electronic fund transfer or other payment method mutually agreed upon by the subscriber organization and the qualifying utility.

(4) Customer partial payments, and customer non-payments shall not change the remittance process established in Paragraph (1) of Subsections L through Paragraph (3) of Subsection L NMAC. Partial payments and non-payments of the remaining utility bill shall be administered under 17.5.410 NMAC and the utility's generally applicable tariff.

M. Net credit billing reporting

(1) A qualifying utility that provides consolidated billing shall provide a subscriber organization with a report detailing each subscriber's net credited amounts.

(2) A qualifying utility shall provide the report no later than 60 days after the community solar facility meter reading by the qualifying utility.

(3) The required reports shall include the following items for each subscriber's account:

(a) subscriber's solar bill credit allocation;

(b) generation period associated with subscriber's solar bill credit allocation;

(c) subscriber's utility account number;

(d) subscription charge for the billing period; and

(e) net credit amount allocation for the period.

(4) A qualifying utility shall retain a record of bill credits applied to each subscriber's account for a period of five years.

(5) A qualifying utility shall report a summary of errors in the reports described in
Paragraph (1) of Subsection M of 17.9.573.22 NMAC for each calendar year by April 1 unless otherwise directed by the commission.

N. Subscriber organizations shall be responsible for all costs of consolidated billing. Costs shall be allocated to each subscriber organization based on a dollar-per-kilowatt of awarded capacity in the community solar program. No subscriber organization may opt out of participating in consolidated billing.

O. Subscriber organizations shall be required to begin payment after consolidated billing is implemented and no earlier. Each subscriber organization participating in a community solar facility shall begin making payments to the qualifying utility for consolidated billing upon the facility achieving permission to operate. Payment amounts shall be calculated in accordance with Subsection P.

P. Costs for consolidated billing shall be recovered by the utility from each subscriber organization participating in the facility through the creation of a regulatory asset which may be recovered from such subscriber organizations. The costs may be accrued based on actual costs incurred on an annual basis and may be amortized over time.

(1) Consolidated billing costs include both the cost to initiate the billing capability, as well as all ongoing administration costs of assuming all billing functions for the subscriber organizations.

(2) If a subscriber organization discontinues operations in New Mexico, the financial obligation for consolidated billing shall pass to any subscriber organization that assumes the awarded capacity. If no other subscriber organization assumes the awarded capacity, the financial obligation for consolidated billing shall be redistributed among existing subscriber organizations.

Q. Nothing in this rule shall limit the ability of the utility to disclose subscriber organization subscription rates to customers.

[17.9.573.22 NMAC - Rp, 17.9.573.22 NMAC, 9/9/2026]

17.9.573.23 RELOCATION OF COMMUNITY SOLAR FACILITIES: A selected community solar facility may petition for relocation of its project site, subject to commission approval, only if the following conditions are met:

A. point of interconnection (POI): relocation shall not change the designated point of interconnection identified in the solicitation bid. If relocation requires a different POI, the new POI must:

(1) remain on the original parcel, or

(2) be located on an adjacent parcel secured by a valid lease or utility-approved easement. The utility and subscriber organization shall jointly select a compliant POI that prioritizes safety and reliability.

B. proximity to 3-phase line (<1 mile): if the original site is within one mile of the nearest 3-phase circuit, the relocated site must remain within that one-mile radius. By mutual agreement, the IOU and subscriber organization may select an alternate POI along the same feeder within that radius.

C. proximity to 3-phase line (>1 mile): if the original site is greater than one mile from the nearest 3-phase circuit, relocation shall not increase the distance from that circuit or the original POI.

D. ownership consistency: the landowner of the original and relocated parcel must be the same.

E. site control: The subscriber organization must maintain legally binding site control of the relocated parcel.

F. no adverse cost impacts: relocation shall not increase interconnection or other costs for projects already selected. The hosting utility must validate any proposed relocation for potential restudy. Any new studies triggered by relocation shall be paid for by the relocating developer.

[17.9.573.23 NMAC - Rp, 17.9.573.23 NMAC, 9/9/2026]

17.9.573.24 CONTRACTUAL DOCUMENTS AS COLLATERAL: A subscriber organization may seek to grant a security interest in any contractual agreements it has executed with a utility, including its subscriber organization agreement and its interconnection agreement, under the condition that any such assignment incorporate the provisions of the subscriber organization agreement with respect to assignment (Article 15), and default and remedies (Article 9). In no case shall any subscriber organization propose a consent to assignment to a utility which materially conflicts with or amends the provisions of the subscriber organization agreement. Any such consent, if executed, shall be null and void.

[17.9.573.24 NMAC - Rp, 17.9.573.24 NMAC, 9/9/2026]

HISTORY OF 17.9.573 NMAC: [RESERVED]

History of Repealed Material: 17.9.573 NMAC - Community Solar (filed 7/12/2022), Repealed effective 9/9/2026.

Other: 17.9.573 NMAC - Community Solar (filed 7/12/2022), Replaced by 17.9.573 NMAC - Community Solar effective 9/9/2026.

REGULATION AND LICENSING DEPARTMENT
ATHLETIC COMMISSION

This is an amendment to 15.6.1 NMAC, Sections 7, 10, 11, and 18, effective 09/09/2026.

15.6.1.7 DEFINITIONS:

A. "Amateur contest" means any boxing, wrestling, martial arts, or mixed martial arts event, contest or exhibition, whether or not an admission fee is charged to the public, where the participants are licensed as amateurs with the commission in their field of unarmed combat. The terms **"amateur contest"** and **"smoker"** are used interchangeable, both terns have the same meaning. Amateur boxers are required to be licensed under USA Boxing.

B. "Board" means the medical advisory board of the New Mexico athletic commission.

C. "Broadcast" means any audio or visual image sent by radio, television or internet signals including podcast, webcast, streaming media, internet and any other electronic transmission.

D. "Closed circuit telecast" means any telecast that is not intended to be available for viewing without the payment of a fee for the privilege of viewing the telecast and includes, but is not limited to, the term "pay-per-view". This definition includes, but is not limited to, telecasts, podcast, webcast, streaming media, internet or any electronic transmission to arenas, bars, lounges, clubs, entertainment or meeting centers and private residences.

E. "Commission" means the New Mexico athletic commission.

F. "Contact exhibition" means any contest or portion of a fight card, bout, or event in any form of unarmed combat, including but not limited to boxing, wrestling, martial arts, or mixed martial arts regulated by the commission, conducted, held, televised on closed circuit, or given within New Mexico.

G. "Contest" means any event or portion of a fight card, bout or exhibition in any form of unarmed combat, including but not limited to boxing, wrestling, martial arts, or mixed martial arts regulated by the commission, conducted, held, televised on closed circuit, or given within New Mexico.

H. "Counted out" means that a participant has been knocked down and the referee and knockdown timekeeper have performed the appropriate count as set forth in the rules, and the completion of such count signifies that the participant has been knocked out.

I. "Department" means the New Mexico regulation and licensing department.

J. "Event" means any contest or portion of a fight card, bout, or exhibition in any form of unarmed combat, including but not limited to boxing, wrestling, or martial arts regulated by the commission, conducted, held, televised on closed circuit, or given within New Mexico.

K. "Exhibition" means any contest or portion of a fight card, bout, or event in any form of unarmed combat, including but not limited to boxing, wrestling, martial arts, or mixed martial arts regulated by the commission, conducted, held, televised on closed circuit, or given within New Mexico.

L. "Face value" means the dollar value of a ticket that the customer is required to pay or, for complimentary tickets, would have required payment. It shall include any charges or fees, such as dinner, gratuity, parking, surcharges, or any other charges or fees that must be incurred in order to be allowed to view the match. However, if the ticket specifies the amount of admission charges attributable to state or federal taxes, such taxes shall not be included in the face value.

M. "Fight card" means a program of an event, contest, or exhibition of unarmed combat.

N. "Foreign co-promoter" means a promoter who has no physical place of business in New Mexico or who's business is incorporated in a state other than New Mexico.

O. "He" or "his" shall also mean "she" or "her".

P. [RESERVED]

Q. "Main event" means the principal match or matches within a program of matches.

R. "Mixed martial arts" means unarmed combat involving the use, subject to any applicable limitations set forth in this chapter, of a combination of techniques from different disciplines of the martial arts, including, without limitation, grappling, kicking and striking.

S. "Official duty" means any person who performs a task belonging to the commission during an event, contest, or exhibition of unarmed combat.

T. "Professional contest" means any boxing, wrestling, or martial arts, or mixed martial arts event, contest or exhibition, whether or not an admission fee is charged for admission of the public, where the participants are licensed as professionals with the commission in their field of unarmed combat.

U. "Promoter" means any person, and in the case of a corporate promoter includes any officer, director or stockholder of the corporation, who produces or stages any unarmed combat, including but not limited to boxing, wrestling or martial arts contest, exhibition or closed circuit television show.

V. "Sham or fake" means a professional event, contest, or exhibition that is unsanctioned or features participants who are not licensed professionals with the commission in their respective form of unarmed combat.

W. "Technical zone" means the area between the ring, cage or fenced area and public seating. The area must have a separate divider and be at least 8 but preferably 12 feet from the ring, cage or fenced area. If there is not a solid barrier, uniformed security must be present.

X. "Timekeeper signal" means the appropriate mechanism used to signal the end of the round.

Y. "Unarmed combat" means boxing, wrestling, martial arts, mixed martial arts or any form of competition in which a blow is usually struck which may reasonably be expected to inflict injury.

Z. "Unarmed contest" means an unarmed combatant competing in an unarmed combat approved and sanctioned by a state commission or a duly constituted and functioning tribal commission which provides the unarmed combatants with the minimum protection afforded by the commission.

[15.6.1.7 NMAC - N, 03/23/2002; A, 08/26/2012; A, 01/15/2015; A, 09/09/2026

15.6.1.10 DUTIES OF THE [~~COMMISSION~~

~~ADMINISTRATOR~~] EXECUTIVE SECRETARY: The commission's administrator shall keep a full and true record of all the commission's proceedings; preserve and keep its books, documents, papers, records; and prepare such papers, reports, and other documents as may be required by the commission; and perform such other duties as may be assigned to the commission administrator from time to time by the commission. The commission administrator shall keep a record of the minutes of all commission meetings and prepare monthly financial statements for the commission.
[15.6.1.10 NMAC - N, 03/23/2002; A, 09/09/2026

15.6.1.11 MINUTES OF COMMISSION MEETINGS: The minutes of all commission meetings shall be transcribed [~~and kept on file at the commission's office and placed online, at http://www.rld.state.nm.us/boards/athletic_commission_members_and_meetings.aspx.~~], maintained on file at the board office, and made available online on the board's official website.
[15.6.1.11 NMAC - N, 03/23/2002; A, 01/15/2015; A, 09/09/2026]

15.6.1.18 LICENSEE REQUIRED TO UPDATE ADDRESS WITH COMMISSION:

A. Correspondence, notices, bulletins, or any other information from the commission will be sent to the last known email address on file with the commission at the commission's office.

B. The licensee shall be responsible for notifying the commission of any change in address.
[15.6.1.18 NMAC - N, 03/23/2002; A, 09/09/2026

REGULATION AND LICENSING DEPARTMENT
ATHLETIC COMMISSION

This is an amendment to 15.6.2 NMAC, Sections 10, 13, 16, 19 and 20, effective 9/09/2026.

15.6.2.10 EXECUTION OF CONTRACTS: Contracts between an unarmed combatant and a manager, or between an unarmed combatant or manager and a licensed promoter, shall be executed on printed contract forms approved by the commission. If printed contract forms are unavailable, the commission may approve [~~notarized~~] contracts. All contracts must at a minimum include all agreed upon terms such as weight, allowed possible ranges of weight, number of rounds, duration of rounds, named opponent and signatures of all parties to the contract including promoter and unarmed combatant or [~~his~~] the approved [~~management~~] licensed manager.
[15.6.2.10 NMAC - N, 03/23/2002; A, 08/26/2012; A, 01/15/2017; A, 09/09/2026]

15.6.2.13 CONTRACT FILING: A copy of any contract entered into between a manager and an unarmed combatant must be placed on file with the commission for approval.

A. A contract becomes null and void if at any time during its term the manager or the unarmed combatant loses his license as a result of an action by the commission or by failure of the manager or unarmed combatant to [~~renew his~~] reapply for a license.

B. A manager is not allowed to participate in more than thirty-three and one-third percent of the ring earnings of the unarmed combatant.

C. The commission must approve and consent to any assignment of any part of the unarmed combatant or manager's interest in a contract.
[15.6.2.13 NMAC - N, 03/23/2002; A, 08/26/2012; A, 09/09/2026]

15.6.2.16 UNARMED COMBATANT DEFAULT OF CONTRACT:

A. If an unarmed combatant claims that his failure to fulfill the terms of his contract was caused by illness or injury or by conditions over which he had no control, he shall submit such claim in writing to the commission.

B. The commission may then decide whether such default requires the imposition of any penalty or disciplinary action.

C. In the event that either no claim is made, or that it is made and rejected by the commission:

(1) the commission may suspend or revoke the license of the unarmed combatant in default and award to the opponent the amount of any forfeit posed under the terms of the contract; and

(2) the commission may declare the defaulting unarmed combatant ineligible for any other unarmed combat contest in the state of New Mexico until such terms of the breached contract are fulfilled.

D. If the commission finds that the default was excusable, the defaulting unarmed combatant must fulfill the terms of the contract by an adjourned date subject to the approval of the commission. Subject to penalty of suspension or revocation of his license per 15.6.16.10 NMAC, the unarmed combatant shall not combat in any other unarmed combat contest or for any other promoter without the approval of the commission.
[15.6.2.16 NMAC - N, 03/23/2002; A, 08/26/2012; A, 09/09/2026]

15.6.2.19 TIME LIMITS FOR FILING UNARMED COMBAT CONTEST CONTRACTS: The promoter must meet the following conditions to file contracts with the commission for unarmed combat.

A. [~~All main events and semi-main event contracts between a promoter and any licensed unarmed combatant or approved management of a licensed unarmed combatant, effecting or calling for the services of a main event or semi-main event unarmed combatant, shall be filed with the commission within seven days after the execution of the contract, and at least seven days prior to any unarmed combat contest to which the contract relates.~~]

All main and co-main event contracts between the promoter and unarmed combatant (or the unarmed combatant's manager) must be submitted to the commission no later than seven days after signing, and no later than seven days before the fight takes place; unless otherwise approved by the commission.

B. All contracts for preliminary unarmed combatants shall be filed no later than 96 hours prior to any match to which they relate, unless otherwise approved by the commission. [~~or its designee.~~]

[15.6.2.19 NMAC - N, 03/23/2002; A, 08/26/2012; A, 01/15/2015; A, 01/15/2017; A, 09/09/2026]

15.6.2.20 COMPENSATION OF PROFESSIONAL UNARMED COMBAT IS REQUIRED:

A. Payment may be made only to persons set forth by the commission unless the commission has approved, in advance, all the details of payment to another party.

B. All unarmed combatants participating in a professional unarmed combat contest shall be paid, directly or through their licensed managers, who shall issue a receipt for such payment.

C. Payment shall be made only to the duly recognized manager or to the unarmed combatant himself, if he has no recognized manager.

D. Unless otherwise agreed to by the commission, all participants must be paid immediately following the conclusion of the final bout.

E. Promoters shall pay the agreed amount to the contestants.

F. No professional unarmed combatant shall be paid less than [~~$25.00~~] $150.00 for each round scheduled in any contest.

[~~**G.** Unarmed combatants shall not kickback any part of the amount paid them to any manager, second, promoter, or matchmaker.~~

~~**H.**~~] **G.** None of the parties involved in an event or match shall accept a kickback offered to him by any unarmed combatant.

[15.6.2.20 NMAC - N, 03/23/2002; A, 08/26/2012; A, 01/15/2015; A, 09/09/2026]

REGULATION AND LICENSING DEPARTMENT
ATHLETIC COMMISSION

This is an amendment to 15.6.9 NMAC, Sections 8, 9, 10, 13, 16, 17 and 18, effective 09/09/2026.

15.6.9.8 UNIFORM REGULATIONS FOR PROFESSIONAL BOXING, MIXED MARTIAL ARTS, AND MUAY THAI: [~~The New Mexico athletic commission adopts the association of boxing commissioners (ABC) *uniform rules for professional boxing championships*. In the event of a problem/situation regarding the ABC rules, the final authority shall rest with the commission utilizing its **own** regulations. Within 48 hours after the contest, *the supervisor's checklist*, a form provided by ABC, shall be completed and returned to ABC by the supervising commission.~~] The New Mexico athletic commission adopts the association of boxing commissions' (ABC) Uniform Rules for Professional Boxing, Mixed Martial Arts, and Muay Thai. As the ABC updates or adopts changes to its rules, the commission shall implement such changes, unless otherwise determined by the commission.

A. [~~**Contest elements considered**: In scoring a contest, the elements of offense, defense, clean hitting, ring generalship and sportsmanship shall be carefully considered.~~] **Scoring system:** The scoring system utilized by the commission shall conform to and follow the association of boxing commissions' (ABC) most current and updated scoring criteria.

B. Scoring judges: Three judges approved by the commission shall evaluate each contest and score the contest.

C. "10 point" must system: The 10-point must system will be the standard system of scoring a boxing contest.

D. Winner's points: The winner of any round is marked a "10".

E. Loser's points: The loser of any round is marked "1" to "9".

F. Mandatory eight count: Mandatory 8-count after knockdowns will be the standard procedure in all boxing contests.

G Standing eight count: There shall be NO standing eight-count called in any contest.

H. Three knockdown rule: There shall be NO three-knockdown rule called in any contest.

I. Twenty-second count: A contestant shall receive a twenty-second count if he is knocked out of the ring and onto the floor.

J. Referee is sole arbiter: The referee is the sole arbiter of a contest and is the only individual authorized to stop a bout.

K. Knockdown rated: The referee shall call a knockdown as such as soon as it occurs.

L. Ring generalship: [~~The contestant who takes advantage of the full "9" count should be credited with "ring generalship", which would not be credited to him if he arose immediately and tried to continue in a possibly groggy condition.~~] Is the strategic control of the ring or cage, where a fighter dictates the pace, distance, adn location, forcing the opponent to react to them.

M. Foul blows: The use of foul blows and other tactics shall result in a penalty of one point for each foul committed, and the referee shall advise the judges immediately of the number of points to be deducted.

N. Disqualification for second's assist: Contestants are to be unassisted by their seconds. If a contestant is assisted by his second, the referee shall disqualify the [~~boxer~~] unarmed combatant.

O. Saved by the bell: A contestant who has been knocked down cannot be saved by the bell in any round.

[15.6.9.8 NMAC - N, 03/23/2002, A, 09/09/2026]

15.6.9.9 KNOCKDOWNS:

A. Judges scoring knockdowns: [~~The judges may score a knockdown in any one round as either one or two points in favor of a contestant who scored the knockdown.~~] A knockdown shall be scored when a fighter is ruled down by the referee as the result of a legal strike.

B. [~~**Judges score independently**: Each judge must determine for himself which value shall be placed on the knockdown.~~] Judges must follow the referee's ruling on whether a fall was a knockdown or a slip.

[15.6.9.9 NMAC - N, 03/23/2002; A, 09/09/2026]

15.6.9.10 PROTOCOL FOR USING SCORECARDS: Judges shall clearly write their decision and sign their scorecards; and they must mark their cards in ink [~~or in indelible pencil~~] at the end of each round.

[15.6.9.10 NMAC - N, 03/23/2002; A, 09/09/2026]

15.6.9.13 MAJOR FOULS:

A. The following are major fouls.

(1) Hitting an opponent who is down or who is rising from the down position.

(2) Using the knee against the opponent in boxing.

(3) Purposely going down without being hit.

(4) Failure to heed the referee's warning concerning low blows or other minor fouls.

(5) Any dangerous and un-sportsmanlike conduct in the ring.

B. The referee may disqualify the offending contestant, and award the bout or any points to the contestant being fouled.

C. Disqualification on fouls to the body may only occur if the referee deems that these fouls are flagrant or continual.

[15.6.9.13 NMAC - N, 03/23/2002; A, 09/09/2026]

15.6.9.16 REFEREE'S NOTICE TO JUDGES CONCERNING FOULS:

A. In the event that the referee determines that a foul has been committed, he shall notify the judges immediately.

B. The judges shall deduct one point from the offending contestant's scores.

C. On any illegal blow to the body the referee may order a deduction of points and will give the necessary time for recovery to the injured boxer (with a maximum of five minutes) after consulting with the ringside physician. If the referee rules this foul was accidental and after five minutes the injured boxer can't continue, the rules governing accidental fouls shall apply. A contestant who is hit with an accidental low blow must continue after the five-minute rest or he will lose the bout.

D. There may be a deduction of points by the referee at any time for illegal blows [~~and/or~~] or conduct by the boxer [~~and/or~~] or his corner men.

E. In the case of a clear and intentional foul that causes an injury and the contest can still continue, the contestant who was doing the fouling will have two points deducted.

(1) The referee must stop the action and inform all judges and the commission or commission representative of this deduction.

(2) Point deductions for intentional fouls will be mandatory.

[15.6.9.16 NMAC - N, 03/23/2002; A, 09/09/2026]

15.6.9.17 CONDITIONS FOR COUNTING A CONTESTANT OUT: A fighter who is hit with an accidental low blow must continue the contest after a reasonable time, but no more [~~then~~] than five minutes, or he will lose the contest.

[15.6.9.17 NMAC - N, 03/23/2002; A, 09/09/2026]

15.6.9.18 [~~WRITTEN REPORT TO COMMISSION REGARDING FOULS~~: If, in ~~any boxing contest, a contestant is penalized with the loss of three or more rounds due to fouls, the referee and each judge must report the matter to the commission, in writing, within 24 hours.~~] **[RESERVED]**

[15.6.9.18 NMAC - N, 03/23/2002; Repealed, 09/09/2026]

REGULATION AND LICENSING DEPARTMENT
ATHLETIC COMMISSION

This is an amendment to 15.6.20 NMAC, Sections 8, 9, 11 through 15, 18 through 21 and 23, effective 09/09/2026.

15.6.20.8 MIXED MARTIAL ARTS INVOLVING FULL CONTACT: USE OF OFFICIAL RULES; DUTIES OF SPONSORING ORGANIZATION OR PROMOTER; APPROVAL OF COMMISSION REQUIRED:

A. All full-contact mixed martial arts are forms of unarmed combat.

B. The provisions pertaining to licenses, fees, dates of programs and disciplinary action in the laws and regulations on unarmed combat apply to events of such martial arts.

[~~**C.** An event, contest or exhibition of mixed martial arts must be conducted pursuant to the official rules for the particular form. The sponsoring organization or promoter must submit a copy of the official rules with the commission before it will be approved to hold the events.~~

~~**(1)** To ensure the rules submitted for the particular form get commission approval before the event, the sponsoring organization or promoter shall submit their rules no later than the last regularly-scheduled commission meeting before the date of the planned event.~~

~~**(2)** The commission shall review and examine aforementioned rules, and may question the sponsoring organization or promoter before voting to approve~~

~~the rules.~~]

C. A sanctioned MMA event must consist of a minimum of seven bouts.

[15.6.20.8 NMAC - N, 8/26/2012; A, 1/15/2015; A, 09/09/2026]

15.6.20.9 CONDUCT OF CONTESTS AND EXHIBITIONS; APPLICABILITY OF PROVISIONS:

A. All events of mixed martial arts must be conducted under the supervision and authority of the commission.

B. The referee is the sole arbiter of a bout and is the only individual authorized to stop a contest.

The authority of a referee begins when the inspector(s) exit the cage/fence and does not end until the inspector(s) re-enter the cage/ring, upon the conclusion of the fight.

[~~B.~~] C. With prior approval from the commission, a promoter may request the following special rules for each amateur contest:

(1) no elbow strikes to the head;

(2) no knees to the head;

(3) three minute rounds; or

(4) any other rules deemed appropriate for the safety and protection of the amateur unarmed combatant.

[15.6.20.9 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.11 DURATION:

A. A non-championship contest or exhibition of mixed martial arts may last up to five rounds in duration.

B. A championship contest of mixed martial arts must be five rounds in duration.

C. A period of unarmed combat in a contest or exhibition of mixed martial arts must be three or five minutes in duration. A period of rest following a period of unarmed combat in a contest or exhibition of mixed martial arts must be one minute in duration.

D. No unarmed combatant shall exceed competing more than five rounds or 25 minutes of fighting in a 24 hour period.

[15.6.20.11 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.12 WEIGHT CLASSES OF UNARMED COMBATANTS; WEIGHT LOSS AFTER WEIGH-IN:

A. The classes for unarmed combatants competing in contests or exhibitions of mixed martial arts and the weights for each class are shown in the following schedule.

(1) Atom weight up to and including 105 lbs.

(2) Straw Weight [~~up~~] over 105 to 115 lbs.

(3) Flyweight: [~~up~~] over 115 to 125 lbs.

(4) Bantamweight: over 125 to 135 lbs.

(5) Featherweight: over 135 to 145 lbs.

(6) Lightweight: over 145 to 155 lbs.

(7) Welterweight: over 155 to 170 lbs.

(8) Middleweight: over 170 to 185 lbs.

(9) Light heavyweight: over 185 to 205 lbs.

(10) Heavyweight: over 205 to 265 lbs.

(11) Super heavyweight: all over 265 lbs.

B. Weight loss of up to two lbs. is allowed. Unarmed combatants have up to one hour to lose weight. The weight loss described must not occur later than one hour after the initial weigh-in. Unarmed combatants over weight may be fined, have their license suspended, and have their license revoked by the commission.

[15.6.20.12 NMAC - N, 8/26/2012; A, 1/15/2015; A, 1/30/2024; A, 09/09/2026]

15.6.20.13 PROPER ATTIRE AND PHYSICAL APPEARANCE FOR UNARMED COMBATANTS: An unarmed combatant competing in a contest or exhibition of mixed martial arts.

[~~A.~~ ~~Must wear shorts approved by the commission or the commission's representative.~~

~~B.~~ ~~May not wear shoes or any padding on his feet during the contest however tape is allowed with approval of the commission, to knees, ankles or feet.~~

~~C.~~ ~~All male fighters must wear an approved groin protector.~~

~~D.~~ ~~All female fighters must.~~

~~(1)~~ ~~Wear a sports bra type garment.~~

~~(2)~~ ~~Have hair secured in a manner that does not interfere with the vision or safety of either unarmed combatants.~~

~~(3)~~ ~~Use a minimum of cosmetics.~~]

A. All mixed martial artists will be required to wear such protective gear as deemed necessary by the Commission.

B. Cage/Ring Attire

(1) Male contestants shall not wear any form of clothing on their upper body.

(2) Male and female contestants shall wear the appropriate trunks, mouthpiece, And gloves. Male contestants shall also wear the appropriate groin protection.

(3) Female contestants shall wear short sleeved (above the elbow) or sleeveless form fitting rash guard or sports bra(s). No loose-fitting tops and/or breast protectors shall be allowed. Female contestants will follow the same requirements for bottom coverings as the male contestants, minus the requirement for groin protection.

(4) The hem of the trunks may not extend below the knee.

(5) Fighting shorts/trunks shall not have exposed Velcro, pockets or zippers.

(6) Contestants in the same match, contest, or exhibition may wear different color trunks or be designated by glove taping or glove coloring in the corner they are assigned.

(7) Contestants shall not wear shoes in the cage or ring.

(8) When deemed necessary by the referee all contestant's shall have their hair secured in a manner that does not interfere with the vision and safety of either combatant. No object can be worn to secure the contestant's hair which may cause injury to either combatant.

(9) The wearing of jewelry will be strictly prohibited during all contests.

(10) Wearing body cosmetics shall be prohibited during all contests. Wearing facial cosmetics shall be at the discretion of the commission or referee.

[~~E.~~] **(11)** All fighters must wear fitted mouthpieces during competition. The round cannot begin without the mouthpiece. If the mouthpiece is dislodged during the competition, the referee will call time and have the mouthpiece replaced at the first opportune moment, without interfering with the immediate action. Points may be deducted by the referee if the referee feels the mouthpiece is being purposefully spit out.

[~~F.~~] **(12)** The commission reserves the right to disapprove of any or all uniforms or garments to be worn.

[~~G.~~] **C.** Gloves.

(1) All gloves must be of a professional quality and must be approved by the commission or the commission's representative. All gloves worn shall fit the hands of the fighter. Gloves cannot be less than four ounces and not more than eight ounces.

(2) The make and type of all gloves must be approved in advance by the commission or the commission's representative. Gloves must be put on in the presence of the deputy inspector and he must approve any tape used on the gloves.

(3) Gloves may not be squeezed, manipulated, kneaded, crushed or altered to change the original shape.

[~~H.~~] **D.** Hand wraps: Hand wraps/bandages are for the protection of the unarmed combatant's hands during a contest from injury. All mixed martial arts contestants shall be required to gauze and tape their hands prior to all contests.

(1) [~~In all weight classes, the bandages on each contestants hand shall be restricted to soft gauze not more than 20 yards in length and no more than two inches in width, held in place by not more than 10 feet of surgeons adhesive tape, no more than one and one half inch in width, for each hand~~]. A maximum of one roll (no more than 2" wide by 15 yards in length) of white, soft, cloth gauze is permitted per hand. The gauze may not exceed the wrist of the combatant's glove. The exposed thumb is an option to be protected.

(2) [~~The tape may be placed directly on and may cross the back of the hand twice, but may not extend within three-fourths of an inch of the knuckles when the hand is clenched to make a fist. The bandages shall be evenly distributed across the hand. Building of wraps is prohibited. After gauze has been applied tape still may not be within three-fourths of an inch of knuckles when hand is clinched to make a fist.~~] A maximum of one roll (no more than 1.25" wide by 10' in length) of white athletic tape is permitted per hand. The tape may not exceed the wrist of the combatant's gloves. Only one strip of tape between the fingers, not to exceed one quarter inch in width, may be placed through the fingers but may not cover the knuckles. The exposed thumb is an option to be protected.

[~~**(3)** Only one strip of tape between the fingers, not to exceed one quarter inch in width, shall be allowed.~~

~~**(4)** Any wrap or tape applied to the hand, knee, ankle or foot must be approved by the commission representative/inspector, as well as signed off prior to unarmed combatant entering the cage. All wraps must be applied in the presence of the commission representative/ inspector. No exceptions.~~]

(3) A single layer of elastic or flex-tape is allowed to be applied over the completed wrap.

(4) Approved tape/gauze of all brands may be allowed.

(5) Any gauze/ tape approved by the commission representative/inspector once applied to combatant's hands may not be altered or tampered with in any way, shape or form to include, but not limited to the application of: water, plaster, ointments, vaseline and glues to the hand wraps or bandages.

(6) Either unarmed combatant may waive his privilege of witnessing the bandaging of his opponent's hands.

(7) Inspectors or the commission may request any hand bandages or gloves be removed and reapplied should there be any doubt regarding the legality of any applications. Any gloves or hand wraps may be confiscated by the commission for any reason.

[~~**(8)** The commission reserves the right to allow or disallow name brand products on a case by case basis.~~]

E. Joint/Body Coverings:

(1) Other than the combatant's hands, there will be no taping, covering, or protective gear,
of any kind, on the upper body. This includes, but is not limited to: joint sleeves, padding, and or any form of brace/body tape.

(2) A combatant may use a soft neoprene type sleeve to cover only the knee and/or ankle joints. Approved sleeves may not have: Velcro, plastic, metal, ties, or any other material considered to be unsafe or that may create an unfair advantage. Tape, gauze, or any materials other than the approved sleeves are not permitted.

[~~**I.** Unarmed combatants shall not apply any foreign substance to the hair, body, clothing or gloves immediately prior to or during a contest or exhibition that could result in an unfair advantage.~~

~~**(1)** Each~~

~~contestant must be free of grease or any other foreign substance, including without limitation, grooming creams, lotions or sprays, colognes, may not be used on the face, hair or body of a contestant.~~

~~(2) The referee or the commission representative/ inspector shall cause any foreign substance to be removed.~~]

[15.6.20.13 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.14 METHOD OF JUDGING:

A. [~~Each judge of a contest or exhibition of mixed martial arts that is being judged shall score the contest or exhibition and determine the winner through the use of the following 10 point must system.~~] All bouts will be evaluated and scored by a minimum of three judges.

[~~(1) The better unarmed combatant of a round receives 10 points and his opponent proportionately less.~~

~~(2) If the round is even, each unarmed combatant receives 10 points.~~]

~~(3) No fraction of points may be given.~~

~~(4) Points for each round must be awarded immediately after the end of the period of unarmed combat in the round.~~]

~~**B.** After the end of the contest or exhibition, the announcer shall pick up the scores of the judges from the commission's desk.~~

~~**C.** The majority opinion is conclusive. If there is no majority, the decision is a draw.~~]

~~**D.** When the commission's representative has checked the scores, he shall inform the announcer of the decision. The announcer shall inform the audience of the decision over the speaker system.~~]

B. The 10-Point Must System will be the standard of scoring a bout. Under the 10-Point Must Scoring System, 10 points must be awarded to the winner of the round and nine points or less must be awarded to the loser, except for a rare even round, which is scored (10-10).

C. All judges shall comply with and apply the Association of Boxing Commissions (ABC) scoring criteria in the evaluation of mixed martial arts bouts.

D. No fraction of points may be given.

E. Points for each round must be awarded immediately after the end of the period of unarmed combat in the round.

F. After the end of the contest or exhibition, the announcer shall pick up the scores of the judges from the commission's desk.

G. When the commission's representative has checked the scores, he shall inform the announcer of the decision. The announcer shall inform the audience of the decision over the speaker system.

[15.6.20.14 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.15 ACTS CONSTITUTING FOULS: The following acts constitute fouls in a contest or exhibition of mixed martial arts:

A. butting with the head; the head may not be used as a striking instrument in any fashion. Any use of the head as a striking instrument whether head to head, head to body or otherwise is illegal.

B. Eye gouging of any kind; eye gouging by means of fingers, chin, or elbow is illegal. Legal strikes or punches that contact the fighter's eye socket are not eye gouging and shall be considered legal attacks.

C. Biting or spitting at an opponent; biting in any form is illegal. A fighter must recognize that a referee may not be able to physically observe some actions and must make the referee aware if they are being bit during an exhibition of unarmed combat.

D. Hair pulling; pulling of the hair in any fashion is an illegal action. A fighter may not grab a hold of his opponent's hair to control their opponent in any way. If a fighter has long hair, they may not use their hair as a tool for holding or choking in any fashion.

E. Fish hooking; any attempt by a fighter to use their fingers in a manner that attacks their opponent's mouth, nose or ears, stretching the skin to that area will be considered "Fish hooking". Fish hooking generally is the placing of fingers into the mouth or your opponent and pulling your hands in opposing directions while holding onto the skin of your opponent.

F. Groin attacks of any kind; any attack to the groin area including, striking, grabbing, pinching or twisting is illegal. It should be clear that groin attacks are the same for men and women.

G. Putting a finger into any orifice or into any cut or laceration on an opponent; a fighter may not place their fingers into an open laceration in an attempt to enlarge the cut. A fighter may not place their fingers into an opponent's, nose, ears, mouth, or any body cavity.

H. Small joint manipulation; fingers and toes are small joints. wrists, ankles, knees, shoulders and elbows are all large joints. Grabbing the majority of fingers/toes at once is allowed.

I. Striking to the spine or the back of the head;

(1) the back of the head starts at the crown of the head with a one inch variance to either side, running down the back of the head to the occipital junction.

(2) This area stretches out at the occipital junction (nape of the neck) to cover the entire width of the neck. It then travels down the spine with a one inch variance from the spine's centerline, including the tailbone.

[~~**J.** striking downward using the point of the elbow;~~

~~**K.**~~] **J.** Throat strikes of any kind, including, without limitation, grabbing the trachea; no directed throat strikes are allowed. A directed attack would include a fighter pulling his opponents head in a way to open the neck area for

a striking attack. A fighter may not gouge their fingers or thumb into their opponent's neck or trachea in an attempt to submit their opponent. If during stand-up action of a fight a strike is thrown and the strike lands in the throat area of the fighter, this shall be viewed as a clean and legal blow.

[~~L.~~] **K.** clawing, pinching or twisting the flesh; any attack that targets the fighter's skin by clawing at the skin or attempting to pull or twist the skin to apply pain is illegal.

[~~M. grabbing the clavicle;~~

~~N.~~] **L.** [~~kicking the head of a grounded opponent;~~] Fingers outstretched toward an opponent's face/eyes;

[~~O.~~] **M.** kneeing or kicking the head of a grounded opponent; a grounded fighter is defined as: A fighter shall be considered grounded and may not be legally kneed or kicked to the head when any part of their body other than their hands or feet is in contact with the canvas (ground).

[~~P.~~] **N.** stomping a grounded opponent;

(1) Stomping is considered any type of striking action with the feet where the fighter lifts their leg up bending their leg at the knee and initiating a striking action with the bottom of their foot or heel.

(2) Axe kicks are not stomping. Standing foot stops are NOT a foul. As such, this foul does not include stomping the feet of a standing fighter.

[~~Q. kicking to the kidney with the heel;~~

~~R~~]. **O.** spiking an opponent to the canvas on his head or neck (pile-driving); any throw with an arc to its motion is to be considered a legal throw. It does not matter if the opponents head hits the canvas. A pile driver is considered to be any throw where you control your opponent's body placing their feet up in the air with their head straight down and then forcibly drives the opponents head into the canvas or flooring material. It should be noted when a fighter is placed into a submission hold by their opponent, if that fighter is capable of elevating their opponent, they may bring that opponent down in any fashion they desire because they are not in control of their opponent's body. The fighter who is attempting the submission can either adjust their position or let go of their hold before being slammed to the canvas.

[~~S.~~] **P.** Throwing an opponent out of the ring or fenced area; a fighter shall not throw their opponent out of the ring or cage.

[~~T.~~] **Q.** Holding the shorts or gloves of an opponent; a fighter may not control their opponent's movement by holding onto their opponent's shorts or gloves. A fighter may hold onto or grab their opponent's hand as long as they are not controlling the hand only by using the material of the glove, but by actually gripping the hand of the opponent. It is legal to hold onto your own gloves or shorts.

[~~U. spitting at an opponent;~~

~~V.~~] **R.** Engaging in any unsportsmanlike conduct that causes an injury to an opponent;

[~~W.~~] **S.** [~~holding~~] grabbing or clinching the ropes or the fence with fingers or toes; a fighter may put their hands on the fence and push off of it at any time. A fighter may place their feet onto the cage and have their toes go through the fencing material at any time. When a fighter's fingers or toes go through the cage and grab hold of the fence and start to control either their body position or their opponent's body position it now becomes an illegal action. A fighter may not grab the ropes or wrap their arms over or under the ring ropes at any time. The fighter may not purposely step through the ropes. If a fighter is caught holding the fence, cage or ring rope material the referee may issue a one-point deduction from the offending fighters scorecard if the foul caused a substantial effect in the fight. If a point deduction for holding the fence occurs, and because of the infraction, the fouling fighter ends up in a superior position due to the foul, the fighters should be re-started by the referee, standing in a neutral position.

[~~X.~~] **T.** using abusive language, or repeated inappropriate hand gestures in the ring or fenced area; the use of abusive language is not allowed during MMA competition. It is the sole responsibility of the referee to determine when language or hand gestures cross over the line to abusive. It should be clear that fighters can talk during a match. The mere use of auditory language is not a violation of this rule. Examples of abusive language would be (Racially motivated or derogatory language).

[~~Y.~~] **U.** attacking an opponent on or during the break; fighter shall not engage their opponent in any fashion during a time-out or break of action in competition.

[~~Z.~~] **V.** attacking an opponent who is under the care of the referee; once the referee has called for a stop of the action to protect a fighter who has been incapacitated or is unable to continue to compete in the fight, fighters shall cease all offensive actions against their opponent.

[~~AA.~~] **W.** attacking an opponent after the bell has sounded the end of the period of unarmed combat; the end of a round is signified by the sound of the bell and the call of time by the referee. Once the referee has made the call of time, any offensive actions initiated by the fighter shall be considered after the bell and illegal.

[~~BB.~~] **X.** flagrantly disregarding the instructions of the referee; a fighter MUST follow the instructions of the referee at all times. Any deviation or non-compliance may result in the fighter's disqualification.

[~~CC.~~] **Y.** timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury; timidity is defined as any fighter who purposely avoids contact with his opponent or runs away from the action of the fight. Timidity can also be called by the referee for any attempt by a fighter to receive time by falsely claiming a foul, injury, or purposely dropping or spitting

out their mouthpiece or other action designed to stall or delay the action of the fight.

[~~DD.~~] **Z.** Interference by a mixed martial artist's corner or second. Inference is defined as any action or activity aimed at disrupting the fight or causing an unfair advantage to be given to a corner's combatant. Corners are not allowed to distract the referee or influence the actions of the referee in any fashion. A corner entering the cage or ring without the direction or permission from the referee or officials.

[~~EE. throwing in the towel during competition.~~]

AA. Amatuer's will follow the above rules except:

(1) Striking downward using the point of the elbow; a vertical or near-vertical motion, commonly referred to as a 12-to-6 elbow.

(2) Upward kick to the head or neck; a kick in an upward motion that makes contact with an opponent's head or neck including upward kicks from the bottom position.

[15.6.20.15 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.18 RESULTS OF CONTEST: A contest of mixed martial arts may end under the following results.

A. Knockout (KO): as soon as a fighter becomes unconscious due to strikes, his opponent is declared the winner (because MMA rules allow ground fighting, the fight is stopped to prevent further injury to an unconscious fighter).

B. Submission: a fighter may admit defeat during a match by:

(1) tapping [~~three times~~] on his opponent's body;

(2) tapping [~~three times~~] on the mat or floor; or

(3) verbal announcement.

C. Technical knockout (TKO).

(1) Referee stoppage: the referee may stop a match in progress if:

(a) a fighter becomes dominant to the point where the opponent is unable to intelligently defend himself from attacks (this may occur as quickly as a few seconds);

(b) a fighter appears to be unconscious from a grappling hold; or

(c) a fighter appears to have developed significant injuries (such as a broken bone) in the referee's view.

(2) Doctor stoppage: the referee will call for a time out if a fighter's ability to continue is in question as a result of apparent injuries (such as a large cut). The ring doctor will inspect the fighter and stop the match if the fighter is deemed unable to continue safely, rendering the opponent the winner. However, if the match is stopped as a result of an injury from illegal actions by the opponent, either a disqualification or no contest will be issued instead. In order to avoid doctor stoppages, fighters employ cut men, whose job is to treat cuts and hematomas between rounds to prevent them from becoming significant enough to cause a doctor stoppage.

D. Decision: if the match goes the distance, then the outcome of the bout is determined by three judges. The judging criteria are organization-specific via the scorecards, including:

(1) unanimous decision;

(2) split decision;

(3) majority decision;

(4) draw; or

(5) technical decision.

E. Forfeit: a fighter or his representative may forfeit a match prior to the beginning of the match, thereby losing the match.

F. Disqualification: a "warning" will be given when a fighter commits a foul or illegal action or does not follow the referee's instruction. Three warnings will result in disqualification. Moreover, if a fighter is injured and unable to continue due to a deliberate illegal technique from his opponent, the opponent will be disqualified.

G. No Contest: in the event that both fighters commit a violation of the rules, or a fighter is unable to continue due to an injury from an accidental illegal technique, the match will be declared a "no contest".

[15.6.20.18 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.19 CERTAIN RULES APPLICABLE:

A. There may be three licensed cornermen for all non-title fights or four for a title fight, positioned in a designated area by a cage or fenced area or positioned in each corner.

B. Two cornermen may enter the cage or fenced area to tend a fighter between rounds and at the end of the fight. At no time will more than two cornermen be allowed in the cage with the fighter, if a cut man is being utilized then only one cornermen will be allowed in the cage with the fighter. Cut man counts as a cornerman during the bout

C. Any person violating any rule working the corner may be disqualified for the remainder of the event and may be suspended.

D. Weigh in rules meeting shall be conducted before or immediately following the weigh-in of contestants to communicate certain rules and procedures for the event, not limited to such things as hand wraps, arrival times, garments, or uniforms.

E. Pre-fight rules meeting shall be held in both a group setting, where rules are reviewed by referees contracted, as well as any individual question and answer sessions as needed, per fighter.

F. Arrival and reporting requirements for contestants

(1) Non-main event contestants shall report to their designated dressing room no later than one hour prior to the commencement of the first scheduled contest.

(2) Main event contestants shall report in person to

the promoter in the event city not less then 24 hours before the scheduled contest. If deemed necessary by the commission, contestants shall complete training within the host city for a period determined by the commission.

(3) On event day, main event contestants shall report to the contest venue no later than one hour prior to the first scheduled contest and remain in their assigned dressing rooms until directed to the ring by cage/ring by the commission representative.

G. There shall be at least one physician in attendance at ringside at all times. In addition, at least the following officials shall be present at each boxing contest:

(1) Two referees.

(2) Three judges.

(3) One timekeeper.

(4) One announcer.

H. The reapplication of petroleum jelly or another similar substance, may be allowed between rounds and shall only be applied by an approved cut man or licensed cornermen, all other foreign substances are not allowed.

I. In the case of laceration, the topical use and application of the following approved medicines is allowed, and all other solutions are prohibited:

(1) Solution of adrenaline 1/1000.

(2) Avitene.

(3) Thrombin.

J. Prohibited activities:

(1) Excessive spraying of water on contestant.

(2) Conflict of interest – General provisions: Promoters, their employees, and matchmakers are prohibited from coaching or advising contestants during any contest. Officials, directors, matchmakers, or stockholders of a promoting entity shall not officiate or interfere in any contest conducted by that entity. No commission official, employee, medical representative, judge, or referee, shall directly or indirectly, hold any financial interest in a contestant, promoting corporation, or in any manager's contract or assignment thereof.

[15.6.20.19 NMAC - N, 8/26/2012; A, 1/30/2024; A, 09/09/2026]

15.6.20.20 MUAY THAI FIGHTING: Muay thai fighting is considered a mixed martial art. Most commonly known as the "art of eight limbs" All rules stated herein apply to the combative sport of muay thai fighting with the exception of 15.6.20.1 NMAC -15.6.20.27 NMAC unless this section conflicts with another rule stated herein. If a conflict occurs, this section prevails. The sponsoring organization or promoter must file a copy of the official rules with the commission before it will approve the holding of the contest or exhibition.

A. Muay thai is form of mixed martial arts competition in which a person utilizes punches, elbows, and knees. Muay thai also involves the practicing of pre-fight rituals performed by each contestant prior to the start of the contest and such rituals must be permitted with a limit of no more than three minutes per fighter. (The rambuling).

(1) The referee is the sole arbiter of the bout. The referee or the ringside physician are the only individuals authorized to stop the contest, as determined by the presiding commission. This rule shall not preclude a video or other review of a decision under the procedures of the applicable regulatory authority if a protest is filed claiming a clear rule violation.

(2) The authority of a referee begins when the inspector(s) exit the cage/ring and does not end until the inspector(s) re-enter the cage/ring, upon the conclusion of the bout.

B. It is permissible to strike an opponent's legs, arms, body, face, and head using the shin, knee, gloved fist or elbow.

C. Contests will be scheduled for no more than five rounds, no longer than five minutes with maximum one minute rest periods. The commission reserves the right to allow three minute rounds with one minute rest periods.

D. Contestants must wear gloves weighing not less than eight [~~oz~~] ounces.

E. Ankles may be taped or wrapped with approved non-metallic athletic medical wrap.

F. Male contestants must wear a foul-proof groin protector. Female contestants shall wear a sports bra type garment. Female contestants may use a foul proof breast protector if desired.

G. Spinning back fist blows are allowed, so long as contact is made only with the padded part of the glove.

H. The following tactics are fouls and may result in disqualification or the deduction of one or more points, at the discretion of the referee:

(1) head butts;

(2) striking a downed opponent;

(3) kicks, punches or any strikes to the groin, kidneys or spine;

(4) eye gouging, pricking or pressing or attacking eyes;

(5) spitting or biting;

(6) striking the throat area;

(7) hair pulling;

(8) wrestling or throwing opponent to the ground;

(9) performing any illegal holding or wrestling technique not part of muay thai;

(10) holding or stepping on one of the ropes while fighting, elbowing or striking;

(11) any un-sportsmanlike conduct;

(12) attacking on the break;

(13) attacking after the bell has sounded; or

(14) throwing in the towel during competition.

I. The determination of the winner shall be as follows:

(1) knockout;

(2) technical knockout;

(3) points on judges' scorecards, with at least two rounds of five-round fights being completed, if both fighters are injured or counted out, and are unable to continue;

(4) referee stopping a match based upon a ring physician's advice;

(5) referee stopping a match when one fighter is outclassing the other;

(6) contestants corner stopping the bout; or

(7) referee disqualifying a contestant for a violation of the rules.

J. Weight classes: it is recommended that the unwritten custom of the one pound allowance for non-title bouts be continued, but only if provided for in the written bout contract or by regulation:

(1) mini flyweight from: 100 pounds but not over 105 pounds;

(2) light flyweight must be over: 105 pounds but not over 108 pounds;

(3) flyweight must be over: 108 pounds but not over 112 pounds;

(4) super flyweight must be over: 112 pounds but not over 115 pounds;

(5) bantamweight must be over: 115 pounds but not over 118 pounds;

(6) super bantamweight must be over: 118 pounds but not over 122 pounds;

(7) featherweight must be over: 122 pounds but not over 126 pounds;

(8) super featherweight must be over: 126 pounds but not over 130 pounds;

(9) lightweight must be over: 130 pounds but not over 135 pounds;

(10) super lightweight must be over: 135 pounds but not over 140 pounds;

(11) welterweight must be over: 140 pounds but not over 147 pounds;

(12) super welterweight must be over: 147 pounds but not over than 154 pounds;

(13) middleweight must be over: 154 pounds but not over than 160 pounds;

(14) super middleweight must be over: 160 pounds but not over than 168 pounds;

(15) light heavyweight must be over: 168 pounds but not over 175 pounds;

(16) cruiserweight must be over: 175 pounds but not over than 190 pounds;

(17) super cruiserweight must be over: 190 pounds but not over 210 pounds;

(18) heavyweight must be over: 210 pounds but not over 230 pounds;

(19) super heavyweight 230 pounds and up.

K. No unarmed combatants may engage in a contest or exhibition, without the approval of the commission or the commission's representative if the difference in weight between unarmed combatants exceeds the allowance shown in the following schedule:

(1) up to 118 lbs: not more than three lbs.;

(2) 118 lbs to 126 lbs not more than five lbs.;

(3) 126 lbs.-160 lbs: not more than seven lbs.;

(4) 175 lbs.-195 lbs: not more than 12 lbs.;

(5) 195 lbs. and over no limit.

L. Muay thai scoring will be on a 10 point must system.

(1) A round is to be scored as a 10-10 round when both contestants appear to be fighting evenly and neither contestant shows dominance in a round.

(2) A round is to be scored as a 10-9 round when a contestant wins by a close but clear margin, landing the greater number of effective legal strikes and other maneuvers.

(3) A round is to be scored as a 10-8 round when a contestant wins a round by a wide margin and damages his opponent.

(4) A round is to be scored as a 10-7 round when a contestant totally and completely dominates in a round and damages his opponent.

[15.6.20.20 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.21 MUAY THAI FOULS:

A. Direct kicks (side kick style) to the front of the fighter's legs.

B. Hip throws:

(1) over the hip throws such as in Japanese arts like judo, jujitsu, karate, sambo, or san shou;

(2) a fighter is not allowed to step across or in front of an opponent's leg with his own leg and bring the opponent over [~~his/her~~] his hip;

(3) a fighter is not allowed to twist and pull an opponent over the side of [~~his/her~~] his body and then land on top;

(4) it is an intentional foul when a fighter plans, with the sole intention of falling on top of his opponent, to either strike with the knee or to intentionally hurt the opponent while down, by contriving to make it look like an accident; or

(5) stepping on a fallen opponent.

C. Trips. The leg must clear immediately after the opponent is pulled or tripped over the knee. Clear means that the leg must be moved out of the way before the opponent hits the canvas by skipping the leg or slightly jumping to the side, as long as it is moved from the original position. Taking out an opponent's footing is legal only if the tripping leg is withdrawn from contact as [~~he/she~~] he falls to the ground. The following shall be illegal trips:

(1) if a fighter positions a foot next to the opponent and twists [~~him/her~~] him over the leg, it is an illegal trip unless the leg is cleared as the opponent falls;

(2) if a fighter spins or pulls the opponent over the inside or outside of the leg and dumps him/her on the ground, it is an illegal trip when the leg being used to manipulate and dump the opponent stays in that position as he/she goes down; or

(3) if the leg is set and stays in that position, it is an illegal throw or trip.

D. Neck wrestling:

(1) if in a clinch with arms around each other's shoulder, such as to deliver or defend from an elbow strike, twisting the opponent using the upper body in such a way that [~~he/she~~] he will fall to the ground is allowed;

(2) by using neck and shoulder manipulation, it is legal for a fighter to spin and throw/dump an opponent to the canvas without using any part of [~~his/her~~] his body as a barrier.

E. Lifting: It is illegal in any way to lift an opponent off the ground and throw the opponent on the canvas.

F. Hand wraps: Unless otherwise specified, hand wraps are subject to the same provisions as in 15.6.20.13 NMAC with the exception that under no circumstances is 'topping up' allowed. New hand wraps shall be applied using soft gauze and tape at each fight, and the commission reserves the right to confiscate any hand wraps applied at the end of each contest.

[15.6.20.21 NMAC - N, 8/26/2012; A, 09/09/2026]

15.6.20.23 REPORTING RESULTS: All results of all fights shall be reported to the [~~fightfax.com, mixedmartialarts.com~~] Combat Registry, BoxRec, or any other national or industry recognized by the New Mexico athletic commission. Results must be reported within 72 hours of the event.

[15.6.20.23 NMAC - N, 8/26/2012; A, 09/09/2026]

SUPERINTENDENT OF INSURANCE, OFFICE OF

13.21.2 NMAC, Qualifications and Admissions, was originally filed on April 30, 2019, and was repealed and replaced effective January 1, 2022. The Superintendent of Insurance approved repealing 13.21.2 NMAC on an emergency basis by approving the filing of a Notice of Emergency Repeal. The repeal is effective upon the date stamped by the Administrative Law Division on August 27, 2026.

WILDLIFE, DEPARTMENT OF

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 13 DEER

19.31.13.1 ISSUING AGENCY: New Mexico department of wildlife.

[19.31.13.1 NMAC - Rp, 19.31.13.1 NMAC, 4/1/2027]

19.31.13.2 SCOPE: Sportspersons interested in deer management and deer hunting. Additional requirements may be found in Chapter 17 NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19 NMAC.

[19.31.13.2 NMAC - Rp, 19.31.13.2 NMAC, 4/1/2027]

19.31.13.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.

[19.31.13.3 NMAC - Rp, 19.31.13.3 NMAC, 4/1/2027]

19.31.13.4 DURATION: April 1, 2027 through March 31, 2031.

[19.31.13.4 NMAC - Rp, 19.31.13.4 NMAC, 4/1/2027]

19.31.13.5 EFFECTIVE DATE: April 1, 2027, unless a later date is cited at the end of an individual section.

[19.31.13.5 NMAC - Rp, 19.31.13.5 NMAC, 4/1/2027]

19.31.13.6 OBJECTIVE: Establishing open hunting seasons and regulations, rules and procedures governing the distribution and issuance of deer licenses by the department.

[19.31.13.6 NMAC - Rp, 19.31.13.6 NMAC, 4/1/2027]

19.31.13.7 DEFINITIONS:

A. "Antlerless deer" or "A" shall mean a deer without antlers.

B. "Deer" as used herein, shall mean any wild cervid of the genus Odocoileus.

C. "Deer enhancement program" as used herein, shall mean the department activity that allows the issuance of not more than two authorizations for the taking of one fork-antlered deer per license, with the purpose of raising funds for programs and projects to benefit deer.

D. "Department" shall mean the New Mexico department of wildlife.

E. "Director" shall mean the director of the New Mexico department of wildlife.

F. "Either sex" or "ES" shall mean any one deer.

G. "Either sex white-tailed deer" or "ESWTD" shall mean any one white-tailed deer (*Odocoileus virginianus*).

H. "Fork-antlered deer" or "FAD" shall mean a deer possessing antlers, one of which shall have a definite fork showing two or more distinct points. A burr at the base does not constitute a point or fork.

I. "Fork-antlered mule deer" or "FAMD" shall mean a mule deer (*Odocoileus hemionus*) possessing antlers, one of which shall

have a definite fork showing two or more distinct points. A burr at the base does not constitute a point or fork.

J. "Fork-antlered white-tailed deer" or "FAWTD" shall mean a white-tailed deer (*Odocoileus virginianus*) possessing antlers, one of which shall have a definite fork showing two or more distinct points. A burr at the base does not constitute a point or fork.

K. "Game management unit", "GMU", "hunt area" or "management area" shall mean those areas as described in 19.30.4 NMAC Boundary Descriptions for Game Management Units.

L. "High demand hunt" shall mean a special draw hunt where the total number of non-resident applicants for a deer hunt exceeds twenty-two percent of the total applicants based on data for the two immediately preceding years.

M. "Quality hunt" shall mean a hunt designed to provide a hunter with an opportunity to achieve one or more of the following: an enhanced experience based on timing and length of hunt season; lower hunter density; or an increased opportunity for success.

N. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC Wildlife Management Areas.

[19.31.13.7 NMAC - Rp, 19.31.13.7 NMAC, 4/1/2027]

19.31.13.8 ADJUSTMENT OF LICENSES: The director, with the verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may adjust the number of licenses for deer up or down by no more than twenty percent of the total licenses available in the GMU to address significant changes in population levels or to address critical department management needs. This adjustment may be applied to any or all of the specific hunt codes for deer. The director may change or cancel all hunts on military lands to accommodate closures on those lands; if changed, the season length and bag limit shall remain the same as assigned on the original hunt code.

[19.31.13.8 NMAC - Rp, 19.31.13.8 NMAC, 4/1/2027]

19.31.13.9 GMUs 2A, 2B, 2C, 4 AND 5A PRIVATE-LAND ONLY HUNTS:

A. Persons applying for private-land only deer licenses in GMUs 2A, 2B, 2C, 4 and 5A must obtain an authorization number from participating landowners in these GMUs.

B. Participating landowners in GMUs 2A, 2B, 2C, 4 and 5A are required to provide proof of land ownership to obtain authorization numbers from the department.

[19.31.13.9 NMAC - Rp, 19.31.13.9 NMAC, 4/1/2027]

19.31.13.10 CHRONIC WASTING DISEASE (CWD): The director has the authority to designate possession criteria to any deer hunter where CWD is a concern. It is unlawful to transport dead deer, or their parts, taken from any GMU or area identified by the director in which the presence of, or possibility of, exposure to CWD has been identified to any location outside that GMU except for the following:

A. meat that is cut and wrapped (either commercially or privately);

B. quarters or other portions of meat with no part of the spinal column or head attached;

C. meat that has been boned out;

D. hides with no heads attached;

E. clean skull plates with antlers attached; clean is defined as having been immersed in a bath of at least one part chlorine bleach and two parts water with no meat or tissue attached;

F. antlers with no meat or tissue attached;

G. finished taxidermied heads; or

H. by prior arrangement to a department office.

[19.31.13.10 NMAC - Rp, 19.31.13.10 NMAC, 4/1/2027]

19.31.13.11 QUALITY DEER HUNTS: Quality hunts for deer are as follows:

A. Hunt code DER-57S-B1-FAD-PUB.

B. All hunts in GMUs 2B, 2C, 5B, 8, 17, 23-Burro mountains hunt area, 27, 33, 41, the Valle Vidal, all private land deer incentive program hunts and all hunts on the Humphries/Rio Chama/Sargent WMAs.

C. The premium deer hunt as defined in Subsection C of Section 19.31.13.12 NMAC.

[19.31.13.11 NMAC - Rp, 19.31.13.11 NMAC, 4/1/2027]

19.31.13.12 SPECIAL DEER HUNTING OPPORTUNITIES:

A. Deer enhancement program:

(1) Program description: The director shall collect all proceeds generated through the auction and lottery of special deer authorizations, and such monies shall be deposited in the game protection fund. These monies shall be made available for expenditure by the department solely for programs and projects to benefit deer and for direct costs incurred in carrying out these programs. These monies shall be used to augment, and not replace, monies appropriated from existing funds available to the department for the conservation, restoration, utilization and management of deer.

(2) Requirements for issuance of special deer authorizations:

(a) The state wildlife commission shall authorize the director to issue not more than two special deer authorizations in any one license year to take one fork-antlered deer per license. The director shall allow the sale of one authorization through auction to the highest bidder and one authorization to a person selected through a random drawing of a lottery

ticket by the department or an incorporated, nonprofit organization dedicated to the conservation of wildlife.

(b) Unless their hunting privileges have been revoked pursuant to law, any person is eligible to submit a bid for the special deer auction authorization, or purchase lottery tickets in an attempt to be selected for the special deer lottery authorization.

(c) The special deer authorizations issued through auction and lottery may be transferred through sale, barter or gift by the successful individuals only to other individuals qualified to hunt.

(3) Enhancement hunts: Deer enhancement licenses shall be valid from September 1 through January 31 for any big-game sporting arms. These licenses shall be valid statewide where hunting is allowed. The bag limit shall be one fork-antlered deer. The authorization to obtain a deer enhancement license may be used either by the applicant or any individual.

B. Deer incentive programs:

(1) CWD-reporting incentive: The director may annually allow up to two deer authorizations to be issued through a random drawing for deer and elk hunters submitting their legally harvested animal for CWD testing. Authorizations awarded pursuant to this rule may be transferred through sale, barter or gift. CWD-reporting incentive hunts shall be valid only for the dates, big-game sporting arms, bag limit and area specified by the director.

(2) Private-land deer incentive program: Private landowners who are conducting and maintaining substantial habitat improvements or land management practices on their deeded lands that directly and significantly benefit deer may be considered for special recognition. Only those projects as determined by the department to be relevant and beneficial to deer will be considered. Landowners must develop a deer conservation and management plan and submit an application including a map delineating the legal property boundary to the department. Upon completion of approved habitat improvement projects the landowner may be granted authorizations for alternative season dates as approved by the department. Licenses obtained using the authorizations will be valid only on deeded property for the ranch to which they were awarded. Landowners receiving incentive authorizations are required to continue habitat improvement projects and submit an update as directed by the department to be considered for continued participation.

C. Premium hunt opportunity: One premium deer draw hunt will be issued each license year through the draw. The hunt area will be statewide on any public land open to hunting, including WMAs, and private land with written permission.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
statewide	9/1/2027-1/31/2028	9/1/2028-1/31/2029	9/1/2029-1/31/2030	9/1/2030-1/31/2031	DER-STW-R1-FAD-PUB	1	FAD

[19.31.13.12 NMAC - Rp, 19.31.13.12 NMAC 4/1/2027]

19.31.13.13 POPULATION MANAGEMENT HUNTS:

A. The director or their designee may authorize population management hunts for deer when justified in writing by department personnel.

B. The director or their designee shall designate the big-game sporting arms, season dates, season lengths, bag limits, hunt boundaries, specific requirements or restrictions, and number of licenses to be issued.

C. In the event that an applicant is not able to hunt on the dates specified, the applicant's name shall be moved to the bottom of the list and another applicant may be contacted for the hunt.

D. In those instances where a population management hunt is warranted on deeded private lands, the landowner may suggest eligible hunters of their choice by submitting a list of prospective hunters' names to the department for licensing consideration. No more than one-half of the total number of licenses authorized shall be available to landowner identified hunters. The balance of prospective hunters shall be identified by the department.

[19.31.13.13 NMAC - Rp, 19.31.13.13 NMAC, 4/1/2027]

19.31.13.14 DEER HUNTS:

A. Public-draw (and private lands in GMUs 2A, 2B, 2C, 4 and 5A) deer hunts, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, big-game sporting arms, number of licenses and bag limit shall be as indicated below. The Double E WMA, Navajo WMA, Pine River WMA, prairie-chicken areas, River Ranch WMA and Water Canyon WMA shall be open to licensed public draw deer hunters during established seasons.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
2A	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-2A-B1-FAD-PUB	40	FAD

2A: private land only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-2A-B1-FAD-PVT	15	FAD
2A	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2A-B2-FAD-PUB	80	FAD
2A: private land only	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2A-B2-FAD-PVT	15	FAD
2A	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2A-M1-FAD-PUB	50	FAD
2A: private land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2A-M1-FAD-PVT	10	FAD
2A: **youth only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-2A-R1-FAD-YTH	25	FAD
2A	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-2A-R1-FAD-PUB	150	FAD
2A: private land only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-2A-R1-FAD-PVT	40	FAD
2A: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-2A-R2-FAD-YTH	15	FAD
2B	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-2B-B1-FAD-PUB	130	FAD
2B: **youth only**	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-2B-B1-FAD-YTH	20	FAD
2B: private land only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-2B-B1-FAD-PVT	10	FAD
2B	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2B-B2-FAD-PUB	90	FAD
2B: **youth only**	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2B-B2-FAD-YTH	55	FAD
2B: private land only	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2B-B2-FAD-PVT	10	FAD
2B	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2B-M1-FAD-PUB	175	FAD
2B: **youth only**	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2B-M1-FAD-YTH	20	FAD
2B: private land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2B-M1-FAD-PVT	10	FAD
2B	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-2B-R1-FAD-PUB	140	FAD
2B: **youth only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-2B-R1-FAD-YTH	125	FAD
2B: private land only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-2B-R1-FAD-PVT	15	FAD
2B	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-2B-R2-FAD-PUB	90	FAD
2B: private land only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-2B-R2-FAD-PVT	15	FAD
2B	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-2B-R3-FAD-PUB	100	FAD
2B: private land only	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-2B-R3-FAD-PVT	15	FAD

2B: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-2B-R2-FAD-YTH	20	FAD
2C	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2C-B1-FAD-PUB	50	FAD
2C: private land only	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-2C-B1-FAD-PVT	15	FAD
2C	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2C-M1-FAD-PUB	20	FAD
2C: private land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-2C-M1-FAD-PVT	9	FAD
2C	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-2C-R1-FAD-PUB	30	FAD
2C: private land only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-2C-R1-FAD-PVT	8	FAD
4: Humphries/Rio Chama/Sargent WMAs only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-4-B1-FAD-PUB	10	FAD
4: private land only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-4-B1-FAD-PVT	150	FAD
4: Humphries/Rio Chama/Sargent WMAs only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-4-M1-FAD-PUB	10	FAD
4: private land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-4-M1-FAD-PVT	100	FAD
4: Humphries/Rio Chama/Sargent WMAs only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-4-R1-FAD-PUB	20	FAD
4: Humphries/Rio Chama/Sargent WMAs, **youth only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-4-R1-FAD-YTH	10	FAD
4: private land only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-4-R1-FAD-PVT	175	FAD
4: Humphries/Rio Chama/Sargent WMAs only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-4-R2-FAD-PUB	20	FAD
4: private land only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-4-R2-FAD-PVT	175	FAD
4: Humphries/Rio Chama/Sargent WMAs only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-4-R3-FAD-PUB	10	FAD
4: private land only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-4-R3-FAD-PVT	10	FAD
4: Humphries/Rio Chama/Sargent WMAs only, **youth only**	11/24-11/28	11/22-11/26	11/21-11/25	11/27-12/1	DER-4-R2-FAD-YTH	5	FAD
5A: public land only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-5A-B1-FAD-PUB	30	FAD
5A: private land only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-5A-B1-FAD-PVT	220	FAD

5A: public land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-5A-M1-FAD-PUB	10	FAD
5A: private land only	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-5A-M1-FAD-PVT	50	FAD
5A: public land only	11/9-11/15	11/7-11/13	11/6-11/12	11/5-11/11	DER-5A-R1-FAD-PUB	40	FAD
5A: private land only	11/9-11/15	11/7-11/13	11/6-11/12	11/5-11/11	DER-5A-R1-FAD-PVT	220	FAD
5B	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-5B-B1-FAD-PUB	15	FAD
5B	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-5B-M1-FAD-PUB	15	FAD
5B	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-5B-R1-FAD-PUB	30	FAD
5B: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-5B-R1-FAD-YTH	10	FAD
6A and 6C	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-C6-B1-FAD-PUB	110	FAD
6A and 6C	10/2-10/6	9/30-10/4	9/29-10/3	9/28-10/2	DER-C6-M1-FAD-PUB	115	FAD
6A and 6C: **mobility impaired only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	DER-C6-R1-FAD-MOB	20	FAD
6A and 6C	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-C6-R1-FAD-PUB	115	FAD
7	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-7-B1-FAD-PUB	10	FAD
7	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-7-B2-FAD-PUB	15	FAD
7	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-7-M1-FAD-PUB	25	FAD
7	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-7-R1-FAD-PUB	30	FAD
8: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-8-B1-FAD-YTH	65	FAD
8	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-8-B1-FAD-PUB	65	FAD
9	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-9-B1-FAD-PUB	10	FAD
9	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-9-B2-FAD-PUB	15	FAD
9: **restricted muzzleloader only**	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-9-P1-FAD-PUB	10	FAD
9	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-9-R1-FAD-PUB	20	FAD
9: Marquez/LBar WMA only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-9L-R1-FAD-PUB	10	FAD
9: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-9-R1-FAD-YTH	10	FAD
10	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-10-B1-FAD-PUB	100	FAD

10	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-10-M1-FAD-PUB	90	FAD
10: **mobility impaired only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-10-R1-FAD-MOB	20	FAD
10	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-10-R1-FAD-PUB	70	FAD
10	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-10-R2-FAD-PUB	65	FAD
10	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-10-R3-FAD-PUB	90	FAD
10: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-10-R1-FAD-YTH	25	FAD
12	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-12-B1-FAD-PUB	20	FAD
12	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-12-M1-FAD-PUB	40	FAD
12	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-12-R1-FAD-PUB	85	FAD
13	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-13-B1-FAD-PUB	125	FAD
13	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-13-B2-FAD-PUB	75	FAD
13	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-13-M1-FAD-PUB	210	FAD
13: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-13-M1-FAD-YTH	55	FAD
13	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-13-R1-FAD-PUB	150	FAD
13	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-13-R2-FAD-PUB	150	FAD
14	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-14-B1-FAD-PUB	40	FAD
14	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-14-B2-FAD-PUB	30	FAD
14	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-14-M1-FAD-PUB	60	FAD
14	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-14-R1-FAD-PUB	60	FAD
15	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-15-B1-FAD-PUB	75	FAD
15	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-15-B2-FAD-PUB	25	FAD
15	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-15-M1-FAD-PUB	170	FAD
15: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-15-M1-FAD-YTH	100	FAD
16	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-16-B1-FAD-PUB	230	FAD
16	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-16-B2-FAD-PUB	175	FAD

16	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-16-M1-FAD-PUB	300	FAD
16	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-16-R1-FAD-PUB	300	FAD
16: **mobility impaired only**	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-16-R1-FAD-MOB	25	FAD
16	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-16-R2-FAD-PUB	300	FAD
16: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-16-R1-FAD-YTH	100	FAD
16	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-16-R1-FAWTD-PUB	20	FAWTD
17	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-17-B1-FAD-PUB	75	FAD
17	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-17-B2-FAD-PUB	75	FAD
17	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-17-M1-FAD-PUB	90	FAD
17: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-17-M1-FAD-YTH	85	FAD
17	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-17-R1-FAD-PUB	80	FAD
17	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-17-R2-FAD-PUB	80	FAD
18	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-18-B1-FAD-PUB	50	FAD
18	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-18-B2-FAD-PUB	40	FAD
18	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-18-M1-FAD-PUB	75	FAD
18	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-18-R1-FAD-PUB	70	FAD
18	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-18-R2-FAD-PUB	70	FAD
19: White Sands missile range only: **youth only**	1/7-1/9	1/5-1/7	1/4-1/6	1/3-1/5	DER-19W-R1-FAD-YTH	5	FAD
19: White Sands missile range only	1/21-1/23	1/19-1/21	1/18-1/20	1/17-1/19	DER-19W-R1-FAD-PUB	5	FAD
19: except the White Sands missile range portion	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-19-B1-FAD-PUB	10	FAD
19: except the White Sands missile range portion	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-19-M1-FAD-PUB	10	FAD
20	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-20-B1-FAD-PUB	45	FAD

20	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-20-B2-FAD-PUB	25	FAD
20	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-20-M1-FAD-PUB	85	FAD
20	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-20-R1-FAD-PUB	90	FAD
20	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-20-R2-FAD-PUB	90	FAD
21	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-21-B1-FAD-PUB	300	FAD
21	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-21-B2-FAD-PUB	200	FAD
21	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-21-M1-FAD-PUB	350	FAD
21	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-21-R1-FAD-PUB	425	FAD
21	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-21-R2-FAD-PUB	425	FAD
21: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-21-R1-FAD-YTH	100	FAD
21	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-21-R1-FAWTD-PUB	30	FAWTD
22	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-22-B1-FAD-PUB	30	FAD
22	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-22-B2-FAD-PUB	25	FAD
22	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-22-M1-FAD-PUB	65	FAD
22	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-22-R1-FAD-PUB	70	FAD
22	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-22-R2-FAD-PUB	70	FAD
22: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-22-R1-FAD-YTH	20	FAD
22	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-22-R1-FAWTD-PUB	20	FAWTD
23: except the Burro mountains hunt area	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-23-B1-FAMD-PUB	205	FAMD
23: except the Burro mountains hunt area	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-23-B1-FAWTD-PUB	100	FAWTD
23: except the Burro mountains hunt area	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-23-B2-FAMD-PUB	50	FAMD
23: except the Burro mountains hunt area	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-23-B2-FAWTD-PUB	50	FAWTD
23: except the Burro mountains hunt area	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23-M1-FAMD-PUB	225	FAMD

23: except the Burro mountains hunt area	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23-M1-FAWTD-PUB	75	FAWTD
23: except the Burro mountains hunt area	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-23-R1-FAMD-PUB	450	FAMD
23: except the Burro mountains hunt area	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-23-R2-FAMD-PUB	450	FAMD
23: except the Burro mountains hunt area	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-23-R1-FAWTD-PUB	100	FAWTD
23: except the Burro mountains hunt area, **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-23-R1-FAD-YTH	75	FAD
23: except the Burro mountains hunt area	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-23-R2-FAWTD-PUB	55	FAWTD
23: Burro mountains hunt area only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-23B-B1-FAWTD-PUB	20	FAWTD
23: Burro mountains hunt area only	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-23B-B1-FAMD-PUB	40	FAMD
23: Burro mountains hunt area only	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-23B-B2-FAWTD-PUB	50	FAWTD
23: Burro mountains hunt area only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23B-M1-FAMD-PUB	45	FAMD
23: Burro mountains hunt area only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23B-M1-FAWTD-PUB	40	FAWTD
23: Burro mountains hunt area only	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-23B-R1-FAMD-PUB	35	FAMD
23: Burro mountains hunt area only, **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-23B-R1-FAD-YTH	25	FAD
23: Burro mountains hunt area only	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-23B-R1-FAWTD-PUB	40	FAWTD
24	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-24-B1-FAMD-PUB	140	FAMD
24	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-24-B1-FAWTD-PUB	65	FAWTD
24	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-24-B2-FAMD-PUB	85	FAMD
24	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-24-B2-FAWTD-PUB	45	FAWTD

24	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-24-M1-FAMD-PUB	280	FAMD
24	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-24-M1-FAWTD-PUB	75	FAWTD
24	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-24-R1-FAMD-PUB	400	FAMD
24	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-24-R2-FAMD-PUB	400	FAMD
24: Mimbres WMA only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-24M-R1-FAD-PUB	5	FAD
24	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-24-R1-FAWTD-PUB	100	FAWTD
24: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-24-R1-FAD-YTH	50	FAD
24: **youth only**	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-24-R2-FAD-YTH	50	FAD
24	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-24-R2-FAWTD-PUB	50	FAWTD
23/24: Silver City management area only as defined by the department	1/16-2/5	1/16-2/5	1/16-2/5	1/16-2/5	DER-23S-B1-A-PUB	50	A
25	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-25-B1-FAD-PUB	45	FAD
25	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-25-B2-FAD-PUB	30	FAD
25	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-25-M1-FAD-PUB	40	FAD
25	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-25-R1-FAD-PUB	95	FAD
25	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-25-R2-FAD-PUB	95	FAD
26	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-26-B1-FAD-PUB	25	FAD
26	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-26-B2-FAD-PUB	15	FAD
26	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-26-M1-FAD-PUB	60	FAD
26	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-26-R1-FAD-PUB	100	FAD
26	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-26-R2-FAD-PUB	100	FAD
26	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-26-R1-FAWTD-PUB	25	FAWTD
27	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-27-B1-FAMD-PUB	25	FAMD

27	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-27-B1-FAWTD-PUB	15	FAWTD
27	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-27-B2-FAMD-PUB	25	FAMD
27	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-27-B2-FAWTD-PUB	40	FAWTD
27	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-27-M1-FAMD-PUB	40	FAMD
27	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-27-M1-FAWTD-PUB	50	FAWTD
27	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-27-R1-FAMD-PUB	45	FAMD
27	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-27-R2-FAMD-PUB	45	FAMD
27	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-27-R1-FAWTD-PUB	40	FAWTD
27: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-27-R1-FAD-YTH	25	FAD
27	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-27-R2-FAWTD-PUB	25	FAWTD
28: McGregor range only	1/1-1/2	1/6-1/7	1/5-1/6	1/4-1/5	DER-28-R1-FAD-PUB	25	FAD
28: McGregor range only, **military only**	1/1-1/2	1/6-1/7	1/5-1/6	1/4-1/5	DER-28-R1-FAD-MIL	25	FAD
29	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-29-B1-FAD-PUB	80	FAD
29	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-29-B2-FAD-PUB	40	FAD
29	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-29-M1-FAD-PUB	60	FAD
29	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-29-R1-FAD-PUB	110	FAD
29	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-29-R2-FAD-PUB	110	FAD
30	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-30-B1-FAD-PUB	150	FAD
30	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-30-B2-FAD-PUB	75	FAD
30	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-30-M1-FAD-PUB	275	FAD
30	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-30-R1-FAD-PUB	570	FAD
30	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-30-R2-FAD-PUB	570	FAD

30: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-30-R1-FAD-YTH	150	FAD
31	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-31-B1-FAD-PUB	175	FAD
31	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-31-B2-FAD-PUB	100	FAD
31	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-31-M1-FAD-PUB	175	FAD
31	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-31-R1-FAD-PUB	440	FAD
31	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-31-R2-FAD-PUB	435	FAD
32	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-32-B1-FAD-PUB	150	FAD
32	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-32-B2-FAD-PUB	100	FAD
32	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-32-M1-FAD-PUB	175	FAD
32	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-32-R1-FAD-PUB	565	FAD
32	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-32-R2-FAD-PUB	560	FAD
32: Roswell and Ft. Sumner hunt areas only, **youth only**	12/16-12/31	12/16-12/31	12/16-12/31	12/16-12/31	DER-32R-R1-A-YTH	15	A
33	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-33-B1-FAD-PUB	60	FAD
33	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-33-B2-FAD-PUB	50	FAD
33: **restricted muzzleloader only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-33-P1-FAD-PUB	130	FAD
33	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-33-R1-FAD-PUB	150	FAD
33	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-33-R2-FAD-PUB	150	FAD
33: Huey WMA only, **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-33H-R1-FAD-YTH	5	FAD
34	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-34-B1-FAD-PUB	450	FAD
34	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-34-B2-FAD-PUB	350	FAD
34	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-34-M1-FAD-PUB	340	FAD
34: **mobility impaired only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-34-R1-FAD-MOB	50	FAD
34: **youth only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-34-R1-FAD-YTH	45	FAD
34	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-34-R1-FAD-PUB	600	FAD

34	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-34-R2-FAD-PUB	600	FAD
36	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-36-B1-FAD-PUB	230	FAD
36	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-36-B2-FAD-PUB	130	FAD
36	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-36-M1-FAD-PUB	120	FAD
36: **youth only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-36-M1-FAD-YTH	25	FAD
36	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-36-R1-FAD-PUB	305	FAD
36	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-36-R2-FAD-PUB	305	FAD
36: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-36-R1-FAD-YTH	25	FAD
37	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-37-B1-FAD-PUB	100	FAD
37	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-37-B2-FAD-PUB	80	FAD
37	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-37-M1-FAD-PUB	125	FAD
37	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-37-R1-FAD-PUB	355	FAD
37	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-37-R2-FAD-PUB	355	FAD
38	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-38-B1-FAD-PUB	65	FAD
38	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-38-B2-FAD-PUB	40	FAD
38	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-38-M1-FAD-PUB	90	FAD
38	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-38-R1-FAD-PUB	150	FAD
38	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-38-R2-FAD-PUB	145	FAD
39	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-39-B1-FAD-PUB	25	FAD
39	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-39-B2-FAD-PUB	15	FAD
39	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-39-M1-FAD-PUB	40	FAD
39	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-39-R1-FAD-PUB	35	FAD
39	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-39-R2-FAD-PUB	35	FAD
40	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-40-B1-FAD-PUB	20	FAD
40	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-40-B2-FAD-PUB	15	FAD

40	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-40-M1-FAD-PUB	30	FAD
40	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-40-R1-FAD-PUB	50	FAD
40	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-40-R2-FAD-PUB	50	FAD
41	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-41-B1-FAD-PUB	10	FAD
41	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-41-B2-FAD-PUB	10	FAD
41	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-41-M1-FAD-PUB	25	FAD
41	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-41-R1-FAD-PUB	40	FAD
41	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-41-R2-FAD-PUB	40	FAD
41: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-41-R1-FAD-YTH	5	FAD
41: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-41-R1-ESWTD-YTH	15	ESWTD
41	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-41-R1-ESWTD-PUB	10	ESWTD
42	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-42-B1-FAD-PUB	15	FAD
42	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-42-M1-FAD-PUB	15	FAD
42	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-42-R1-FAD-PUB	40	FAD
42	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-42-R2-FAD-PUB	40	FAD
42	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-42-R1-ESWTD-PUB	10	ESWTD
43	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-43-B1-FAD-PUB	10	FAD
43	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-43-M1-FAD-PUB	15	FAD
43	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-43-R1-FAD-PUB	35	FAD
45	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-45-B1-FAD-PUB	175	FAD
45	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-45-M1-FAD-PUB	165	FAD
45	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-45-R1-FAD-PUB	250	FAD
45: **mobility impaired only**	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-45-R1-FAD-MOB	25	FAD

45	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-45-R2-FAD-PUB	250	FAD
45: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-45-R1-FAD-YTH	25	FAD
47	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-47-B1-FAD-PUB	10	FAD
47	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-47-M1-FAD-PUB	20	FAD
47	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-47-R1-FAD-PUB	25	FAD
47	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-47-R2-FAD-PUB	20	FAD
48	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-48-B1-FAD-PUB	50	FAD
48	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-48-M1-FAD-PUB	35	FAD
48	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-48-R1-FAD-PUB	55	FAD
48	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-48-R2-FAD-PUB	55	FAD
49	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-49-B1-FAD-PUB	110	FAD
49	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-49-R1-FAD-PUB	105	FAD
49	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-49-R2-FAD-PUB	105	FAD
50	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-50-B1-FAD-PUB	5	FAD
50	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-50-R1-FAD-PUB	50	FAD
50	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-50-R2-FAD-PUB	50	FAD
51A	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-51A-B1-FAD-PUB	65	FAD
51A	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-51A-R1-FAD-PUB	75	FAD
51A	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-51A-R2-FAD-PUB	70	FAD
51B	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-51B-B1-FAD-PUB	15	FAD
51B	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-51B-R1-FAD-PUB	20	FAD
51B	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-51B-R2-FAD-PUB	15	FAD

52	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-52-B1-FAD-PUB	80	FAD
52: **restricted muzzleloader only**	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-52-P1-FAD-PUB	30	FAD
52	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-52-R1-FAD-PUB	90	FAD
52	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-52-R2-FAD-PUB	90	FAD
53	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-53-B1-FAD-PUB	100	FAD
53	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-53-R1-FAD-PUB	85	FAD
53	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-53-R2-FAD-PUB	85	FAD
54/55: Colin Neblett WMA only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-54C-B1-FAD-PUB	10	FAD
54/55: Colin Neblett WMA only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-54C-R1-FAD-PUB	10	FAD
54/55: Colin Neblett WMA only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-54C-R2-FAD-PUB	10	FAD
55: ES Barker WMA only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-55E-R1-FAD-PUB	5	FAD
55: ES Barker WMA only, **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-55E-R1-FAD-YTH	5	FAD
55: Urraca WMA only	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-55U-R1-FAD-PUB	5	FAD
55: Urraca WMA only	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-55U-R2-FAD-PUB	5	FAD
55: Valle Vidal only	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-55V-B1-FAD-PUB	10	FAD
56	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-56-B1-FAD-PUB	10	FAD
56	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-56-M1-FAD-PUB	15	FAD
56	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-56-R1-FAD-PUB	15	FAD
56	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-56-R2-FAD-PUB	15	FAD
56: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-56-R1-FAD-YTH	10	FAD
56: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-56-R1-ESWTD-YTH	10	ESWTD

57	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-57-B1-FAD-PUB	20	FAD
57	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-57-M1-FAD-PUB	20	FAD
57	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-57-R1-FAD-PUB	25	FAD
57	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-57-R2-FAD-PUB	25	FAD
57	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-57-R1-ESWTD-PUB	10	ESWTD
57: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-57-R1-FAD-YTH	10	FAD
57: Sugarite canyon state park only	11/1-11/30	11/1-11/30	11/1-11/30	11/1-11/30	DER-57S-B1-FAD-PUB	20	FAD
58	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-58-B1-FAD-PUB	10	FAD
58	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-58-M1-FAD-PUB	25	FAD
58	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-58-R1-FAD-PUB	40	FAD
58	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-58-R2-FAD-PUB	35	FAD
58: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-58-R1-FAD-YTH	10	FAD
58: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-58-R1-ESWTD-YTH	15	ESWTD
58	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-58-R1-ESWTD-PUB	15	ESWTD
59	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-59-B1-FAD-PUB	10	FAD
59	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-59-M1-FAD-PUB	25	FAD
59	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-59-R1-FAD-PUB	40	FAD
59	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-59-R2-FAD-PUB	40	FAD
59: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-59-R1-FAD-YTH	5	FAD
59: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-59-R1-ESWTD-YTH	15	ESWTD
59	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-59-R1-ESWTD-PUB	15	ESWTD

B. Private-land only hunts:

(1) Ranch registration requirement: Private lands that lie within GMUs below must register to receive a ranch code. Enrollment process:

a. Land ownership documentation will be required that will verify the ranch lies within valid GMUs.

b. Requests for a ranch code may be submitted to the department at any time.

c. Ranch ownership must be affirmed on an annual basis.

d. Ranches within these GMUs will be issued a ranch code annually to identify individual ownership.

e. A ranch code will be required to purchase a private land deer license for a specific ranch.

(2) License restrictions: Private-land only deer licenses, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, sporting arm type, number of licenses, and bag limits shall be as indicated below and available from any license vendor and the department's web site. Private-land only deer licenses are valid only on deeded private property where the licensee has written permission to hunt, and within the GMU or area allowed by hunt code.

open GMUs or areas	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**	**hunt code**	**licenses**	**bag limit**
5B	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-5B-B1-FAD-PVT	5	FAD
5B	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-5B-M1-FAD-PVT	5	FAD
5B	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-5B-R1-FAD-PVT	35	FAD
5B: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-5B-R1-FAD-YPV	5	FAD
6A and 6C	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-C6-B1-FAD-PVT	35	FAD
6A and 6C	10/2-10/6	9/30-10/4	9/29-10/3	9/28-10/2	DER-C6-M1-FAD-PVT	15	FAD
6A and 6C: **mobility impaired only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	DER-C6-R1-FAD-MPV	3	FAD
6A and 6C	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-C6-R1-FAD-PVT	155	FAD
7	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-7-B1-FAD-PVT	10	FAD
7	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-7-B2-FAD-PVT	10	FAD
7	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-7-M1-FAD-PVT	10	FAD
7	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-7-R1-FAD-PVT	55	FAD
8	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-8-B1-FAD-PVT	25	FAD

8: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-8-B1-FAD-YPV	3	FAD
8	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-8-B2-FAD-PVT	10	FAD
8	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-8-M1-FAD-PVT	5	FAD
8	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-8-R1-FAD-PVT	10	FAD
9	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-9-B1-FAD-PVT	5	FAD
9	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-9-B2-FAD-PVT	5	FAD
9: **restricted muzzleloader only**	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-9-P1-FAD-PVT	5	FAD
9	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-9-R1-FAD-PVT	25	FAD
9: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-9-R1-FAD-YPV	5	FAD
10	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-10-B1-FAD-PVT	15	FAD
10	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-10-M1-FAD-PVT	5	FAD
10: **mobility impaired only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-10-R1-FAD-MPV	2	FAD
10	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-10-R1-FAD-PVT	25	FAD
10	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-10-R2-FAD-PVT	25	FAD
10	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-10-R3-FAD-PVT	30	FAD
10: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-10-R1-FAD-YPV	10	FAD
12	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-12-B1-FAD-PVT	15	FAD
12	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-12-M1-FAD-PVT	5	FAD
12	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-12-R1-FAD-PVT	35	FAD
13	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-13-B1-FAD-PVT	10	FAD
13	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-13-B2-FAD-PVT	10	FAD
13	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-13-M1-FAD-PVT	5	FAD
13: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-13-M1-FAD-YPV	3	FAD

13	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-13-R1-FAD-PVT	20	FAD
13	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-13-R2-FAD-PVT	20	FAD
14	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-14-B1-FAD-PVT	35	FAD
14	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-14-B2-FAD-PVT	35	FAD
14	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-14-M1-FAD-PVT	20	FAD
14	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-14-R1-FAD-PVT	80	FAD
15	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-15-B1-FAD-PVT	7	FAD
15	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-15-B2-FAD-PVT	5	FAD
15	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-15-M1-FAD-PVT	7	FAD
15: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-15-M1-FAD-YPV	3	FAD
16	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-16-B1-FAD-PVT	5	FAD
16	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-16-B2-FAD-PVT	5	FAD
16	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-16-M1-FAD-PVT	3	FAD
16	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-16-R1-FAD-PVT	10	FAD
16: **mobility impaired only**	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-16-R1-FAD-MPV	2	FAD
16	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-16-R2-FAD-PVT	10	FAD
16: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-16-R1-FAD-YPV	3	FAD
16	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-16-R1-FAWTD-PVT	10	FAWTD
17	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-17-B1-FAD-PVT	10	FAD
17	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-17-B2-FAD-PVT	10	FAD
17	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-17-M1-FAD-PVT	5	FAD
17: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-17-M1-FAD-YPV	8	FAD

17	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-17-R1-FAD-PVT	15	FAD
17	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-17-R2-FAD-PVT	15	FAD
18	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-18-B1-FAD-PVT	15	FAD
18	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-18-B2-FAD-PVT	15	FAD
18	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-18-M1-FAD-PVT	5	FAD
18	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-18-R1-FAD-PVT	38	FAD
18	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-18-R2-FAD-PVT	38	FAD
19	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-19-B1-FAD-PVT	3	FAD
19	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-19-M1-FAD-PVT	3	FAD
20	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-20-B1-FAD-PVT	5	FAD
20	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-20-B2-FAD-PVT	7	FAD
20	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-20-M1-FAD-PVT	3	FAD
20	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-20-R1-FAD-PVT	10	FAD
20	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-20-R2-FAD-PVT	10	FAD
21	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-21-B1-FAD-PVT	10	FAD
21	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-21-B2-FAD-PVT	20	FAD
21	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-21-M1-FAD-PVT	8	FAD
21	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-21-R1-FAD-PVT	55	FAD
21	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-21-R2-FAD-PVT	55	FAD
21: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-21-R1-FAD-YPV	8	FAD
21	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-21-R1-FAWTD-PVT	5	FAWTD
22	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-22-B1-FAD-PVT	5	FAD

22	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-22-B2-FAD-PVT	5	FAD
22	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	DER-22-M1-FAD-PVT	5	FAD
22	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-22-R1-FAD-PVT	10	FAD
22	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-22-R2-FAD-PVT	10	FAD
22: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-22-R1-FAD-YPV	5	FAD
22	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-22-R1-FAWTD-PVT	10	FAWTD
23	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-23-B1-FAMD-PVT	13	FAMD
23	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-23-B1-FAWTD-PVT	8	FAWTD
23	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-23-B2-FAMD-PVT	18	FAMD
23	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-23-B2-FAWTD-PVT	8	FAWTD
23	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23-M1-FAMD-PVT	8	FAMD
23	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-23-M1-FAWTD-PVT	8	FAWTD
23	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-23-R1-FAMD-PVT	43	FAMD
23	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-23-R2-FAMD-PVT	40	FAMD
23	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-23-R1-FAWTD-PVT	8	FAWTD
23: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-23-R1-FAD-YPV	12	FAD
23	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-23-R2-FAWTD-PVT	8	FAWTD
24	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-24-B1-FAMD-PVT	15	FAMD
24	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-24-B1-FAWTD-PVT	3	FAWTD
24	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-24-B2-FAMD-PVT	40	FAMD

24	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-24-B2-FAWTD-PVT	3	FAWTD
24	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-24-M1-FAMD-PVT	3	FAMD
24	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-24-M1-FAWTD-PVT	3	FAWTD
24	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-24-R1-FAMD-PVT	40	FAMD
24	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-24-R2-FAMD-PVT	40	FAMD
24	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-24-R1-FAWTD-PVT	5	FAWTD
24: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-24-R1-FAD-YPV	8	FAD
24: **youth only**	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-24-R2-FAD-YPV	10	FAD
24	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-24-R2-FAWTD-PVT	5	FAWTD
23/24: Silver City management area only as defined by the department	1/16-2/5	1/16-2/5	1/16-2/5	1/16-2/5	DER-23S-B1-A-PVT	20	A
25	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-25-B1-FAD-PVT	4	FAD
25	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-25-B2-FAD-PVT	4	FAD
25	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-25-M1-FAD-PVT	3	FAD
25	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-25-R1-FAD-PVT	7	FAD
25	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-25-R2-FAD-PVT	5	FAD
26	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-26-B1-FAD-PVT	5	FAD
26	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-26-B2-FAD-PVT	5	FAD
26	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-26-M1-FAD-PVT	3	FAD
26	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-26-R1-FAD-PVT	12	FAD
26	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-26-R2-FAD-PVT	12	FAD

26	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-26-R1-FAWTD-PVT	3	FAWTD
27	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-27-B1-FAMD-PVT	3	FAMD
27	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-27-B1-FAWTD-PVT	3	FAWTD
27	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-27-B2-FAMD-PVT	3	FAMD
27	1/16-1/31	1/16-1/31	1/16-1/31	1/16-1/31	DER-27-B2-FAWTD-PVT	3	FAWTD
27	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-27-M1-FAMD-PVT	3	FAMD
27	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-27-M1-FAWTD-PVT	3	FAWTD
27	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-27-R1-FAMD-PVT	7	FAMD
27	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-27-R2-FAMD-PVT	8	FAMD
27	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-27-R1-FAWTD-PVT	7	FAWTD
27: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-27-R1-FAD-YPV	3	FAD
27	12/4-12/12	12/2-12/10	12/1-12/9	12/7-12/15	DER-27-R2-FAWTD-PVT	7	FAWTD
29	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-29-B1-FAD-PVT	3	FAD
29	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-29-B2-FAD-PVT	3	FAD
29	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-29-M1-FAD-PVT	3	FAD
29	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-29-R1-FAD-PVT	5	FAD
29	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-29-R2-FAD-PVT	5	FAD
30	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-30-B1-FAD-PVT	10	FAD
30	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-30-B2-FAD-PVT	10	FAD
30	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-30-M1-FAD-PVT	10	FAD

30	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-30-R1-FAD-PVT	35	FAD
30	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-30-R2-FAD-PVT	35	FAD
30: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-30-R1-FAD-YPV	5	FAD
31	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-31-B1-FAD-PVT	37	FAD
31	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-31-B2-FAD-PVT	40	FAD
31	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-31-M1-FAD-PVT	10	FAD
31	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-31-R1-FAD-PVT	143	FAD
31	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-31-R2-FAD-PVT	143	FAD
32	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-32-B1-FAD-PVT	20	FAD
32	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-32-B2-FAD-PVT	30	FAD
32	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-32-M1-FAD-PVT	10	FAD
32	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-32-R1-FAD-PVT	100	FAD
32	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-32-R2-FAD-PVT	100	FAD
32: Roswell and Ft. Sumner hunt areas only, **youth only**	12/16-12/31	12/16-12/31	12/16-12/31	12/16-12/31	DER-32R-R1-A-YPV	20	A
33	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-33-B1-FAD-PVT	15	FAD
33	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-33-B2-FAD-PVT	15	FAD
33: **restricted muzzleloader only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-33-P1-FAD-PVT	5	FAD
33	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-33-R1-FAD-PVT	45	FAD
33	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-33-R2-FAD-PVT	45	FAD
34	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-34-B1-FAD-PVT	25	FAD
34	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-34-B2-FAD-PVT	30	FAD
34	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-34-M1-FAD-PVT	10	FAD
34: **mobility impaired only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-34-R1-FAD-MPV	3	FAD

34: **youth only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-34-R1-FAD-YPV	5	FAD
34	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-34-R1-FAD-PVT	45	FAD
34	11/20-11/24	11/18-11/22	11/17-11/21	11/16-11/20	DER-34-R2-FAD-PVT	45	FAD
36	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-36-B1-FAD-PVT	20	FAD
36	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-36-B2-FAD-PVT	20	FAD
36	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-36-M1-FAD-PVT	5	FAD
36: **youth only**	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-36-M1-FAD-YPV	5	FAD
36	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-36-R1-FAD-PVT	30	FAD
36	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-36-R2-FAD-PVT	30	FAD
36: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-36-R1-FAD-YPV	5	FAD
37	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-37-B1-FAD-PVT	20	FAD
37	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-37-B2-FAD-PVT	25	FAD
37	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-37-M1-FAD-PVT	10	FAD
37	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-37-R1-FAD-PVT	77	FAD
37	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-37-R2-FAD-PVT	77	FAD
38	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-38-B1-FAD-PVT	5	FAD
38	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-38-B2-FAD-PVT	10	FAD
38	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-38-M1-FAD-PVT	5	FAD
38	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-38-R1-FAD-PVT	20	FAD
38	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-38-R2-FAD-PVT	20	FAD
39	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-39-B1-FAD-PVT	10	FAD
39	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-39-B2-FAD-PVT	15	FAD

39	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-39-M1-FAD-PVT	5	FAD
39	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-39-R1-FAD-PVT	50	FAD
39	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-39-R2-FAD-PVT	50	FAD
40	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-40-B1-FAD-PVT	10	FAD
40	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-40-B2-FAD-PVT	20	FAD
40	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-40-M1-FAD-PVT	5	FAD
40	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-40-R1-FAD-PVT	100	FAD
40	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	DER-40-R2-FAD-PVT	100	FAD
41	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-41-B1-FAD-PVT	5	FAD
41	1/1-1/15	1/1-1/15	1/1-1/15	1/1-1/15	DER-41-B2-FAD-PVT	10	FAD
41	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-41-M1-FAD-PVT	5	FAD
41	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-41-R1-FAD-PVT	37	FAD
41	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-41-R2-FAD-PVT	37	FAD
41: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-41-R1-FAD-YPV	15	FAD
41: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-41-R1-ESWTD-YPV	3	ESWTD
41	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-41-R1-ESWTD-PVT	10	ESWTD
42	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-42-B1-FAD-PVT	8	FAD
42	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-42-M1-FAD-PVT	7	FAD
42	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-42-R1-FAD-PVT	65	FAD
42	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-42-R2-FAD-PVT	65	FAD
42	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-42-R1-ESWTD-PVT	50	ESWTD
43	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-43-B1-FAD-PVT	8	FAD

43	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-43-M1-FAD-PVT	8	FAD
43	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-43-R1-FAD-PVT	125	FAD
45	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-45-B1-FAD-PVT	20	FAD
45	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-45-M1-FAD-PVT	20	FAD
45	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-45-R1-FAD-PVT	75	FAD
45: **mobility impaired only**	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-45-R1-FAD-MPV	3	FAD
45	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-45-R2-FAD-PVT	75	FAD
45: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-45-R1-FAD-YPV	15	FAD
46	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-46-B1-FAD-PVT	50	FAD
46	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-46-M1-FAD-PVT	15	FAD
46	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-46-R1-FAD-PVT	160	FAD
46	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-46-R2-FAD-PVT	160	FAD
47	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-47-B1-FAD-PVT	8	FAD
47	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-47-M1-FAD-PVT	5	FAD
47	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-47-R1-FAD-PVT	35	FAD
47	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-47-R2-FAD-PVT	35	FAD
48	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-48-B1-FAD-PVT	5	FAD
48	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-48-M1-FAD-PVT	5	FAD
48	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-48-R1-FAD-PVT	10	FAD
48	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-48-R2-FAD-PVT	10	FAD
49	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-49-B1-FAD-PVT	15	FAD
49	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-49-R1-FAD-PVT	30	FAD

49	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-49-R2-FAD-PVT	30	FAD
50	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-50-B1-FAD-PVT	5	FAD
50	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-50-R1-FAD-PVT	16	FAD
50	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-50-R2-FAD-PVT	16	FAD
51A	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-51A-B1-FAD-PVT	15	FAD
51A	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-51A-R1-FAD-PVT	45	FAD
51A	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-51A-R2-FAD-PVT	45	FAD
51B	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-51B-B1-FAD-PVT	5	FAD
51B	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-51B-R1-FAD-PVT	18	FAD
51B	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-51B-R2-FAD-PVT	18	FAD
52	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-52-B1-FAD-PVT	5	FAD
52: **restricted muzzleloader only**	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-52-P1-FAD-PVT	5	FAD
52	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-52-R1-FAD-PVT	12	FAD
52	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-52-R2-FAD-PVT	12	FAD
53	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-53-B1-FAD-PVT	10	FAD
53	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-53-R1-FAD-PVT	25	FAD
53	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	DER-53-R2-FAD-PVT	25	FAD
54	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-54-B1-FAD-PVT	5	FAD
54	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-54-M1-FAD-PVT	5	FAD
54	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-54-R1-FAD-PVT	10	FAD
54	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-54-R2-FAD-PVT	10	FAD

54	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-54-R1-ESWTD-PVT	5	ESWTD
54: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-54-R1-FAD-YPV	5	FAD
55	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-55-B1-FAD-PVT	25	FAD
55	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-55-M1-FAD-PVT	5	FAD
55	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-55-R1-FAD-PVT	30	FAD
55	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-55-R2-FAD-PVT	30	FAD
55	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-55-R1-ESWTD-PVT	30	ESWTD
55: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-55-R1-FAD-YPV	6	FAD
56	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-56-B1-FAD-PVT	5	FAD
56	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-56-M1-FAD-PVT	5	FAD
56	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-56-R1-FAD-PVT	19	FAD
56	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-56-R2-FAD-PVT	19	FAD
56: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-56-R1-FAD-YPV	5	FAD
56: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-56-R1-ESWTD-YPV	3	ESWTD
57	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-57-B1-FAD-PVT	15	FAD
57	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-57-M1-FAD-PVT	5	FAD
57	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-57-R1-FAD-PVT	42	FAD
57	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-57-R2-FAD-PVT	42	FAD
57	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	DER-57-R1-ESWTD-PVT	5	ESWTD
57: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-57-R1-FAD-YPV	15	FAD
58	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-58-B1-FAD-PVT	10	FAD

58	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-58-M1-FAD-PVT	5	FAD
58	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-58-R1-FAD-PVT	20	FAD
58	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-58-R2-FAD-PVT	20	FAD
58: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-58-R1-FAD-YPV	10	FAD
58: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-58-R1-ESWTD-YPV	5	ESWTD
58	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-58-R1-ESWTD-PVT	10	ESWTD
59	9/1-9/24	9/1-9/24	9/1-9/24	9/1-9/24	DER-59-B1-FAD-PVT	7	FAD
59	9/27-10/3	9/27-10/3	9/27-10/3	9/27-10/3	DER-59-M1-FAD-PVT	7	FAD
59	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	DER-59-R1-FAD-PVT	28	FAD
59	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	DER-59-R2-FAD-PVT	28	FAD
59: **youth only**	11/20-11/28	11/18-11/26	11/17-11/25	11/23-12/1	DER-59-R1-FAD-YPV	10	FAD
59: **youth only**	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	DER-59-R1-ESWTD-YPV	3	ESWTD
59	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	DER-59-R1-ESWTD-PVT	12	ESWTD

[19.31.13.14 NMAC - Rp, 19.31.13.14 NMAC, 4/1/2027]

HISTORY OF 19.31.13 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/1968;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968;

Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968;

Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968;

Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969;

Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/1969;

Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969;

Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970;

Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970;

Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970;
Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971;
Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971;
Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/1971;
Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971;
Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972;
Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972;
Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972;
Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972;
Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973;
Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973;
Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;
Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;
Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/1974;
Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974;
Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;
Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;
Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975;
Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976;
Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/1978;
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;
Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980;
Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/1981;
Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982;
Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983;
Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984;
Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985;
Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986;
Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987;
Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/1987;
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/1989;
Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1,

1989 through March 31, 1990, filed 3/20/1989;
Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989;
Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991;
Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992;
Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:
19.31.8 NMAC, Big Game, filed 3/1/2001 - duration expired 3/31/2003.
19.31.8 NMAC, Big Game and Turkey, filed 3-3-2003 - duration expired 3/31/2005.
19.31.8 NMAC, Big Game and Turkey, filed 12-15-2004 - duration expired 3/31/2007.
19.31.13 NMAC, Deer, filed 12/1/2006 - duration expired 3/31/2009.
19.31.13 NMAC, Deer, filed 3/13/2009 - duration expired 3/31/2011.
19.31.13 NMAC, Deer, filed 2/22/2011 - Repealed effective 3/29/2013. Replaced by 19.31.13 NMAC, Deer, effective 3-29-2013.
19.31.13 NMAC, Deer, filed 3/29/2013- Repealed effective 2/27/2015. Replaced by 19.31.13 NMAC, Deer, effective 4/1/2015.
19.31.13 NMAC, Deer, filed 2/17/2015- duration expired 3/31/2019.
19.31.13 NMAC, Deer, filed 12/7/2018- duration expired 3/31/2023.
19.31.13 NMAC, Deer, filed 12/21/2022- duration expired 3/31/2027.

WILDLIFE, DEPARTMENT OF

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 14 ELK

19.31.14.1 ISSUING AGENCY: New Mexico department of wildlife.
[19.31.14.1 NMAC - Rp, 19.31.14.1 NMAC, 4/1/2027]

19.31.14.2 SCOPE: Sportspersons interested in elk management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19 NMAC.
[19.31.14.2 NMAC - Rp, 19.31.14.2 NMAC, 4/1/2027]

19.31.14.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.
[19.31.14.3 NMAC - Rp, 19.31.14.3 NMAC, 4/1/2027]

19.31.14.4 DURATION: April 1, 2027, through March 31, 2031.
[19.31.14.4 NMAC - Rp, 19.31.14.4 NMAC, 4/1/2027]

19.31.14.5 EFFECTIVE DATE: April 1, 2027, unless a later date is cited at the end of a section.
[19.31.14.5 NMAC - Rp, 19.31.14.5 NMAC, 4/1/2027]

19.31.14.6 OBJECTIVE: Establishing open hunting seasons and regulations, rules and procedures governing the issuance of elk licenses by the department.
[19.31.14.6 NMAC - Rp, 19.31.14.6 NMAC, 4/1/2027]

19.31.14.7 DEFINITIONS:

A. "Antlerless elk" or "A" shall mean any one elk without antlers.

B. "Antler point restricted elk" or "APRE/6" shall mean any bull elk with a minimum of six antler points on one side. A brow tine or eye guard constitutes a point; a burr at the base does not.

C. "Department" shall mean the New Mexico department of wildlife.

D. "Director" shall mean the director of the New Mexico department of wildlife.

E. "Elk" shall mean any wild cervid of the genus Cervus.

F. "Elk enhancement program" shall mean the department activity that allows the issuance of not more than two authorizations for the taking of one bull elk per license, with the purpose of raising funds for programs and projects to benefit elk.

G. "Elk region" shall mean a portion of the state designated by the department to administer elk management activities. An elk region describes an assemblage of one or more herd units and encompasses one or more GMUs.

H. "Either sex" or "ES" shall mean any one elk.

I. "**Game management unit", "GMU", "hunt area", "Cerro portion"** or **"management area"** shall mean those areas as described in 19.30.4 NMAC Boundary Descriptions for Game Management Units.

J. "High-demand hunt" shall mean a special draw hunt where the total number of non-resident applicants for an elk hunt exceeds twenty-two percent of the total applicants based on data for the two immediately preceding years.

K. "Mature bull" or "MB" shall mean a male elk with at

least one brow tine extending six or more inches from the main beam or at least one forked antler with both branches six or more inches long.

L. "Primary management zone" shall mean designated areas of the state upon which elk management goals and subsequent harvest objectives are based.

M. "Private land authorization" shall mean the document generated by the department and issued to a private landowner that authorizes the holder to purchase a specified license to hunt elk.

N. "Quality hunt" shall mean a hunt designed to provide a hunter with an opportunity to achieve one or more of the following: an enhanced experience based on timing and length of hunt season; lower hunter density; or an increased opportunity for success.

O. "Secondary management zone" shall mean areas of the state that are not part of the primary management zone or special management zone.

P. "Special management zone" shall mean areas of the state not within the primary management zone or secondary management zone and where private land authorization issuance includes eligibility requirements or restrictions.

Q. "Wildlife management area" or "WMA" shall mean those areas as described in 19.34.5 NMAC Wildlife Management Areas.

[19.31.14.7 NMAC - Rp, 19.31.14.7 NMAC, 4/1/2027]

19.31.14.8 ADJUSTMENT OF LICENSES AND AUTHORIZATIONS: The director, with the verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may adjust the number of licenses or authorizations up or down by no more than twenty percent to address significant changes in population levels or to address critical department management needs. GMU 34 elk licenses and authorizations may be adjusted beyond this amount as necessary to meet management objectives. These adjustments may be applied to any or all authorizations or licenses for elk in a specific GMU or designated area.

[19.31.14.8 NMAC - Rp, 19.31.14.8 NMAC, 4/1/2027]

19.31.14.9 ELK LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

A. Validity of license: In the primary management zones, except GMUs 4 and 5A, private-land ranch-only (as defined in 19.30.5 NMAC) elk licenses shall not be valid on any other private lands. In GMUs 4, 5A, and secondary and special management zones, private-land licenses are valid on any other private lands within the GMU and the same zone designation only if accompanied by written permission; unless otherwise restricted in a department issued agreement.

B. Valle Vidal elk once-in-a-lifetime hunts: No person shall apply for a license to hunt bull elk on the Valle Vidal if he or she has held a license since 1983 allowing them to take a bull elk on the Valle Vidal. Persons that have held a youth-only license may apply for non-youth-only licenses as long as they are eligible. No person shall apply for a license to hunt antlerless elk on the Valle Vidal if he or she has held a license since 1983 allowing them to take an antlerless elk on the Valle Vidal. Persons that have held a youth-only antlerless license may apply for non-youth-only antlerless licenses as long as they are eligible. Either sex or mature bull/antlerless shall be considered as a "bull elk" license, and shall not be considered as an "antlerless" license for this restriction. Persons who have held a Valle Vidal elk license through any incentive program are exempt from this restriction.

[19.31.14.9 NMAC - Rp, 19.31.14.9 NMAC, 4/1/2027]

19.31.14.10 CHRONIC WASTING DISEASE (CWD): The director has the authority to designate possession criteria to any elk hunter where CWD is a concern. It is unlawful to transport dead elk, or their parts, taken from any GMU or area identified by the director in which the presence of, or possibility of, exposure to CWD has been identified, to any location outside that GMU, except for the following:

A. meat that is cut and wrapped (either commercially or privately);

B. quarters or other portions of meat with no part of the spinal column or head attached;

C. meat that has been boned out;

D. hides with no heads attached;

E. clean skull plates with antlers attached; clean is defined as having been immersed in a bath of at least one part chlorine bleach and two parts water with no meat or tissue attached;

F. antlers with no meat or tissue attached;

G. upper canine teeth, also known as "ivories";

H. finished taxidermied heads; or

I. by prior arrangement to a department office.

[19.31.14.10 NMAC - Rp, 19.31.14.10 NMAC, 4/1/2027]

19.31.14.11 QUALITY ELK HUNTS: Quality hunts for elk are as follows:

A. all Valle Vidal hunts;

B. the first three mature bull hunts and both bow hunts on the Sargent WMA;

C. specific elk hunts in GMUs 13, 15, 16A, 16B/22, 16C, 16D, 16E and 17 as follows: ELK-13-B2-ES-PUB, ELK-13-M1-MB-PUB, ELK-15-B2-ES-PUB, ELK-15-M1-MB-PUB, ELK-16A-B2-ES-PUB, ELK-16A-R1-MB-MOB, ELK-16A-M1-MB-PUB, ELK-C16B-B2-ES-PUB, ELK-C16B-M1-MB-PUB, ELK-C16B-R1-MB-PUB, ELK-16C-B2-ES-PUB, ELK-16C-M1-MB-PUB, ELK-16D-B2-ES-PUB, ELK-16D-R1-MB-MOB, ELK-16D-M1-MB-PUB, ELK-16E-B2-ES-PUB,

ELK-16E-M1-MB-PUB, ELK-17-B2-ES-PUB, and ELK-17-M1-MB-PUB;

D. all GMU 6B hunts that allow the hunter to take a bull;

E. premium elk hunt as defined in Subsection D of Section 19.31.14.12;

F. quality hunt fees for licenses listed in Subsection C above shall also apply to the conversion of any mature bull or either-sex private-land authorization (excluding youth-only) for private lands that lie within the primary management zone. This includes any hunt dates from September 15 through October 15. [19.31.14.11 NMAC - Rp, 19.31.14.11 NMAC, 4/1/2027]

19.31.14.12 SPECIAL ELK HUNTING OPPORTUNITIES:

A. Elk enhancement program:

(1) Program description: The director shall collect all proceeds generated through the auction and lottery of special bull elk authorizations, and such monies shall be deposited in the game protection fund. These monies shall be made available for expenditure by the department solely for programs and projects to benefit elk and for direct costs incurred in carrying out these programs. These monies shall be used to augment, and not replace, monies appropriated from existing funds available to the department for the conservation, restoration, utilization, and management of elk.

(2) Requirements for issuance of special elk authorizations:

(a) The state wildlife commission shall authorize the director to issue not more than two special elk authorizations in any one license year to take one mature bull elk per license. The director shall allow the sale of one authorization through auction to the highest bidder and one authorization to a person selected through a random drawing of a lottery ticket by the department or an incorporated, non-profit organization dedicated to the conservation of wildlife.

(b) Unless their hunting privileges have been revoked pursuant to law, any person is eligible to submit a bid for the special elk auction authorization, or purchase lottery tickets in an attempt to be selected for the special elk lottery authorization.

(c) The special elk authorizations issued through auction and lottery may be transferred, through sale, barter or gift by the successful individuals only to other individuals qualified to hunt.

(d) Special elk licenses granted through auction or lottery, as described above, shall not be considered 'once-in-a-lifetime'.

(3) Enhancement hunts: Elk enhancement licenses shall be valid from September 1 through January 31 for any big-game sporting arms. These licenses shall be valid statewide where hunting is allowed; bag limit shall be one mature bull elk. The elk enhancement authorizations may be used by the recipient or transferred through sale, barter or gift by the successful individuals to other individuals qualified to hunt.

B. CWD-reporting incentives: The director may annually allow up to two elk authorizations to be issued for deer and elk hunters submitting their legally harvested animal for CWD testing. Authorizations to purchase an incentive license may be used either by the applicant or transferred through sale, barter or gift by the successful individuals to any individual qualified to hunt. CWD-reporting incentive hunts shall be valid only for the dates, big-game sporting arms, bag limit and area specified by the director.

C. Youth encouragement hunts:

(1) Only resident youth hunters as defined by 19.31.3 NMAC who have submitted a valid application for a draw hunt for deer, elk, pronghorn, ibex, oryx, Barbary sheep or bighorn sheep in the current license year and were unsuccessful in drawing any license will be eligible to purchase a license for these hunts for the first 14 days of availability on the department website. Licenses remaining after 14 days shall be available to any youth hunter eligible to purchase an elk license.

(2) The director, with concurrence of the chairperson of the state wildlife commission, may adjust the number of licenses available in all encouragement hunts listed below based on management objectives.

(3) These hunts will be administered by the department through a web sale. The open GMUs, hunt dates, hunt codes, big-game sporting arms, number of licenses and bag limits shall be as indicated below:

Continued Next Page

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
2	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-2-R1-A-YE	75	A
2	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-2-R2-A-YE	75	A
5B	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-5B-R1-A-YE	20	A
6A	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-6A-R1-A-YE	50	A
6A	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-6A-R2-A-YE	50	A
6C	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-6C-R1-A-YE	50	A
6C	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-6C-R2-A-YE	50	A
10	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-10-R1-A-YE	35	A
13	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-13-M1-A-YE	60	A
13	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-13-M2-A-YE	60	A
17	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-17-M1-A-YE	60	A
17	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-17-M2-A-YE	60	A
34	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-34-R1-A-YE	225	A
36	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-36-R1-A-YE	110	A
36	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-36-R2-A-YE	110	A
49	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-49-R1-A-YE	50	A
51	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-51-R1-A-YE	115	A
51	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-51-R2-A-YE	115	A
52	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-52-R1-A-YE	50	A
53	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-53-R1-A-YE	60	A
53	12/26-12/30	12/26-12/30	12/26-12/30	12/26-12/30	ELK-53-R2-A-YE	60	A

D. Premium hunt opportunity: One premium elk hunt will be issued each license year through the draw. The hunt area will be statewide on any public land open to hunting, including wildlife management areas, and private land with written permission.

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
statewide	9/1/2027-1/31/2028	9/1/2028-1/31/2029	9/1/2029-1/31/2030	9/1/2030-1/31/2031	ELK-STW-R1-MB-PUB	1	MB

[19.31.14.12 NMAC - Rp, 19.31.14.12 NMAC, 4/1/2027]

19.31.14.13 POPULATION MANAGEMENT HUNTS:

A. The director or their designee may authorize population management hunts for elk when justified in writing by department personnel.

B. The director or their designee shall designate the big-game sporting arms, season dates, season lengths, bag limits, hunt boundaries, specific requirements or restrictions, and number of licenses to be issued.

C. In the event that an applicant is not able to hunt on the dates specified, the applicant's name shall be moved to the bottom of the list and another applicant may be contacted for the hunt.

D. In those instances where a population management hunt is warranted on deeded private lands, the landowner may suggest eligible hunters of their choice by submitting a list of prospective hunters' names to the department for licensing consideration. No more than one-half of the total number of licenses authorized shall be available to landowner identified hunters. The balance of prospective hunters shall be identified by the department. [19.31.14.13 NMAC - Rp, 19.31.14.13 NMAC, 4/1/2027]

19.31.14.14 ELK HUNTS IN PRIMARY MANAGEMENT ZONES: This section lists elk management information and subsequent hunting opportunities for GMUs in elk regions where a primary management zone has been established. The listed information includes regional elk population information, management goals, harvest objectives, total number of hunting opportunities, GMUs or areas open for hunting, season dates, hunt codes, bag limits, big-game sporting arms, number of licenses available in the public draw and the number and type of authorizations available for private lands within the primary management zone of each GMU.

A. Elk management goals:

(1) Quality hunt management (QHM):

(a) Elk harvest in regional populations, herd units or GMUs within a region results in the trend of annual bull mortality rates to be below thirty-five percent.

(b) Seasons should be designed to ensure timing and length of hunts are desirable.

(c) At least two-thirds of all hunters are "satisfied" with the experience.

(2) Optimal opportunity management (OOM):

(a) Elk harvest in regional populations, herd units or GMUs within a region results in the trend of annual bull mortality rates to be below forty-five percent and harvest near optimal sustainable yield.

(b) Season structure should be designed to ensure timing and length of hunts provides significant opportunity.

(c) At least one-third of all hunters are "satisfied" with the experience.

B. Northwest region: primary management zones in GMUs 2, 5A, 9 and 10.

(1) Optimal opportunity management within primary management zones in GMUs 2, 5A, 9 and 10.

(2) Foundational resource information for the northwest region is indicated below:

northwest region population information			**sustainable harvest pursuant to goals**	
herd unit	**population estimate (rounded to nearest 100)**	**bull:cow:calf ratio**	**bulls**	**cows**
San Juan (GMU 2)	2400-2800	36:100:31	150-190	180-211
Lindrith (GMU 5A)	1800-2400	36:100:31	110-170	135-180
Mt. Taylor (GMU 9)	1500-2400	35:100:36	140-230	0
Zuni (GMU 10)	1000-2000	36:100:31	60-140	75-150

GMU	**management goals**	**total licenses by bag limit**			
		MB	**A**	**B-ES**	**total licenses**
2	OOM	259	382	282	923
5A	OOM	250	250	63	563
9	OOM	228	0	281	509
10	OOM	206	324	368	898
Total		943	956	994	2893

(3) Public draw elk hunts listing the eligibility requirements or restrictions, GMUs or areas, hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below. Water Canyon WMA shall be open to licensed public draw elk hunters during established seasons.

Open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
2	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-2-B1-ES-PUB	120	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-2-B2-ES-PUB	120	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-2-M1-MB-PUB	135	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-2-R1-MB-PUB	85	MB
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-2-R1-A-PUB	125	A
2: **youth only**	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-2-R1-A-YTH	100	A
2C	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-2C-R1-A-PUB	100	A
5A: public land only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-5A-B1-ES-PUB	5	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-5A-B2-ES-PUB	5	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-5A-M1-MB-PUB	10	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-5A-R1-A-PUB	10	A
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-5A-R1-MB-PUB	10	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-5A-R2-A-PUB	10	A
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-5A-R2-MB-PUB	10	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-5A-R3-A-PUB	10	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-5A-R3-MB-PUB	10	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-5A-R4-A-PUB	10	A

9: Marquez/LBar WMA only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-9L-B1-ES-PUB	15	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-9L-B2-ES-PUB	15	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-9L-M1-MB-PUB	15	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-9L-M2-MB-PUB	15	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-9L-M3-MB-PUB	15	MB
9	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-9-B1-ES-PUB	82	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-9-B2-ES-PUB	82	ES
9: **mobility impaired**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-9-M1-MB-MOB	21	MB
9	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-9-M1-MB-PUB	35	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-9-M2-MB-PUB	35	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-9-M3-MB-PUB	21	MB
10	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-10-B1-ES-PUB	125	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-10-B2-ES-PUB	125	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-10-M1-MB-PUB	70	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-10-R1-MB-PUB	70	MB
10: **youth only**	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-10-R1-A-YTH	120	A
10	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-10-R1-A-PUB	100	A

(4) Private land elk authorizations for qualifying ranches listing the number of authorizations, bag limits, and big-game sporting arms shall be as indicated below:

open GMUs or areas	**2027-28, 2028-29, 2029-30, 2030-31 hunt seasons**			
	MB	**A**	**B-ES**	**Total**
2	39	57	42	138
5A	210	210	53	473
9	71	0	87	158
10	66	104	118	288
Total	386	371	300	1057

(5) Private land elk hunts for ranches designated as "ranch-only" shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during the "mobility-impaired" or "youth-only" hunt periods.

Big-game sporting arms	**open GMUs or area**	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
bows only	2, 5A, 9, 10	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24
muzzle loading rifles and bows	2, 5A, 10	any 5 consecutive days, 10/9-12/31	any 5 consecutive days, 10/7-12/31	any 5 consecutive days, 10/6-12/31	any 5 consecutive days, 10/5-12/31
	9, **mobility impaired**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
	9	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31
any big-game sporting arms	2, 5A, 10	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31

C. North central region: primary management zones in GMUs 4, 5B, 50, 51 and 52.

(1) Optimal opportunity management within primary management zones in GMUs 4, 5B, 50,51 and 52.

(2) Foundational resource information for the north central region shall be as indicated below:

north central region population information			**sustainable harvest pursuant to goals**	
herd unit	**population estimate (rounded to nearest 100)**	**bull:cow:calf ratio**	**bulls**	**cows**
Chama-San Antonio (GMUs 4, 5B, 50, 51 and 52)	23300-27000	37:100:35	1560-2060	1920-2225

GMU	**management goals**	**total licenses by bag limit**			
		MB, M-ES, MB/A	**A**	**B-ES**	**Total**
4	OOM	1080	665	475	2220
5B	OOM	388	188	161	737
50	OOM	358	118	155	631
51	OOM	970	942	434	2346
52	OOM	685	407	500	1592
Total		3481	2320	1725	7526

(3) Public draw elk hunts listing the eligibility requirements or restrictions, GMU or area, hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
4: Sargent WMA only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-4S-B1-ES-PUB	10	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-4S-B2-ES-PUB	10	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-4S-M1-MB/A-PUB	10	MB/A
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-4S-R1-MB/A-PUB	10	MB/A
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-4S-R2-MB/A-PUB	10	MB/A
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-4S-R3-MB/A-PUB	10	MB/A
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-4S-R4-MB/A-PUB	10	MB/A
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-4S-R1-A-PUB	10	A
4: Sargent WMA only, **youth only**	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-4S-R1-A-YTH	10	A
4: Humphries/ Rio Chama WMAs only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-4HR-B1-ES-PUB	10	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-4HR-B2-ES-PUB	10	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-4HR-M1-MB/A-PUB	10	MB/A
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-4HR-R1-MB/A-PUB	15	MB/A
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-4HR-R2-MB/A-PUB	15	MB/A
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-4HR-R1-A-PUB	10	A
4: Humphries/ Rio Chama WMAs only, **youth only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-4HR-R1-A-YTH	15	A
4: Rio Chama WMA only	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-4R-R1-A-PUB	20	A

5B	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-5B-B1-ES-PUB	76	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-5B-B2-ES-PUB	75	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-5B-M1-MB-PUB	56	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-5B-R1-MB-PUB	86	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-5B-R1-A-PUB	59	A
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-5B-R2-MB-PUB	86	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-5B-R2-A-PUB	59	A
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-5B-R3-MB-PUB	87	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-5B-R3-A-PUB	59	A
	12/18-12/22	12/16-12/20	12/15-12/19	12/14-12/18	ELK-5B-R4-MB-PUB	50	MB
50	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-50-B1-ES-PUB	60	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-50-B2-ES-PUB	55	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-50-M1-MB-PUB	65	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-50-R1-MB-PUB	100	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-50-R2-MB-PUB	100	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-50-R1-A-PUB	42	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-50-R2-A-PUB	45	A
51	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-51-B1-ES-PUB	180	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-51-B2-ES-PUB	180	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-51-M1-ES-PUB	145	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-51-R1-MB-PUB	220	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-51-R2-MB-PUB	220	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-51-R3-MB-PUB	220	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-51-R1-A-PUB	265	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-51-R2-A-PUB	265	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-51-R3-A-PUB	252	A

52	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-52-B1-ES-PUB	230	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-52-B2-ES-PUB	230	ES
52: **mobility impaired**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-52-M1-MB-MOB	50	MB
52	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-52-M1-MB-PUB	120	MB
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-52-M1-A-PUB	50	A
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-52-R1-MB-PUB	230	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-52-R2-MB-PUB	230	MB
52: **youth only**	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-52-R1-A-YTH	80	A
52: **mobility impaired**	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-52-R1-A-MOB	56	A
52	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-52-R1-A-PUB	73	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-52-R2-A-PUB	115	A

(4) Private land elk authorizations for qualifying ranches listing the number of authorizations, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	**2027-28, 2028-29, 2029-30, 2030-31 hunt seasons**			
	MB, M-ES, MB/A	**A**	**B-ES**	**Total**
4	990	600	435	2025
5B	23	11	10	44
50	93	31	40	164
51	165	160	74	399
52	55	33	40	128
Total	1326	835	599	2760

(5) Private land elk hunts for ranches designated as "ranch-only" shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during the "mobility-impaired" or "youth-only" hunt periods.

Big-game sporting arms	**open GMUs or area**	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
bows only	4, 5B, 50, 51, 52	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24
muzzle loading rifles and bows	5B, 50, 51, 52	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
any big-game sporting arms	4	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31
	5B, 50, 51, 52	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31

D. Jemez region: primary management zones in GMUs 6A, 6B, 6C and 7.

(1) Quality hunt management goals for primary management zones in GMUs 6A and 6B.

(2) Optimal opportunity management within primary management zones in GMUs 6C and 7.

(3) Foundational resource information for the Jemez region shall be as indicated below:

Jemez region population information			**sustainable harvest pursuant to goals**	
Jemez herd unit	**population estimate (rounded to nearest 100)**	**bull:cow:calf ratio**	**bulls**	**cows**
GMUs 6A, 6B, 6C, and 7	6000-7000	40:100:26	320-398	360-430

GMU	**management goal**	**total licenses by bag limit**			
		MB, M-ES, R-ES	**A**	**B-ES**	**total licenses**
6A	QHM	361	116	296	773
6B	QHM	50	250	50	350
6C	OOM	429	259	300	988
7	OOM	68	63	36	167
Total		908	688	682	2278

(4) Public draw elk hunts listing the eligibility requirements or restrictions, GMUs or areas, hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**	**hunt code**	**licenses**	**bag limit**
6A	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-6A-B1-ES-PUB	150	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-6A-B2-ES-PUB	102	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-6A-M1-MB-PUB	104	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-6A-R1-MB-PUB	100	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-6A-R2-MB-PUB	103	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-6A-R1-A-PUB	99	A

6B	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-6B-B1-ES-PUB	25	ES
	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-6B-B1-A-PUB	10	A
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-6B-B2-ES-PUB	25	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-6B-B2-A-PUB	10	A
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-6B-M1-ES-PUB	15	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-6B-M1-A-PUB	20	A
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-6B-R1-ES-PUB	15	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-6B-R1-A-PUB	20	A
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-6B-R2-ES-PUB	20	ES
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-6B-R2-A-PUB	15	A
6B: **youth only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-6B-R1-A-YTH	35	A
6B	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-6B-R3-A-PUB	35	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-6B-R4-A-PUB	35	A
6B: **youth only**	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-6B-R2-A-YTH	35	A
6B	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-6B-R5-A-PUB	35	A

6C	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-6C-B1-ES-PUB	150	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-6C-B2-ES-PUB	105	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-6C-M1-MB-PUB	155	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-6C-R1-MB-PUB	105	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-6C-R2-MB-PUB	105	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-6C-R1-A-PUB	110	A
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-6C-R2-A-PUB	110	A
7	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-7-B1-ES-PUB	15	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-7-B2-ES-PUB	14	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-7-M1-MB-PUB	24	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-7-R1-MB-PUB	30	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-7-R1-A-PUB	50	A

(5) Private land elk authorizations for qualifying ranches listing the number of authorizations, bag limits and big-game sporting arms shall be as indicated below:

	2027-28, 2028-29, 2029-30, 2030-31 hunt seasons			
open GMUs or areas	**MB**	**A**	**B-ES**	**Total**
6A	54	17	44	115
6C	64	39	45	148
7	14	13	7	34
Total	132	69	96	297

(6) Private land elk hunts for ranches designated as "ranch only" shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during the "mobility-impaired" or "youth-only" hunt periods.

Big-game sporting arms	**open GMUs or area**	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
bows only	6A, 6C, 7	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24
muzzle loading rifles & bows	6A, 6C, 7	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
any big-game sporting arms	6A, 6C, 7	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31

E. Southwest region:

(1) Quality hunt management for primary management zones in GMUs 12, 13, 15, 16A, 16B/22, 16C, 16D, 16E and 17.

(2) Optimal opportunity management for primary management zones in GMUs 21A, 21B, 23 and 24

(3) Foundational resource information for the southwest region shall be as indicated below:

southwest region population information			**sustainable harvest pursuant to goals**	
herd unit	**population estimate (rounded to nearest 100)**	**bull:cow:calf ratio**	**bulls**	**cows**
Fence Lake (GMU 12)	4000-5900	36:100:31	245-411	300-440
Datil (GMU 13)	2900-4100	36:100:31	175-285	220-300
Greater Gila (GMUs 15, 16A, 16B/22, 16C-E)	19500-22500	30:100:28	1140-1500	1000-1280
Lesser Gila (GMUs 21A, 21B, 23, 24)	1400-4000	28:100:25	75-245	135-395
San Mateo (GMU 17)	1800-2600	36:100:31	110-180	135-195

GMU	**management goals**	**total licenses by bag limit**			
		MB, R-ES, M-ES	**A**	**B-ES, B-MB, B-APRE/6**	**total licenses**
12	QHM	674	428	223	1325
13	QHM	584	370	556	1510
15	QHM	923	462	769	2154
16A	QHM	227	113	412	752
16B/22	QHM	237	0	394	631
16C	QHM	171	84	294	549
16D	QHM	165	80	170	415
16E	QHM	214	159	217	590
Greater Gila Totals (15, 16A, 16B/22, 16C-E)		1937	898	2256	5091
17	QHM	301	271	241	813
21A	OOM	122	31	117	270
21B	OOM	128	167	167	462
23	OOM	180	41	222	443
24	OOM	39	6	28	73
Lesser Gila Totals (21A, 21B, 23, 24)		469	245	534	1248
southwest region total		3965	2212	3810	9987

(4) Public draw elk hunts listing the eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**	**hunt code**	**licenses**	**bag limit**

12	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-12-B1-ES-PUB	36	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-12-B2-ES-PUB	35	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-12-M1-MB-PUB	35	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-12-R1-MB-PUB	35	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-12-R2-MB-PUB	60	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-12-R3-MB-PUB	80	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-12-R4-MB-PUB	80	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-12-R1-A-PUB	60	A
	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-12-R2-A-PUB	60	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-12-R3-A-PUB	64	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-12-B1-APRE/6-PUB	25	APRE/6
13	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-13-B1-ES-PUB	202	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-13-B2-ES-PUB	148	ES
13: **youth only**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-13-M1-ES-YTH	30	ES
13	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-13-M1-MB-PUB	86	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-13-M2-MB-PUB	126	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-13-M3-MB-PUB	126	MB
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-13-M1-A-PUB	117	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-13-M2-A-PUB	116	A

15	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-15-B1-ES-PUB	350	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-15-B2-ES-PUB	250	ES
15: **youth only**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-15-M1-ES-YTH	25	ES
15	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-15-M1-MB-PUB	200	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-15-M2-MB-PUB	245	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-15-M3-MB-PUB	250	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-15-M1-A-PUB	180	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-15-M2-A-PUB	180	A
16A	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-16A-B1-ES-PUB	250	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-16A-B2-ES-PUB	150	ES
16A	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-16A-M1-MB-PUB	35	MB
16A: **mobility impaired**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16A-R1-MB-MOB	25	MB
16A	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16A-R1-MB-PUB	60	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-16A-R2-MB-PUB	100	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-16A-R1-A-PUB	55	A
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-16A-R2-A-PUB	55	A

16B/22	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-C16B-B1-ES-PUB	225	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-C16B-B2-ES-PUB	165	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-C16B-M1-MB-PUB	35	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-C16B-R1-MB-PUB	25	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-C16B-R2-MB-PUB	70	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-C16B-R3-MB-PUB	105	MB
16C	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-16C-B1-ES-PUB	144	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-16C-B2-ES-PUB	100	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-16C-M1-MB-PUB	35	MB
16C: **youth only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16C-R1-ES-YTH	25	ES
16D: **mobility impaired**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16D-R1-MB-MOB	25	MB
16C	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16C-R1-MB-PUB	30	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-16C-R2-MB-PUB	52	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-16C-R1-A-PUB	35	A
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-16C-R2-A-PUB	35	A

16D	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-16D-B1-ES-PUB	90	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-16D-B2-ES-PUB	60	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-16D-M1-MB-PUB	35	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16D-R1-MB-PUB	45	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-16D-R2-MB-PUB	40	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-16D-R1-A-PUB	35	A
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-16D-R2-A-PUB	35	A
16E	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-16E-B1-ES-PUB	90	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-16E-B2-ES-PUB	60	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-16E-M1-MB-PUB	70	MB
16E: **youth only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16E-R1-ES-YTH	25	ES
16E	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-16E-R1-MB-PUB	53	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-16E-R1-A-PUB	55	A
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-16E-R2-A-PUB	55	A
17	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-17-B1-ES-PUB	125	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-17-B2-ES-PUB	75	ES
17: **youth only**	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-17-M1-ES-YTH	25	ES

17	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-17-M1-MB-PUB	100	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-17-M2-MB-PUB	100	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-17-M3-MB-PUB	25	MB
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-17-M1-A-PUB	25	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-17-M2-A-PUB	100	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-17-M3-A-PUB	100	A
21A	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-21A-B1-ES-PUB	50	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-21A-B2-ES-PUB	50	ES
	12/18-12/22	12/16-12/20	12/15-12/19	12/21-12/25	ELK-21A-B1-MB-PUB	15	MB
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-21A-M1-MB-PUB	15	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-21A-R1-MB-PUB	15	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-21A-R2-MB-PUB	35	MB
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-21A-R3-MB-PUB	55	MB
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-21A-R1-A-PUB	30	A

21B	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-21B-B1-ES-PUB	25	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-21B-B2-ES-PUB	25	ES
	12/18-12/22	12/16-12/20	12/15-12/19	12/21-12/25	ELK-21B-B1-MB-PUB	15	MB
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-21B-R1-MB-PUB	10	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-21B-R2-MB-PUB	15	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-21B-R3-MB-PUB	25	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-21B-R1-A-PUB	15	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-21B-R2-A-PUB	15	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-21B-R3-A-PUB	15	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-21B-R4-A-PUB	20	A
23	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-23-B1-ES-PUB	125	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-23-B2-ES-PUB	75	ES
	12/18-12/22	12/16-12/20	12/15-12/19	12/21-12/25	ELK-23-B1-MB-PUB	15	MB
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-23-M1-MB-PUB	75	MB
23: **youth only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-23-R1-ES-YTH	25	ES
23	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-23-R1-MB-PUB	75	MB
	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-23-R1-A-PUB	20	A
23: south of NM 78	12/18-12/26	12/16-12/24	12/15-12/23	12/14-12/22	ELK-23S-R1-A-PUB	20	A

24	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-24-B1-ES-PUB	15	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-24-B2-ES-PUB	10	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-24-M1-MB-PUB	15	MB
24: **youth only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-24-R1-ES-YTH	5	ES
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-24-R1-A-YTH	5	A
24	12/18-12/22	12/16-12/20	12/15-12/19	12/21-12/25	ELK-24-R1-MB-PUB	15	MB

(5) Private-land elk authorizations for qualifying ranches listing the number of authorizations, bag limits and big-game sporting arms shall be as indicated below:

	2027-28, 2028-29, 2029-30, 2030-31 hunt seasons			
open GMUs or areas	**MB, R-ES, M-ES**	**A**	**B-ES, B-MB, B-APRE/6**	**total**
12	384	244	127	755
13	216	137	206	559
15	203	102	169	474
16A	7	3	12	22
16B/22	2	0	4	6
16C	29	14	50	93
16D	20	10	20	50
16E	66	49	67	182
17	51	46	41	138
21A	2	1	2	5
21B	78	102	102	282
23	5	1	7	13
24	4	1	3	8
Total	1067	710	810	2587

(6) Private land elk hunts for ranches designated as "ranch only" shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during the "mobility-impaired" or "youth-only" hunt periods

Big-game sporting arms	**open GMUs or area**	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
bows only	12, 13, 15, 16A, 16B/22, 16C, 16D, 16E, 17, 21A, 21B, 23, 24	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24

muzzle loading rifles and bows	12, 16A, 16B/22, 16C, 16D, 16E, 21A, 23, 24	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
	youth only: 13, 15, 17	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
	13, 15, 17	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16
muzzle loading rifles only with approval of director or designee and state game commission chairperson	13: **antlerless elk only**	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31
any big-game sporting arms	12, 16A, 16B/22, 16C, 16D, 16E, 21A, 23, 24,	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31
	21B	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31	any 5 consecutive days, 10/1-12/31

F. Southeast region: GMUs 34 and 36.

(1) Quality hunt management for primary management zones in GMU 36.

(2) Optimal opportunity management goals for primary management zones in GMU 34.

(3) Foundational resource information for the southeast region shall be as indicated below:

southeast region population information			**sustainable harvest pursuant to goals**	
herd unit	**population estimate (rounded to nearest100)**	**bull:cow:calf ratio**	**bulls**	**cows**
Sacramento (GMU 34)	7700-9000	53:100:35	510-650	620-710
Ruidoso (GMU 36)	5200-8300	60:100:36	315-551	380-600

GMU	**management goal**	**total licenses by bag limit**			
		MB, M-ES, R-ES	**A**	**B-ES, B-APRE/6/A**	**total licenses**
34	OOM	633	1964	723	3320
36	QHM	583	417	389	1389
Total		1216	2381	1112	4709

(4) Public-draw elk hunts listing the hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**	**hunt code**	**licenses**	**bag limit**

34	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-34-B1-ES-PUB	200	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-34-B2-ES-PUB	200	ES
	12/18-12/22	12/16-12/20	12/15-12/19	12/21-12/25	ELK-34-B1-APRE/6/A-PUB	200	APRE/6/A
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-34-M1-ES-PUB	250	ES
34: **youth only**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-34-R1-ES-YTH	75	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-34-R1-A-YTH	120	A
34: **mobility impaired**	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-34-R1-ES-MOB	50	ES
34	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-34-R1-ES-PUB	150	ES
	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-34-R1-A-PUB	350	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-34-R2-A-PUB	350	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-34-R3-A-PUB	350	A
	1/29-2/2	1/27-1/31	1/26-1/30	1/25-1/29	ELK-34-R4-A-PUB	230	A
	2/5-2/9	2/3-2/7	2/2-2/6	2/1-2/5	ELK-34-R5-A-PUB	230	A
36	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-36-B1-ES-PUB	140	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-36-B2-ES-PUB	140	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-36-M1-ES-PUB	140	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-36-R1-ES-PUB	140	ES
	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-36-R2-ES-PUB	140	ES
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-36-R1-A-PUB	100	A
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-36-R2-A-PUB	100	A
	1/29-2/2	1/27-1/31	1/26-1/30	1/25-1/29	ELK-36-R3-A-PUB	100	A

(5) Private-land elk authorizations for qualifying ranches listing the number of authorizations, bag limits and big-game sporting arms shall be as indicated below:

	2027-28, 2028-29, 2029-30, 2030-31 hunt seasons			
open GMUs or areas	**MB, M-ES, R-ES**	**A**	**B-ES, B-APRE/6/A**	**total**
34	108	334	123	565
36	163	117	109	389
Total	271	451	232	954

(6) Private-land elk hunts for ranches designated as "ranch only" shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private-land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during the "mobility-impaired" or "youth-only" hunt periods.

Big-game sporting arms	**open GMUs or area**	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
bows only	34, 36	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24
muzzle loading rifles and bows	34, 36	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
any big-game sporting arms	**youth only & mobility impaired:**34	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16
any big game sporting arms	36	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31
	34	any 5 consecutive days, 10/23-12/31	any 5 consecutive days, 10/21-12/31	any 5 consecutive days, 10/20-12/31	any 5 consecutive days, 10/19-12/31
any big-game sporting arms	36: **antlerless elk only**	any 5 consecutive days 10/16/2027-2/2/2028	any 5 consecutive days 10/14/2028-1/31/2029	any 5 consecutive days 10/13/2029-1/30/2030	any 5 consecutive days 10/12/2030-1/29/2031
	34: **antlerless elk only**	any 5 consecutive days 10/23/2027-2/9/2028	any 5 consecutive days 10/21/2028-2/7/2029	any 5 consecutive days 10/20/2029-2/6/2030	any 5 consecutive days 10/19/2030-2/5/2031

G. Northeast region:

(1) Quality hunt management for primary management zones in GMU 45.

(2) Optimal opportunity management goals for primary management zones in GMUs 48, 49 and 53.

(3) Foundational resource information for the northeast region shall be as indicated below:

northeast region population information			**sustainable harvest pursuant to goals**	
herd unit	**population estimate (rounded to nearest 100)**	**bull:cow:calf ratio**	**bulls**	**cows**
Pecos (GMU 45)	1100-2100	36:100:31	80-140	80-150
Whites peak (GMU 48)	1200-2000	36:100:31	75-140	90-150
Penasco (GMU 49)	1100-2400	36:100:31	65-190	40-100
Ute-Midnight-San Cristobal (GMU 53)	1400-2900	36:100:31	85-200	100-220

GMU	management goal	total licenses by bag limit			
		MB, M-ES	A	B-ES	total licenses
45	QHM	457	54	163	674
48	OOM	326	170	262	758
49	OOM	168	162	125	455
53	OOM	363	261	174	798
Total		1314	647	724	2685

(4) Public-draw elk hunts listing the hunt dates, hunt codes, number of licenses, bag limits and big-game sporting arms shall be as indicated below:

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
45	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-45-B1-ES-PUB	75	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-45-B2-ES-PUB	73	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-45-M1-MB-PUB	136	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-45-M1-A-PUB	49	A
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-45-R1-MB-PUB	140	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-45-R2-MB-PUB	140	MB
48	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-48-B1-ES-PUB	80	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-48-B2-ES-PUB	80	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-48-M1-MB-PUB	60	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-48-R1-MB-PUB	75	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-48-R2-MB-PUB	64	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-48-R1-A-PUB	50	A
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-48-R2-A-PUB	54	A

49	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-49-B1-ES-PUB	60	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-49-B2-ES-PUB	59	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-49-M1-MB-PUB	20	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-49-R1-MB-PUB	70	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-49-R2-MB-PUB	70	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-49-R1-A-PUB	77	A
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-49-R2-A-PUB	77	A
53	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-53-B1-ES-PUB	65	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-53-B2-ES-PUB	60	ES
53: excluding Cerro portion	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-53ECP-M1-ES-PUB	50	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-53ECP-R1-MB-PUB	80	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-53ECP-R2-MB-PUB	131	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-53ECP-R1-A-PUB	94	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-53ECP-R2-A-PUB	94	A

(5) Private-land elk authorizations for qualifying ranches listing the number of authorizations, bag limits and big-game sporting arms shall be as indicated below:

	2027-28, 2028-29, 2029-30, 2030-31 hunt seasons			
open GMUs or areas	**MB, M-ES**	**A**	**B-ES**	**Total**
45	41	5	15	61
48	127	66	102	295
49	8	8	6	22
53	102	73	49	224
Total	278	152	172	602

(6) Private-land elk hunts for ranches designated as “ranch only” shall be limited to the following eligibility requirements or restrictions, season dates and big-game sporting arms. All private-land mobility-impaired and youth-only hunters must satisfy licensing requirements as stated in 19.31.3 NMAC in order to hunt during “mobility-impaired” or “youth-only” hunt periods.

Big-game sporting arms	open GMUs or area	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates
bows only	45, 48, 49, 53	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14
		9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24
muzzle loading rifles and bows	45, 48, 49, 53	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9
any big-game sporting arms	45, 48, 49, 53	any 5 consecutive days, 10/16-12/31	any 5 consecutive days, 10/14-12/31	any 5 consecutive days, 10/13-12/31	any 5 consecutive days, 10/12-12/31
any big-game sporting arms. Must have approval of director or designee and state game commission chairperson.	48: **antlerless elk only**	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31	any 5 consecutive days 1/1-1/31

[19.31.14.14 NMAC - Rp, 19.31.14.14 NMAC, 4/1/2027]

19.31.14.15 ELK HUNTS IN SECONDARY MANAGEMENT ZONES: This section includes eligibility requirements or restrictions, GMUs or areas open for hunting, season dates, hunt codes, big-game sporting arms, number of available licenses and bag limits.

A. Public draw elk hunts in GMUs where no primary or special management zones are established:

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit
14	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-14-R1-ES-PUB	10	ES
18	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-18-B1-ES-PUB	25	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-18-B2-ES-PUB	25	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-18-R1-ES-PUB	10	ES
28: McGregor range only, **military only**	12/11-12/15	12/9-12/13	12/8-12/12	12/7-12/11	ELK-28-R1-ES-MIL	10	ES
28: McGregor range only	12/11-12/15	12/9-12/13	12/8-12/12	12/7-12/11	ELK-28-R1-ES-PUB	10	ES

29, 30	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-C29-B1-ES-PUB	20	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-C29-B2-ES-PUB	20	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-C29-R1-ES-PUB	20	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-C29-R2-ES-PUB	30	ES
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-C29-R1-A-PUB	20	A
32	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-32-R1-ES-PUB	15	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-32-R2-ES-PUB	15	ES
37	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-37-B1-ES-PUB	40	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-37-B2-ES-PUB	30	ES
	12/4-12/8	12/2-12/6	12/1-12/5	12/7-12/11	ELK-37-B1-APRE/6-PUB	50	APRE/6
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-37-R1-MB-PUB	30	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-37-R2-MB-PUB	30	MB
	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-37-R1-A-PUB	45	A
38	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-38-B1-ES-PUB	20	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-38-B2-ES-PUB	20	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-38-R1-ES-PUB	10	ES
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-38-R2-ES-PUB	10	ES
39, 43	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-C39-R1-ES-PUB	30	ES

42, 47, 59	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-C42-B1-ES-PUB	13	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-C42-B2-ES-PUB	13	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-C42-R1-ES-PUB	13	ES
56	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-56-B1-ES-PUB	5	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-56-B2-ES-PUB	5	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-56-R1-MB-PUB	10	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-56-R1-A-PUB	10	A
57: Sugarite canyon state park only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-57S-B1-ES-PUB	3	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-57S-B2-ES-PUB	2	ES
57, 58	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-C57-B1-ES-PUB	5	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-C57-B2-ES-PUB	5	ES
	10/1-10/5	10/1-10/5	10/1-10/5	10/1-10/5	ELK-C57-R1-MB-PUB	5	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-C57-R2-MB-PUB	10	MB
	12/11-12/15	12/9-12/13	12/8-12/12	12/14-12/18	ELK-C57-R1-A-PUB	10	A

B. Private-land only elk hunting: For private lands within secondary management zones, unlimited private-land licenses are available over-the-counter. Bow-only either-sex hunts will be limited to 9/1 – 9/24 each year. Any big-game sporting arms hunts that are antlerless or either-sex will be limited to five consecutive days from 10/1 – 12/31 each year, except as allowed by 19.30.5 NMAC.
[19.31.14.15 NMAC - Rp, 19.31.14.15 NMAC, 4/1/2027]

19.31.14.16 ELK HUNTS IN SPECIAL MANAGEMENT ZONES: This section includes eligibility requirements or restrictions, GMUs or areas open for hunting, season dates, hunt codes, big-game sporting arms, number of available licenses and bag limits.

A. Public draw elk hunts:

open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	hunt code	licenses	bag limit

54: Colin Neblett WMA only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-54C-B1-ES-PUB	10	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-54C-B2-ES-PUB	10	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-54C-M1-MB-PUB	20	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-54C-R1-MB-PUB	20	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-54C-R2-MB-PUB	20	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-54C-R1-A-PUB	20	A
55A: ES Barker WMA only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-55E-B1-ES-PUB	5	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-55E-B2-ES-PUB	5	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-55E-R1-MB-PUB	10	MB
55A: Urraca WMA only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-55U-B1-ES-PUB	5	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-55U-B2-ES-PUB	5	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-55U-M1-MB-PUB	10	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-55U-R1-MB-PUB	10	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-55U-R2-MB-PUB	10	MB
	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-55U-R1-A-PUB	15	A
	11/27-12/1	11/25-11/29	11/24-11/28	11/30-12/4	ELK-55U-R2-A-PUB	15	A
55A: Valle Vidal only	9/1-9/14	9/1-9/14	9/1-9/14	9/1-9/14	ELK-55V-B1-ES-PUB	25	ES
	9/15-9/24	9/15-9/24	9/15-9/24	9/15-9/24	ELK-55V-B2-ES-PUB	25	ES
	10/9-10/13	10/7-10/11	10/6-10/10	10/5-10/9	ELK-55V-M1-MB-PUB	20	MB
	10/16-10/20	10/14-10/18	10/13-10/17	10/12-10/16	ELK-55V-R1-MB-PUB	35	MB
	10/23-10/27	10/21-10/25	10/20-10/24	10/19-10/23	ELK-55V-R2-MB-PUB	30	MB
55A: Valle Vidal only, **youth only**	10/30-11/3	10/28-11/1	10/27-10/31	10/26-10/30	ELK-55V-R1-MB-YTH	20	MB
	11/6-11/10	11/4-11/8	11/3-11/7	11/2-11/6	ELK-55V-R1-A-YTH	25	A
55A: Valle Vidal only	11/13-11/17	11/11-11/15	11/10-11/14	11/9-11/13	ELK-55V-R1-A-PUB	25	A
	11/20-11/24	11/18-11/22	11/17-11/21	11/23-11/27	ELK-55V-R2-A-PUB	25	A

B. Private-land only elk hunting: For private lands that lie within GMUs designated as special management zones (GMUs 54 west of NM 199 and 55A), the department may work with landowners to develop bag limits, big-game sporting arms, season dates and authorization numbers for private-land hunting on participating ranches. Bow-only either-sex hunts will be limited to 9/1 – 9/24 each year. Any big-game sporting arms hunts that are antlerless, mature bull, or either-sex will be limited to five consecutive days from 10/1 – 12/31 each year, except as allowed by 19.30.5 NMAC. [19.31.14.16 NMAC - Rp, 19.31.14.16 NMAC, 4/1/2027]

HISTORY OF 19.31.14 NMAC:
Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:
Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967;
Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967;
Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/1968;
Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968;
Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968;
Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968;
Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968;
Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;
Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969;
Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/1969;
Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969; Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970;
Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970;
Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970;
Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971;
Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971;
Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/1971;
Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971;
Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972;
Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972;
Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972;
Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972;
Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973;
Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973;
Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;
Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;
Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/1974;
Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974; Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;
Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;
Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975; Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976; Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/1978;
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;
Regulation No. 603, Establishing Open Seasons On Deer, Turkey,

Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980; Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/1981; Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982; Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983; Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984; Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985; Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986; Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987;
Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/1987; Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/1989; Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/1989; Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989; Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991; Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992; Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:
19.31.8 NMAC, Big Game, filed 3/1/2001 - duration expired 3/31/2003.
19.31.8 NMAC, Big Game and Turkey, filed 3-3-2003 - duration expired 3/31/2005.
19.31.8 NMAC, Big Game and Turkey, filed 12-15-2004 - duration expired 3/31/2007.
19.31.14 NMAC, Elk, filed 12/1/2006 - duration expired 3/3/2009.
19.31.14 NMAC, Elk, filed 3/13/2009 - duration expired 3/31/2011.
19.31.14 NMAC, Elk, filed 9/15/2010 - Repealed 3/29/2013.
19.31.14 NMAC, Elk, filed 3/29/2013 - Repealed 2/27/2015.
19.31.14 NMAC, Elk, filed 2/16/2015 - Repealed 3/31/2016.
19.31.14 NMAC, Elk, filed 2/29/2016 - duration expired 3/31/2019.
19.31.14 NMAC, Elk, filed 12/7/2018 - duration expired 3/31/2023.
19.31.14 NMAC, Elk, filed 10/21/2022 - duration expired 3/31/2027.

WILDLIFE, DEPARTMENT OF

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 15 PRONGHORN ANTELOPE

19.31.15.1 ISSUING AGENCY: New Mexico department of wildlife.
[19.31.15.1 NMAC - Rp, 19.31.15.1 NMAC, 4/1/2027]

19.31.15.2 SCOPE: Sportspersons interested in pronghorn hunting and management. Additional requirements may be found in Chapter 17, NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19 NMAC.
[19.31.15.2 NMAC - Rp, 19.31.15.2 NMAC, 4/1/2027]

19.31.15.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17, NMSA 1978 and all other acts pertaining to protected mammals, birds and fish.
[19.31.15.3 NMAC - Rp, 19.31.15.3 NMAC, 4/1/2027]

19.31.15.4 DURATION: April 1, 2027 through March 31, 2031.
[19.31.15.4 NMAC - Rp, 19.31.15.4 NMAC, 4/1/2027]

19.31.15.5 EFFECTIVE DATE: April 1, 2027, unless a later date is cited at the end of a section.
[19.31.15.5 NMAC - Rp, 19.31.15.5 NMAC, 4/1/2027]

19.31.15.6 OBJECTIVE: Establishing open hunting seasons and regulations, rules and procedures

governing the distribution and issuance of pronghorn licenses by the department.
[19.31.15.6 NMAC - Rp, 19.31.15.6 NMAC, 4/1/2027]

19.31.15.7 DEFINITIONS:

A. "Department" shall mean the New Mexico department of wildlife.

B. "Director" shall mean the director of the New Mexico department of wildlife.

C. "Either sex" or "ES" shall mean any one pronghorn.

D. "Female or immature pronghorn" or "F/IM" shall mean any female pronghorn or any pronghorn with both horns shorter than its ears.

E. "Game management unit" or "GMU" shall mean those areas as described in 19.30.4 NMAC-Game Management Units.

F. "Mature buck pronghorn" or "MB" shall mean a pronghorn with at least one horn longer than its ears.

G. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC Wildlife Management Areas.
[19.31.15.7 NMAC - Rp, 19.31.15.7 NMAC, 4/1/2027]

19.31.15.8 ADJUSTMENT OF LICENSES, AUTHORIZATIONS AND HARVEST LIMITS: The director, with the verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may adjust the number of licenses, or authorizations for pronghorn up or down to address significant changes in population levels or to address critical department management needs. This adjustment may be applied to any or all of the specific hunt codes for pronghorn. The director may change or cancel all hunts on military lands to accommodate closures on those lands; if changed, the season length and bag limit shall remain the same as assigned on the original hunt code.
[19.31.15.8 NMAC - Rp, 19.31.15.8 NMAC, 4/1/2027]

19.31.15.9 PRONGHORN POPULATION MANAGEMENT HUNTS:

A. The director or their designee may authorize population management hunts for pronghorn when justified in writing by department personnel.

B. The director or their designee shall designate the sporting arms, season dates, season lengths, bag limits, hunt boundaries, specific requirements or restrictions, and number of licenses or permits to be issued.

C. In the event that an applicant is not able to hunt on the dates specified, the applicant's name shall be moved to the bottom of the list and another applicant may be contacted for the hunt.

D. In those instances where a population management hunt is warranted on deeded private lands, the landowner may suggest eligible hunters of their choice by submitting a list of prospective hunter's names to the department for licensing consideration. No more than one-half of the total number of licenses authorized shall be available to landowner identified hunters. The balance of prospective hunters shall be identified by the department.
[19.31.15.9 NMAC - Rp, 19.31.15.11 NMAC, 4/1/2027]

19.31.15.10 SPECIAL PRONGHORN HUNTING OPPORTUNITIES

A. Pronghorn conservation recognition program: Private landowners who are conducting and maintaining substantial habitat improvements and/or land management practices on their deeded lands that directly and significantly benefit pronghorn may be considered for special recognition. Only those projects as determined by the department to be relevant and beneficial to pronghorn will be considered. Landowners must submit an application and once approved, develop a pronghorn conservation and management plan in cooperation with the department. Upon approval of the plan the landowner may be granted alternative season dates as approved by the department. Landowners receiving special recognition are required to submit an update as directed by the department to be considered for continued participation. The hunt code for any unique hunt season approved pursuant to this program shall be determined by the Department.

B. Ranch-wide agreements: Properties consisting of deeded and leased public lands deemed by the department to have pronghorn hunting opportunities may enter into an agreement with the department to create a pronghorn hunting ranch. The boundaries would include both the deeded and leased public lands. The department will negotiate with the landowner the number of private licenses to be issued to landowners with ranch-wide agreements. These private licenses shall have access to the deeded and leased public land within the hunting ranch boundary during the respective pronghorn hunt. The landowner shall allow access to the deeded and leased public land to all legally licensed public draw hunters pursuant to Subsection A of Section 19.31.15.11 NMAC for the respective game management unit. Any ranch entered into such an agreement shall be issued one authorization valid for a free pronghorn license pursuant to 17-3-14 NMSA 1978.
[19.31.15.10 NMAC - N, 4/1/2027]

19.31.15.11 PRONGHORN HUNTS:

Numbers of licenses are evaluated annually based upon population dynamics, weather conditions, sustainable harvest and department management objectives.

A. Public land pronghorn hunts: Pronghorn draw hunts, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, sporting arms type, number of licenses and bag limit shall be as indicated below. Pronghorn draw hunt licenses are valid on all open public lands and any private land the licensee has written permission to hunt within the GMU or

area. All WMAs are open to pronghorn hunts in respective GMUs listed in this section unless specifically closed by rule.

Open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	Hunt code	Licenses	Bag
2, 7, 9, 10, excluding Marquez/LBar WMA	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C2-B1-MB-PUB	10	MB
2, 7, 9, 10, excluding Marquez/LBar WMA: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C2-R1-ES-YTH	3	ES
2, 7, 9, 10, excluding Marquez/LBar WMA	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C2-R1-MB-PUB	5	MB
9 Marquez/LBar only, youth only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-9-R1-MB-YTH	up to 5	MB
12	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-12-B1-MB-PUB	10	MB
12: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-12-R1-ES-YTH	3	ES
12	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-12-R1-MB-PUB	10	MB
12: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-12-R1-MB-MOB	10	MB
12	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-12-R2-MB-PUB	10	MB
13	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-13-B1-MB-PUB	10	MB
13: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-13-R1-ES-YTH	2	ES
13	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-13-R1-MB-PUB	10	MB
13: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-13-R2-MB-MOB	10	MB
13	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-13-R3-MB-PUB	5	MB
15	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-15-B1-MB-PUB	20	MB
15: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-15-R1-ES-YTH	5	ES
15	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-15-R1-MB-PUB	10	MB
15: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-15-R1-MB-MOB	3	MB
15	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-15-R2-MB-PUB	10	MB
16	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-16-B1-MB-PUB	20	MB
16: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-16-R1-ES-YTH	5	ES
16	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-16-R1-MB-PUB	15	MB

16: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-16-R1-MB-MOB	3	MB
16	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-16-R2-MB-PUB	25	MB
17	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-17-B1-MB-PUB	20	MB
17: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-17-R1-ES-YTH	5	ES
17	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-17-R1-MB-PUB	5	MB
17	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-17-R2-MB-PUB	5	MB
17: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-17-R1-MB-MOB	3	MB
17	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-17-R3-MB-PUB	10	MB
18	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-18-B1-MB-PUB	25	MB
18	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-18-R1-MB-PUB	15	MB
18	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-18-R2-MB-PUB	15	MB
19: WSMR only, youth only	10/1-10/3	9/29-10/1	9/28-9/30	9/27-9/29	PRG-19-R1-MB-YTH	3	MB
20	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-20-B1-MB-PUB	10	MB
20: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-20-R1-ES-YTH	2	ES
20	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-20-R1-MB-PUB	10	MB
21, 24	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C21-B1-MB-PUB	25	MB
21, 24: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C21-R1-ES-YTH	10	ES
21, 24	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C21-R1-MB-PUB	5	MB
21, 24	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C21-R2-MB-PUB	10	MB
21, 24: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C21-R1-MB-MOB	8	MB
21, 24	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-C21-R3-MB-PUB	15	MB
22, 23	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C22-B1-MB-PUB	10	MB
22, 23: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C22-R1-ES-YTH	5	ES
22, 23	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C22-R1-MB-PUB	5	MB
22, 23	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C22-R2-MB-PUB	10	MB

22, 23: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C22-R1-MB-MOB	3	MB
25, 26, 27	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C25-B1-MB-PUB	10	MB
25, 26, 27: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C25-R1-ES-YTH	5	ES
25, 26, 27	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C25-R1-MB-PUB	5	MB
25, 26, 27	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C25-R2-MB-PUB	10	MB
25, 26, 27: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C25-R1-MB-MOB	3	MB
28 McGregor Range only	9/4-9/6	9/2-9/4	9/1-9/3	8/31-9/2	PRG-28-M1-MB-PUB	2	MB
28: McGregor Range only, military only	9/4-9/6	9/2-9/4	9/1-9/3	8/31-9/2	PRG-28-M1-MB-MIL	2	MB
29: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-29-M1-ES-YTH	5	ES
29	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-29-M1-MB-PUB	15	MB
29	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-29-M2-MB-PUB	25	MB
30	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-30-B1-MB-PUB	25	MB
31 north of US 380	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-31N-B1-MB-PUB	25	MB
31 north of US 380: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31N-R1-ES-YTH	5	ES
31 north of US 380	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31N-R1-MB-PUB	5	MB
31 north of US 380	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31N-R2-MB-PUB	10	MB
31 north of US 380: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31N-R1-MB-MOB	5	MB
31 north of US 380	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-31N-R3-MB-PUB	15	MB
31 south of US 380	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-31S-B1-MB-PUB	50	MB
31 south of US 380: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31S-R1-ES-YTH	5	ES
31 south of US 380	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31S-R1-MB-PUB	10	MB
31 south of US 380	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31S-R2-MB-PUB	10	MB
31 south of US 380: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31S-R1-MB-MOB	5	MB
31 south of US 380	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-31S-R3-MB-PUB	20	MB

32 east of Pecos River	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-32E-B1-MB-PUB	25	MB
32 east of Pecos River: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32E-R1-ES-YTH	5	ES
32 east of Pecos River	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32E-R1-MB-PUB	10	MB
32 east of Pecos River	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32E-R2-MB-PUB	5	MB
32 east of Pecos River: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32E-R1-MB-MOB	5	MB
32 east of Pecos River	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-32E-R2-MB-PUB	15	MB
32 west of Pecos River	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-32W-B1-MB-PUB	20	MB
32 west of Pecos River	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32W-R1-MB-PUB	15	MB
32 west of Pecos River	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32W-R2-MB-PUB	10	MB
32 west of Pecos River: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32W-R1-MB-MOB	5	MB
32 west of Pecos River	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-32W-R3-MB-PUB	15	MB
32 (Roswell, hunt area)	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15	PRG-32R-R1-F/IM-PUB	15	F/IM
33	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-33-B1-MB-PUB	30	MB
33: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-33-R1-ES-YTH	5	ES
33	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-33-R1-MB-PUB	25	MB
33	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-33-R2-MB-PUB	20	MB
33: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-33-R1-MB-MOB	5	MB
33	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-33-R3-MB-PUB	25	MB
36, 37	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C36-B1-MB-PUB	20	MB
36, 37: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C36-R1-ES-YTH	5	ES
36, 37	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C36-R1-MB-PUB	10	MB
36, 37	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C36-R2-MB-PUB	10	MB
36, 37: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C36-R1-MB-MOB	5	MB
36, 37	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C36-R3-MB-PUB	15	MB

38	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-38-B1-MB-PUB	20	MB
38: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-38-R1-ES-YTH	10	ES
38	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-38-R1-MB-PUB	15	MB
38	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-38-R2-MB-PUB	20	MB
38: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-38-R1-MB-MOB	10	MB
38	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-38-R3-MB-PUB	30	MB
39	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-39-B1-MB-PUB	5	MB
39: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-39-R1-ES-YTH	5	ES
39	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-39-R1-MB-PUB	10	MB
39	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-39-R2-MB-PUB	10	MB
39: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-39-R1-MB-MOB	5	MB
39	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-39-R3-MB-PUB	10	MB
40	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-40-B1-MB-PUB	5	MB
40	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-40-R1-MB-PUB	10	MB
40: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-40-R1-MB-MOB	5	MB
40	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-40-R2-MB-PUB	10	MB
41	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-41-B1-MB-PUB	28	MB
41: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-41-R1-ES-YTH	4	ES
41	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-41-R1-MB-PUB	24	MB
41	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-41-R2-MB-PUB	24	MB
41: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-41-R1-MB-MOB	4	MB
41	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-41-R3-MB-PUB	28	MB
41, youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-41-R2-F/IM-YTH	up to 10	F/IM
42	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-42-B1-MB-PUB	4	MB
42: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-42-R1-ES-YTH	8	ES

42	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-42-R1-MB-PUB	8	MB
42	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-42-R2-MB-PUB	8	MB
8, 43	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C8-B1-MB-PUB	5	MB
8, 43	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C8-R1-MB-PUB	10	MB
47, 48	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C47-B1-MB-PUB	8	MB
47, 48: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C47-R1-ES-YTH	4	ES
47, 48	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C47-R1-MB-PUB	20	MB
47, 48	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C47-R2-MB-PUB	24	MB
47, 48: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C47-R1-MB-MOB	4	MB
47, 48	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C47-R3-MB-PUB	28	MB
47,48: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-C47-R2-F/IM-YTH	up to 20	F/IM
50, 52: youth only	8/7-8/9	8/5-8/7	8/4-8/6	8/3-8/5	PRG-C50-M1-ES-YTH	40	ES
50, 52	8/10-8/18	8/8-8/16	8/7-8/15	8/6-8/14	PRG-C50-B1-MB-PUB	20	MB
50, 52	8/21-8/23	8/19-8/21	8/18-8/20	8/17-8/19	PRG-C50-M1-MB-PUB	20	MB
50, 52	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C50-M2-MB-PUB	40	MB
56	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-56-B1-MB-PUB	40	MB
56: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-56-R1-MB-YTH	40	ES
56	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-56-R1-MB-PUB	4	MB
56	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-56-R2-MB-PUB	36	MB
56: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-56-R1-MB-MOB	4	MB
56	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-56-R3-MB-PUB	40	MB
56: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-56-R2-F/IM-YTH	up to 40	F/IM
57	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-57-B1-MB-PUB	4	MB
57: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-57-R1-ES-YTH	4	ES
57	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-57-R2-MB-PUB	4	MB

57: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-57-R2-F/ IM-YTH	up to 15	F/ IM
58	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-58-B1-MB-PUB	32	MB
58: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-58-R1-ES-YTH	16	ES
58	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-58-R1-MB-PUB	24	MB
58	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-58-R2-MB-PUB	24	MB
58: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-58-R1-MB-MOB	4	MB
58	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-58-R3-MB-PUB	32	MB
58: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-58-R2-F/ IM-YTH	up to 35	F/ IM
59	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-59-B1-MB-PUB	40	MB
59: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-59-R1-ES-YTH	36	ES
59	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-59-R1-MB-PUB	4	MB
59	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-59-R2-MB-PUB	32	MB
59: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-59-R1-MB-MOB	8	MB
59	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-59-R3-MB-PUB	40	MB
59: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-59-R2-F/ IM-YTH	up to 40	F/ IM

B. Private land-only hunts:

(1) Ranch registration requirement: Private lands that lie within GMUs below must register to receive a ranch code. Enrollment process:

(a) Land ownership documentation will be required that will verify the ranch lies within valid GMUs.

(b) Requests for a ranch code may be submitted to the department at any time.

(c) Ranch ownership must be affirmed on an annual basis.

(d) Ranches within these GMUs will be issued a ranch code annually to identify individual ownership.

(e) A ranch code will be required to purchase a private land pronghorn license for a specific ranch.

(f) All licenses require written permission and shall be valid only on the specified property and transferrable with written permission to other private lands within the specified GMU. Written permission requirements for access on private property will follow the provisions found in 19.31.10 NMAC.

(2) License restrictions: Private land-only pronghorn licenses, listing the open GMUs or areas, eligibility requirements or restrictions, hunt dates, hunt codes, sporting arms type, number of licenses and bag limit shall be as indicated below and be available from any license vendor and the department's web site. These licenses are not valid for ranch-wide agreement properties as described in Subsection B of Section 19.31.15.10 NMAC. Private land-only pronghorn licenses are valid only on deeded private property where the licensee has written permission to hunt, and within the GMU or area allowed by hunt code, except ranch-wide agreement properties.

Open GMUs or areas	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates	Hunt code	Licenses	Bag limit
2, 7, 9, 10	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C2-B1-MB-PVT	3	MB
2, 7, 9, 10: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C2-R1-ES-YPV	2	ES
2, 7, 9, 10	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C2-R1-MB-PVT	5	MB
4, 50, 52 youth only	8/7-8/9	8/5-8/7	8/4-8/6	8/3-8/5	PRG-C4-M1-ES-YPV	5	ES
4, 50, 52	8/10-8/18	8/8-8/16	8/7-8/15	8/6-8/14	PRG-C4-B1-MB-PVT	15	MB
4, 50, 52	8/21-8/23	8/19-8/21	8/18-8/20	8/17-8/19	PRG-C4-M1-MB-PVT	20	MB
4, 50, 52	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C4-M2-MB-PVT	39	MB
12	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-12-B1-MB-PVT	5	MB
12: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-12-R1-ES-YPV	2	ES
12	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-12-R1-MB-PVT	13	MB
12: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-12-R2-MB-MPV	2	MB
12	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-12-R2-MB-PVT	13	MB
13	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-13-B1-MB-PVT	5	MB
13: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-13-R1-ES-YPV	5	ES
13	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-13-R1-MB-PVT	7	MB
13: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-13-R1-MB-MPV	5	MB
13	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-13-R2-MB-PVT	10	MB
14	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-14-B1-MB-PVT	5	MB
14	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-14-R1-MB-PVT	20	MB
14	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-14-R2-MB-PVT	13	MB
14	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-14-R3-MB-PVT	9	MB
15	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-15-B1-MB-PVT	2	MB
15: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-15-R1-ES-YPV	2	ES
15	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-15-R1-MB-PVT	14	MB

15: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-15-R1-MB-MPV	2	MB
15	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-15-R2-MB-PVT	13	MB
16	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-16-B1-MB-PVT	5	MB
16: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-16-R1-ES-YPV	5	ES
16	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-16-R1-MB-PVT	22	MB
16: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-16-R1-MB-MPV	5	MB
16	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-16-R2-MB-PVT	22	MB
17	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-17-B1-MB-PVT	5	MB
17: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-17-R1-ES-YPV	5	ES
17	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-17-R1-MB-PVT	10	MB
17	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-17-R2-MB-PVT	10	MB
17: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-17-R1-MB-MPV	5	MB
17	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-17-R3-MB-PVT	10	MB
18	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-18-B1-MB-PVT	5	MB
18	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-18-R1-MB-PVT	23	MB
18	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-18-R2-MB-PVT	23	MB
20	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-20-B1-MB-PVT	1	MB
20: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-20-R1-ES-YPV	1	ES
20	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-20-R1-MB-PVT	4	MB
21, 24	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C21-B1-MB-PVT	2	MB
21, 24: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C21-R1-ES-YPV	2	ES
21, 24	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C21-R1-MB-PVT	4	MB
21, 24	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C21-R2-MB-PVT	3	MB
21, 24: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C21-R1-MB-MPV	2	MB
21, 24	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-C21-R3-MB-PVT	4	MB

22, 23	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C22-B1-MB-PVT	5	MB
22, 23: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C22-R1-ES-YPV	5	ES
22, 23	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C22-R1-MB-PVT	12	MB
22, 23	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C22-R2-MB-PVT	11	MB
22, 23: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C22-R1-MB-MPV	5	MB
25, 26, 27	9/11-9/19	9/9-9/17	9/8-9/16	9/14-9/22	PRG-C25-B1-MB-PVT	3	MB
25, 26, 27: youth only	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C25-R1-ES-YPV	3	ES
25, 26, 27	9/25-9/27	9/23-9/25	9/22-9/24	9/28-9/30	PRG-C25-R1-MB-PVT	10	MB
25, 26, 27	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C25-R2-MB-PVT	9	MB
25, 26, 27: mobility impaired only	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C25-R1-MB-MPV	3	MB
29: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-29-M1-ES-YPV	2	ES
29	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-29-M1-MB-PVT	5	MB
29	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-29-M2-MB-PVT	5	MB
30	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-30-B1-MB-PVT	2	MB
31 north of US 380	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-31N-B1-MB-PVT	5	MB
31 north of US 380: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31N-R1-ES-YPV	5	ES
31 north of US 380	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31N-R1-MB-PVT	49	MB
31 north of US 380	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31N-R2-MB-PVT	43	MB
31 north of US 380: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31N-R1-MB-MPV	5	MB
31 north of US 380	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-31N-R3-MB-PVT	43	MB
31 south of US 380	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-31S-B1-MB-PVT	5	MB
31 south of US 380: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31S-R1-ES-YPV	5	ES
31 south of US 380	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-31S-R1-MB-PVT	34	MB
31 south of US 380	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31S-R2-MB-PVT	33	MB

31 south of US 380: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-31S-R1-MB-MPV	5	MB
31 south of US 380	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-31S-R3-MB-PVT	33	MB
32 east of Pecos River	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-32E-B1-MB-PVT	5	MB
32 east of Pecos River: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32E-R1-ES-YPV	5	ES
32 east of Pecos River	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32E-R1-MB-PVT	45	MB
32 east of Pecos River	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32E-R2-MB-PVT	38	MB
32 east of Pecos River: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32E-R1-MB-MPV	5	MB
32 east of Pecos River	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-32E-R3-MB-PVT	38	MB
32 west of Pecos River	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-32W-B1-MB-PVT	5	MB
32 west of Pecos River	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-32W-R1-MB-PVT	60	MB
32 west of Pecos River	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32W-R2-MB-PVT	59	MB
32 west of Pecos River: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-32W-R1-MB-MPV	5	MB
32 west of Pecos River	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-32W-R3-MB-PVT	59	MB
32 (Roswell, hunt area)	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15	PRG-32R-R1-F/IM-PVT	13	F/IM
33	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-33-B1-MB-PVT	5	MB
33: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-33-R1-ES-YPV	5	ES
33	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-33-R1-MB-PVT	26	MB
33	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-33-R2-MB-PVT	26	MB
33: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-33-R1-MB-MPV	5	MB
33	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-33-R3-MB-PVT	25	MB
36, 37	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C36-B1-MB-PVT	5	MB
36, 37: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C36-R1-ES-YPV	5	ES
36, 37	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C36-R1-MB-PVT	12	MB

36, 37	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C36-R2-MB-PVT	12	MB
36, 37: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-C36-R1-MB-MPV	5	MB
36, 37	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-C36-R3-MB-PVT	10	MB
38	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-38-B1-MB-PVT	5	MB
38: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-38-R1-ES-YPV	5	ES
38	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-38-R1-MB-PVT	67	MB
38	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-38-R2-MB-PVT	56	MB
38: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-38-R1-MB-MPV	5	MB
38	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-38-R3-MB-PVT	56	MB
39	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-39-B1-MB-PVT	15	MB
39: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-39-R1-ES-YPV	5	ES
39	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-39-R1-MB-PVT	75	MB
39	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-39-R2-MB-PVT	54	MB
39: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-39-R1-MB-MPV	5	MB
39	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-39-R3-MB-PVT	54	MB
40	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-40-B1-MB-PVT	10	MB
40	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-40-R1-MB-PVT	174	MB
40: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-40-R1-MB-MPV	5	MB
40	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-40-R2-MB-PVT	173	MB
41	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-41-B1-MB-PVT	5	MB
41: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-41-R1-ES-YPV	5	ES
41	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-41-R1-MB-PVT	76	MB
41	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-41-R2-MB-PVT	44	MB
41: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-41-R1-MB-MPV	5	MB
41	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-41-R3-MB-PVT	44	MB

41, youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-41-R2-F/IM-YPV	up to 10	F/IM
42	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-42-B1-MB-PVT	5	MB
42: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-42-R1-ES-YPV	5	ES
42	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-42-R1-MB-PVT	21	MB
42	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-42-R2-MB-PVT	21	MB
8, 43	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-C8-B1-MB-PVT	5	MB
8, 43	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-C8-R1-MB-PVT	38	MB
46	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-46-B1-MB-PVT	5	MB
46, youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-46-R1-ES-YPV	5	ES
46	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-46-R1-MB-PVT	18	MB
46	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-46-R2-MB-PVT	13	MB
46	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-46-R3-MB-PVT	13	MB
47	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-47-B1-MB-PVT	3	MB
47: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-47-R1-ES-YPV	3	ES
47	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-47-R1-MB-PVT	20	MB
47	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-47-R2-MB-PVT	18	MB
47: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-47-R1-MB-MPV	3	MB
47	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-47-R3-MB-PVT	15	MB
47: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-47-R2-F/IM-YPV	up to 20	F/IM
48	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-48-B1-MB-PVT	3	MB
48: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-48-R1-ES-YPV	2	ES
48	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-48-R1-MB-PVT	8	MB
48	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-48-R2-MB-PVT	5	MB
48: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-48-R1-MB-MPV	2	MB
48	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-48-R3-MB-PVT	5	MB

48: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-48-R2-F/IM-YPV	up to 20	F/IM
54	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-54-B1-MB-PVT	2	MB
54, youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-54-R1-MB-YPV	2	ES
54	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-54-R1-MB-PVT	2	MB
54	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-54-R2-MB-PVT	2	MB
54	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-54-R3-MB-PVT	2	MB
55	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-55-B1-MB-PVT	5	MB
55, youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-55-R1-ES-YPV	5	ES
55	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-55-R1-MB-PVT	15	MB
55	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-55-R2-MB-PVT	8	MB
55	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-55-R3-MB-PVT	6	MB
56	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-56-B1-MB-PVT	5	MB
56: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-56-R1-ES-YPV	5	ES
56	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-56-R1-MB-PVT	182	MB
56	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-56-R2-MB-PVT	84	MB
56: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-56-R1-MB-MPV	5	MB
56	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-56-R3-MB-PVT	36	MB
56: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-56-R2-F/IM-YPV	up to 40	F/IM
57	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-57-B1-MB-PVT	5	MB
57: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-57-R1-ES-YPV	22	ES
57	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-57-R1-MB-PVT	5	MB
57: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-57-R2-F/IM-YPV	up to 15	F/IM
58	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-58-B1-MB-PVT	5	MB
58: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-58-R1-ES-YPV	5	ES
58	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-58-R1-MB-PVT	65	MB

58	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-58-R2-MB-PVT	50	MB
58: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-58-R1-MB-MPV	5	MB
58	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-58-R3-MB-PVT	50	MB
58: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-58-R2-F/IM-YPV	up to 35	F/IM
59	8/14-8/22	8/12-8/20	8/11-8/19	8/10-8/18	PRG-59-B1-MB-PVT	5	MB
59: youth only	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-59-R1-ES-YPV	10	ES
59	8/28-8/30	8/26-8/28	8/25-8/27	8/24-8/26	PRG-59-R1-MB-PVT	89	MB
59	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-59-R2-MB-PVT	67	MB
59: mobility impaired only	9/25-9/27	9/30-10/2	9/29-10/1	9/28-9/30	PRG-59-R1-MB-MPV	5	MB
59	10/2-10/4	10/7-10/9	10/6-10/8	10/5-10/7	PRG-59-R3-MB-PVT	67	MB
59: youth only	10/9-10/11	10/14-10/16	10/13-10/15	10/12-10/14	PRG-59-R2-F/IM-YPV	up to 40	F/IM

C. Private land-only F-IM pronghorn hunts: The department will work with interested landowners with sufficient pronghorn populations to authorize F-IM hunts on private deeded land. Sporting arms type, hunt dates, eligibility requirements or restrictions and authorization numbers for private deeded land F-IM hunts will be negotiated to maintain appropriate harvest within the exterior boundaries of participating ranches.

D. Pronghorn hunt for injured service men and women: The department may annually issue up to 15 authorizations for hunting by injured service men and women on Melrose Air Force Range. The director shall determine the procedures for issuing the authorizations, and the dates for each hunt.

[19.31.15.11 NMAC - Rp, 19.31.15.12 NMAC, 4/1/2027]

HISTORY OF 19.31.15 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:
Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967;
Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967;
Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/1968;
Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968;
Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968;
Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968;
Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968;
Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;
Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969;
Regulation No. 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/1969;
Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969;
Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970;
Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970;
Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970;
Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971;
Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971;
Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And

Bighorn Sheep, filed 6/9/1971;
Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971;
Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972;
Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972;
Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972;
Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972;
Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973;
Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973;
Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;
Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;
Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/1974;
Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974;
Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;
Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;
Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975;
Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976;
Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/1978;
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;
Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980;
Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/1981;
Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982;
Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983;
Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984;
Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985;
Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986;
Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987;
Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/1987;
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/1989;
Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/1989;
Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989;
Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991;
Regulation No. 689, Establishing Open Seasons On Deer, Turkey,

Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992;
Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:
19.31.8 NMAC, Big Game, filed 3/1/2001 - duration expired 3/31/2003.
19.31.8 NMAC, Big Game and Turkey, filed 3/3/2003 - duration expired 3/31/2005.
19.31.8 NMAC, Big Game and Turkey, filed 12/15/2004 - duration expired 3/31/2007.
19.31.15 NMAC, Pronghorn Antelope and Javelina, filed 12/1/2006 - duration expired 3/31/2009.
19.31.15 NMAC, Pronghorn Antelope and Javelina, filed 3/13/2009 - duration expired 3/31/2011.
19.31.15 NMAC, Pronghorn Antelope, filed 8/15/2010 - duration expired 3/31/2015.
19.31.15 NMAC, Pronghorn Antelope, filed 3/17/2015, repealed 3/31/2016.
19.31.15 NMAC, Pronghorn Antelope, filed 2/29/2016 - duration expired 3/31/2019
19.31.15 NMAC, Pronghorn Antelope, filed 5/31/2018 - duration expired 3/31/2023.

WILDLIFE, DEPARTMENT OF

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 17 BIGHORN SHEEP

19.31.17.1 ISSUING AGENCY: New Mexico department of wildlife.
[19.31.17.1 NMAC - Rp, 19.31.17.1 NMAC, 4/1/2027]

19.31.17.2 SCOPE: Sportspersons interested in bighorn sheep management and hunting. Additional requirements may be found in Chapter 17 NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19 NMAC.
[19.31.17.2 NMAC - Rp, 19.31.17.2 NMAC, 4/1/2027]

19.31.17.3 STATUTORY AUTHORITY: Sections 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state wildlife commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds, and fish.
[19.31.17.3 NMAC - Rp, 19.31.17.3 NMAC, 4/1/2027]

19.31.17.4 DURATION: April 1, 2027 through March 31, 2031.
[19.31.17.4 NMAC - Rp, 19.31.17.4 NMAC, 4/1/2027]

19.31.17.5 EFFECTIVE DATE: April 1, 2027 unless a later date is cited at the end of a section.
[19.31.17.5 NMAC - Rp, 19.31.17.5 NMAC, 4/1/2027]

19.31.17.6 OBJECTIVE: Establishing open hunting seasons and regulations, rules, and procedures governing the distribution and issuance of bighorn sheep licenses by the department.
[19.31.17.6 NMAC - Rp, 19.31.17.6 NMAC, 4/1/2027]

19.31.17.7 DEFINITIONS:

A. "Department" shall mean the New Mexico department of wildlife.

B. "Director" shall mean the director of the New Mexico department of wildlife.

C. "Either sex" or "ES" shall mean any one animal of the species.

D. "Ewe" shall mean any female bighorn sheep.

E. "Game management unit" or "GMU" shall mean those areas as described in 19.30.4 NMAC Boundary Descriptions for Game Management Units.

F. "Ram" shall mean any male bighorn sheep.

G. "Wildlife management areas" or "WMAs" shall mean those areas as described in 19.34.5 NMAC Wildlife Management Areas.
[19.31.17.7 NMAC - Rp, 19.31.17.7 NMAC, 4/1/2027]

19.31.17.8 ADJUSTMENT OF LICENSES: The director, with the verbal concurrence of the New Mexico state wildlife commission chairperson or their designee, may adjust the number of bighorn licenses to address significant changes in population levels or to address critical department management needs.
The director may change or cancel any or all hunts on military lands to accommodate closures on those lands; if changed, the season length and bag limit shall remain the same as assigned on the original hunt code.
[19.31.17.8 NMAC - Rp, 19.31.17.8 NMAC, 4/1/2027]

19.31.17.9 BIGHORN SHEEP LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

A. Rocky mountain bighorn sheep ram once-in-a-lifetime hunts: It shall be unlawful for anyone to apply for a Rocky mountain bighorn sheep ram license if one has previously held a license to hunt a Rocky mountain bighorn sheep ram in New Mexico, except those who have held a youth-only, private land-only (not obtained through the public draw), population management license for ram or ES that the director, with verbal concurrence of the chairperson or their designee, has decided does not qualify as once-in-a-lifetime, auction, and/or raffle bighorn ram license(s). A person that has received the youth-only ram license is eligible for this hunt only once as a youth (under age 18), but may apply for the other Rocky mountain and

desert bighorn once-in-a lifetime hunts as long as they are eligible.

B. Desert bighorn sheep ram once-in-a-lifetime hunts: It shall be unlawful for anyone to apply for a desert bighorn sheep ram license if one has previously held a license to hunt a desert bighorn sheep ram in New Mexico, except those who have held a youth-only, private land-only (not obtained through the public draw), population management license for ram or ES that the director, with verbal concurrence of the chairperson or their designee, has decided does not qualify as once-in-a-lifetime, auction, and/or raffle bighorn ram license(s). A person that has received the youth-only ram license is eligible for this hunt only once as a youth (under age 18), but may apply for the other Rocky mountain and desert bighorn once-in-a lifetime hunts as long as they are eligible.

C. Rocky mountain bighorn sheep ewe hunts: This hunt is not a once-in-a-lifetime hunt. A person that has previously held a license to hunt Rocky mountain bighorn rams or ewes is eligible to apply for this hunt.

[19.31.17.9 NMAC - Rp, 19.31.17.9 NMAC, 4/1/2027]

19.31.17.10 SEALING OF RAM HORNS: A seal shall be affixed to a horn of every bighorn sheep ram head taken in New Mexico, imported into New Mexico, or found in the field in New Mexico subsequent to August 17, 1973. Bighorn sheep heads found in the field within New Mexico shall remain the property of the state until disposed of by permit from the director. The seal shall authorize possession and transportation of the head within New Mexico.

A. Such sealing shall be done within ten days after the bighorn sheep ram head is taken, imported, or found in the field and before the bighorn sheep head is exported from New Mexico. Bighorn sheep ram heads not so declared shall be seized. Only legally taken and possessed bighorn sheep ram heads shall be sealed.

B. Bighorn sheep ram heads legally sealed in other countries, states, tribal entities, provinces, and territories, and possessing a valid visible seal attached, are exempt.

C. It shall be unlawful to possess any bighorn sheep ram head which has not been sealed as described in this section.

[19.31.17.10 NMAC - Rp, 19.31.17.10 NMAC, 4/1/2027]

19.31.17.11 BIGHORN SHEEP HUNTING SEASONS: The 2027-28 through 2030-31 hunting seasons shall be as indicated below, listing the GMUs or open areas, eligibility requirements or restrictions, hunt dates, hunt codes, sporting arms, number of licenses and bag limit. Additional eligibility requirements and restrictions are defined in Section 9 of 19.31.17 NMAC above.

A. Rocky mountain bighorn ram hunt for any big game sporting arms (BHS-RM-R-RAM-PUB). Hunters applying for BHS-RM-R-RAM-PUB will be allowed to select and rank up to three open areas/hunt dates. The number of licenses available for BHS-RM-R-RAM-PUB will be up to 60 with a bag limit of one ram.

Open GMUs or areas for BHS-RM-R-RAM-PUB	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates
6	8/10-8/24	8/10-8/24	8/10-8/24	8/10-8/24
	9/1-9/15	9/1-9/15	9/1-9/15	9/1-9/15
14, 18	10/1-10/15	10/1-10/15	10/1-10/15	10/1-10/15
	10/16-10/30	10/16-10/30	10/16-10/30	10/16-10/30
16B, 22, 23, 24: including Double E, Glenwood, and Mimbres WMAs	1/1-1/31	1/1-1/31	1/1-1/31	1/1-1/31
45	8/6-8/15	8/11-8/20	8/10-8/19	8/9-8/18
	8/20-8/29	8/25-9/3	8/24-9/2	8/23-9/1
45, youth only	8/20-8/29	8/25-9/3	8/24-9/2	8/23-9/1
53 south of NM 38 and east of NM 522	8/6-8/15	8/6-8/15	8/6-8/15	8/6-8/15
	9/1-9/10	9/1-9/10	9/1-9/10	9/1-9/10
53 north of NM 38 and east of NM 522; 55 south of NM 196/FS Rd 1950	8/6-8/15	8/11-8/20	8/10-8/19	8/9-8/18
	8/20-8/29	8/25-9/3	8/24-9/2	8/23-9/1
49, 50, 53 west of NM 522	8/10-8/24	8/10-8/24	8/10-8/24	8/10-8/24
	9/1-9/15	9/1-9/15	9/1-9/15	9/1-9/15
	11/1-11/15	11/1-11/15	11/1-11/15	11/1-11/15
55 north of NM 196/FS Rd 1950	8/15-1/15/28	8/15-1/15/29	8/15-1/15/30	8/15-1/15/31
58	8/15-1/15/28	8/15-1/15/29	8/15-1/15/30	8/15-1/15/31

B. Private land Rocky mountain bighorn ram hunt for any big game sporting arms. The number of licenses available will be up to 10 with a bag limit of one ram. The hunt code shall be BHS-RM-R-RAM-PVT.

Open GMUs or areas for BHS-RM-R-RAM-PVT	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates
14, 18	10/1-10/15	10/1-10/15	10/1-10/15	10/1-10/15
	10/16-10/30	10/16-10/30	10/16-10/30	10/16-10/30
55 north of NM 196/FS Rd 1950	8/15-1/15/28	8/15-1/15/29	8/15-1/15/30	8/15-1/15/31
58	8/15-1/15/28	8/15-1/15/29	8/15-1/15/30	8/15-1/15/31

C. Rocky mountain bighorn ewe hunt for any big game sporting arms (BHS-RM-R-EWE-PUB). Hunters applying for BHS-RM-R-EWE-PUB will be allowed to select and rank up to three open areas/hunt dates. The number of licenses available for BHS-RM-R-EWE-PUB will be up to 150 with a bag limit of one ewe.

Open GMUs or areas for BHS-RM-R-EWE-PUB	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates
45	9/18-9/22	9/16-9/20	9/15-9/19	9/21-9/25
	10/2-10/6	9/30-10/4	9/29-10/3	10/5-10/9
45, youth only	10/2-10/6	9/30-10/4	9/29-10/3	10/5-10/9
49, 50, 53 west of NM 522	10/9-10/17	10/14-10/22	10/13-10/21	10/12-10/20
	11/20-11/28	11/18-11/26	11/17-11/25	11/16-11/24
	12/11-12/19	12/9-12/17	12/8-12/16	12/14-12/22
49, 50, 53 west of NM 522, youth only	11/20-11/28	11/18-11/26	11/17-11/25	11/16-11/24
53 south of NM 38 and east of NM 522	9/25-9/29	9/23-9/27	9/22-9/26	9/21-9/25
	10/2-10/6	10/7-10/11	10/6-10/10	10/5-10/9
53 south of NM 38 and east of NM 522, youth only	9/25-9/29	9/23-9/27	9/22-9/26	9/21-9/25
53 north of NM 38 and east of NM 522; 55 south of NM 196/FS Rd 1950	9/18-9/22	9/16-9/20	9/15-9/19	9/21-9/25
53 north of NM 38 and east of NM 522; 55 south of NM 196/FS Rd 1950, youth only	9/18-9/22	9/16-9/20	9/15-9/19	9/21-9/25

D. Rocky mountain bighorn ewe hunt for bow only (BHS-RM-B-EWE-PUB). Hunters applying for BHS-RM-B-EWE-PUB will be allowed to select and rank up to three open areas/hunt dates. The number of licenses available for BHS-RM-B-EWE-PUB will be up to 60 with a bag limit of one ewe.

Open GMUs or areas for BHS-RM-B-EWE-PUB	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates
45	9/3-9/12	9/1-9/10	9/7-9/16	9/6-9/15
49, 50, 53 west of NM 522	9/16-9/30	9/16-9/30	9/16-9/30	9/16-9/30
53 south of NM 38 and east of NM 522	9/11-9/17	9/11-9/17	9/11-9/17	9/11-9/17
53 north of NM 38 and east of NM 522; 55 south of NM 196/FS Rd 1950	9/4-9/17	9/2-9/15	9/1-9/14	9/7-9/20
53 north of NM 38 and east of NM 522; 55 south of NM 196/FS Rd 1950, youth only	9/4-9/17	9/2-9/15	9/1-9/14	9/7-9/20

E. Desert bighorn ram hunt for any big game sporting arms (BHS-D-R-RAM-PUB). Hunters applying for BHS-D-R-RAM-PUB will be allowed to select and rank up to three open areas/hunt dates. The number of licenses available for BHS-D-R-RAM-PUB will be up to 60 with a bag limit of one ram.

Open GMUs or areas for BHS-D-R-RAM-PUB	2027-2028 hunt dates	2028-2029 hunt dates	2029-2030 hunt dates	2030-2031 hunt dates

13, 17	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15
	12/16-12/31	12/16-12/31	12/16-12/31	12/16-12/31
19	12/14-12/21	12/14-12/21	12/14-12/21	12/14-12/21
	12/27-1/3/28	12/27-1/3/29	12/27-1/3/30	12/27-1/3/31
20: south of NM 51	11/16-11/30	11/16-11/30	11/16-11/30	11/16-11/30
	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15
20: north of NM 51	8/20-8/29	9/8-9/17	8/17-8/26	9/13-9/22
		10/13-10/22		10/11-10/20
20: north of NM 51, youth only	11/19-11/28		11/16-11/25	
26, west of NM 81	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15
	12/16-12/31	12/16-12/31	12/16-12/31	12/16-12/31
26, east of NM 81	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15
	12/16-12/31	12/16-12/31	12/16-12/31	12/16-12/31
27	11/1-11/15	11/1-11/15	11/1-11/15	11/1-11/15
	11/16-11/30	11/16-11/30	11/16-11/30	11/16-11/30
34	12/1-12/15	12/1-12/15	12/1-12/15	12/1-12/15

F. Private land desert bighorn ram hunt for any big game sporting arms. The number of licenses available will be up to 6 with a bag limit of one ram. The hunt code shall be BHS-D-R-RAM-PVT.

Open GMUs or areas for BHS-D-R-RAM-PVT	**2027-2028 hunt dates**	**2028-2029 hunt dates**	**2029-2030 hunt dates**	**2030-2031 hunt dates**
20: north of NM 51	9/10-9/19	8/18-8/27	9/14-9/23	8/16-8/25
	10/8-10/17	11/17-11/26	10/12-10/21	11/22-12/1

[19.31.17.11 NMAC - Rp, 19.31.17.11 NMAC, 4/1/2027]

19.31.17.12 SPECIAL BIGHORN SHEEP HUNTING OPPORTUNITIES: Bighorn sheep enhancement program:

A. Program description: The director shall collect all proceeds generated through the auction and lottery of special bighorn sheep permits, and such monies shall be deposited in the game protection fund. These monies shall be made available for expenditure by the department solely for programs and projects to benefit bighorn sheep and for costs incurred in carrying out these programs. These monies shall be used to augment, and not replace, monies appropriated from existing funds available to the department for the conservation, restoration, utilization and management of bighorn sheep.

B. Requirements for issuance of special bighorn sheep licenses:

(1) The state wildlife commission authorizes the director to issue not more than four special bighorn sheep licenses in any one license year to take one ram per license. The director shall allow the sale of one Rocky Mountain bighorn sheep authorization and one desert bighorn sheep authorization through auction to the highest bidder, and one Rocky Mountain bighorn sheep authorization and one desert bighorn sheep authorization to a person selected through a random drawing of a lottery ticket. The drawing will be conducted by the department or an incorporated, non-profit organization dedicated to the conservation of wildlife.

(2) Unless their hunting privileges have been revoked pursuant to law, any person is eligible to submit a bid for the special bighorn sheep auction authorization or purchase lottery tickets in an attempt to be selected for the special bighorn sheep lottery authorization.

(3) The special bighorn sheep authorizations issued through auction and lottery may be transferred, through sale, barter or gift by the successful individuals only to other individuals qualified to hunt.

(4) Special bighorn sheep licenses granted through auction or lottery, as described above, shall not be considered once-in-a-lifetime licenses.

C. Enhancement hunts: These licenses shall be valid for any big game sporting arms statewide where hunting is allowed. The bag limit shall be one ram.

(1) Holders of the auction licenses must declare their exclusive hunt area by June 30 annually to hunt the designated subspecies in one of the open hunt areas. Each holder of the raffle license must declare their exclusive hunt area by July 20 annually to hunt the designated subspecies in one of the open hunt areas not declared by the auction hunter.

(2) The remaining hunt units open to bighorn hunting not declared by the auction or raffle hunter as their exclusive hunt area, may be hunted by either the auction or raffle hunter.

(3) The hunt dates for the auction and raffle licenses shall be 8/1-12/31 annually, except GMU 53 south of NM 38 and east of NM 522 is closed 8/16 to 8/31 annually to all bighorn sheep hunters.

[19.31.17.12 NMAC - Rp, 19.31.17.12 NMAC, 4/1/2027]

19.31.17.13 BIGHORN SHEEP POPULATION MANAGEMENT HUNTS:

A. The director, with verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may authorize population management hunts for bighorn sheep when justified in writing by department personnel and must be based on biological information or a potential to compromise population viability.

B. The director shall designate the sporting arms, season dates, season lengths, bag limits, hunt boundaries, specific requirements or restrictions, and number of licenses to be issued.

C. In the event that an applicant is not able to hunt on the dates specified, the applicant's name shall be moved to the bottom of the list and another applicant may be contacted for the hunt.

D. In those instances where a population management hunt is warranted on deeded private lands, the landowner may suggest eligible hunters of their choice by submitting a list of prospective hunters' names to the department for licensing consideration. No more than one-half of the total number of licenses authorized shall be available to landowner identified hunters. The balance of prospective hunters shall be identified by the department.

E. The director, with verbal concurrence of the chairperson of the New Mexico state wildlife commission or their designee, may deem some ram or either-sex population management licenses not once-in-a-lifetime; a person that has held a once-in-a-lifetime ram license(s) is not disqualified from this hunt.

[19.31.17.13 NMAC - Rp, 19.31.17.13 NMAC, 4/1/2027]

HISTORY OF 19.31.17 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/1968;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968;

Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968;

Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968;

Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969;

Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/6199;

Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969;

Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970;

Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970;

Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970;

Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971;

Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971;

Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/1971;

Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971;

Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972;

Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972;

Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972;

Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972;

Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973;

Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973;

Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;

Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;

Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache

Indian Reservation, filed 3/14/1974;
Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974;
Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;
Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;
Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975;
Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976;
Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/78;
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;
Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980;
Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 3/17/1981;
Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982;
Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983;
Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984;
Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985;
Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986;
Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987;
Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/1987;
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/1989;
Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/1989;
Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989;
Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991;
Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992;
Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:
19.31.8 NMAC, Big Game, filed 3-1-2001 - duration expired 3/31/2003.
19.31.8 NMAC, Big Game and Turkey, filed 3/3/2003 - duration expired 3/31/2005.
19.31.8 NMAC, Big Game and Turkey, filed 12/15/2004 - duration expired 3/31/2007.
19.31.17 NMAC, Bighorn Sheep, filed 12/1/2006 - duration expired 3/31/2009.
19.31.17 NMAC, Bighorn Sheep, filed 2/26/2009 - duration expired 3/31/2011.
19.31.17 NMAC, Bighorn Sheep, filed 9/15/2010 - duration expired 3/31/2015.
19.31.17 NMAC, Bighorn Sheep, filed 3/17/2015 - duration expired 3/31/2019.
19.31.17 NMAC, Bighorn Sheep, filed 5/31/2018 - duration expired 3/31/2023.
19.31.17 NMAC, Bighorn Sheep,

filed 8/25/2022 - duration expired 3/31/2025.
19.31.17 NMAC, Bighorn Sheep, filed 8/15/2024 - duration expired 3/31/2027.

WORKFORCE SOLUTIONS, DEPARTMENT OF

This is an amendment to 11.2.4 NMAC Sections 11, 12, 13 to be effective 9/9/2026.

11.2.4.11 LOCAL BOARD MEMBERSHIP: The local workforce development board is [~~appointed by the CEOs~~] certified in each local area every two years. The CEO shall appoint all members of the board and members shall serve staggered terms established in local bylaws. All members must be individuals with optimum policy-making authority within the entities they represent. An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for representation; however, individuals representing more than one category must have the optimum policy-making authority within each of the entities they are representing. All required local board members must have voting privileges. The CEO may convey voting privileges to non-required members. The local board must elect a chairperson from among the business representatives on the local board.

A. Representatives of business. The majority (fifty-one percent) of the members of the local board must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the US small business administration. Business representatives serving on local boards may also serve on the state board. Each business representative must meet the following criteria:

(1) be an owner, chief executive officer, chief operating officer, or other individual with optimum policymaking or hiring authority;

(2) provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA section 3, and provide high-quality, work-relevant training and development opportunities to its workforce or to the workforce of others; and

(3) are appointed from among individuals nominated by local business organizations and business trade associations.

B. Representatives of the workforce. Not less than twenty percent of the members of the local board must be workforce representatives. These representatives:

(1) must include two or more representatives of labor organizations, where such organizations exist in a local area. Where labor organizations do not exist, representatives must be selected from other employee representatives; and

(2) must include one or more representatives of a joint labor-management or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists.

(3) In addition to the above representatives, the board may also include the following to contribute to the twenty percent requirement:

(a) one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment training or education needs of individuals with barriers to employment including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and

(b) one or more representatives of organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

C. Representatives of education and training. The balance of local board membership must include:

(1) at least one eligible provider administering adult education and literacy activities under WIOA Title II;

(2) at least one representative from an institution of higher education providing workforce investment activities, including community colleges; and

(3) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

D. Representatives of governmental and economic and community development entities. Each local board must include at least one appropriate representative from:

(1) economic and community development entities;

(2) the state employment service office under the Wagner-Peyser Act (29 USC 49 et seq.) serving the local area;

(3) the programs carried out under title I of the Rehabilitation Act of 1973, other than section 112 or part C of that title, serving the local area; and

(4) may include representatives from:

(a) agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance;

(b) philanthropic organizations serving the local area; and

(c) other appropriate individuals deemed appropriate by the CEO.

[11.2.4.11 NMAC - N, 7/1/2018; A, 9/9/2026]

11.2.4.12 LOCAL BOARD ROLES AND RESPONSIBILITIES: The local board must perform the following functions per WIOA section 107 and must describe the implementation of these functions in the agreement with its CEOs, including:

A. develop and submit a four-year local plan for the local area, in partnership with the CEO per WIOA section 108;

B. conduct workforce research and regional labor market analysis to include:

(1) analyses and regular updates of economic conditions, needed knowledge and skills, workforce and workforce development, including:

(a) education and training activities;

(b) strengths and weaknesses; and

(c) the capacity to provide services to address the identified education and skill needs of the workforce and the employment needs of employers.

(2) assistance to DWS in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and

(3) other research, data collection, and analysis related to the workforce needs of the regional economy after receiving input from a wide array of stakeholders, as necessary.

C. convene local workforce development system stakeholders to assist in the development of the local plan and in identifying non-federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the local board and standing committees in carrying out the convening, brokering, and leveraging functions at the direction of the local board;

D. lead efforts to engage with a diverse range of employers and other entities in the region to:

(1) promote business representation on the local board;

(2) develop effective linkages, including the use of intermediaries, with employers in the region to support employer utilization of the local workforce development system and to support local workforce activities;

(3) ensure workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities and service providers; and

(4) develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers, such as the establishment of industry and sector partnerships, that provide the skilled workforce needed by employers in the region and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

E. with representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;

F. lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;

G. develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and job seekers by:

(1) facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;

(2) facilitating access to services provided through the one-stop delivery system involved, including access in remote areas;

(3) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving access in remote areas;

(4) leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.

H. in partnership with the CEOs for the local area:

(1) conduct oversight of youth workforce investment activities authorized under WIOA section 129, adult and dislocated worker employment and training activities under WIOA section 134, and the entire one-stop delivery system in the local area;

(2) ensure the appropriate use and management of the funds provided under WIOA Title I for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and

(3) ensure the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA section 116.

I. negotiate and reach agreement on local performance indicators with the CEO and DWS;

J. negotiate with CEOs and required partners on the methods for funding the infrastructure costs of one-stop centers in the local

area or must notify DWS if they fail to reach agreement at the local level and will use a state infrastructure funding mechanism;

K. select the following providers in the local area, and where appropriate terminate such providers:

(1) providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the local board determined there is an insufficient number of eligible training providers in the local area, the local board may award contracts on a sole-source basis as per WIOA section 123;

(2) providers of training services consistent with the criteria and information requirements established per WIOA section 122;

(3) providers of career services through the award of contracts, if the one-stop operator does not provide such services; and

(4) one-stop operators through a competitive procurement process that occurs at least once every four years.

L. work with the state to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities per WIOA section 107;

M. coordinate activities with education and training providers in the local area, including:

(1) reviewing applications to provide adult education and literacy activities under WIOA Title II, for the local area to determine whether such applications are consistent with the local plan;

(2) making recommendations to the eligible agency to promote alignment with such plan; and

(3) replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;

N. develop a budget for the activities of the local board, with the approval of CEOs and consistent with the local plan and the duties of the local board;

O. assess on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area per WIOA section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.);

P. certify one-stop centers;

Q. produce an annual report that must be submitted to the state administrative entity, per guidelines established by the state administrative entity;

R. promote workforce connection center programs and activities; and

S. conduct business in an open manner by making available to the public information about the activities of the local board.

[11.2.4.12 NMAC - N, 7/1/2018; A, 9/9/2026]

11.2.4.13 BYLAWS: The [~~local board~~] CEO must establish bylaws that include, at a minimum, the following sections:

A. Establishment. Acknowledge that the local board is established in accordance with WIOA section 107;

B. Name. Identify the name of the local board.

C. Purpose. Acknowledge the establishment of the local board consistent with WIOA sections 107;

D. Duties and responsibilities. Acknowledge the duties and responsibilities as outlined in WIOA and in the partnership agreement between the CEOs and the local board.

E. Membership. Include a description of membership as outlined in WIOA section 107 and in the CEO agreement, as required by this rule.

F. Local board chair election. Describe the process used to elect a local board chair, including term details.

G. Election of officers. Outline officer positions, the process used to elect officers, officer terms, removal of officers, and specific officer roles and responsibilities.

H. Meetings.

(1) Information on how often local board and committee meetings will be held.

(2) Acknowledgement of open meeting requirements and compliance.

(3) Description of the process of announcing regular and special meetings.

(4) Acknowledgement that a quorum shall consist of at least a simple majority of the currently appointed membership.

(5) Clarification as to whether phone and web-based meetings will be permitted.

I. Delegation of local board duties. Acknowledge that local board members will not be permitted to delegate any local board duties to proxies or alternates.

J. Committees. Include a list of standing committees including the descriptions for each and composition, and description of the process for having ad hoc committees.

K. Conflict of interest. Acknowledge that local board members shall adhere to the following in regard to conflict of interest:

(1) A local board member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.

(2) A local board member shall avoid even the

appearance of a conflict of interest. Prior to taking office, local board members shall provide to the local board chair a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the local board. Such declarations shall be updated annually or within 30 days to reflect any changes in such business interests or relationships. The local board shall appoint an individual to timely review the disclosure information and advise the local board chair and appropriate members of potential conflicts.

(3) Prior to a discussion, vote, or decision on any matter before a local board, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official local board action, the member shall disclose the nature and extent of the interest or relationship and shall abstain from discussion and voting on or in any other way participating in the decision on the matter. All abstentions shall be recorded in the minutes of the local board meeting and be maintained as part of the official record.

(4) It is the responsibility of the local board members to monitor potential conflict of interest and bring it to the local board's attention in the event a member does not make a self-declaration.

(5) In order to avoid a conflict of interest, a local board shall ensure that the local board's workforce service providers shall not employ or otherwise compensate a current or former local board member or local board employee who was employed or compensated by the local board or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.

(6) Local board members or their organizations may receive services as a customer of a local workforce service provider or workforce system partner. To avoid conflict of interest, a local board shall ensure that the local board, its members, or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners or contractors.

L. Compensation and reimbursement of expenses. A description of the policy on compensating local board members and reimbursing expenses shall be included.

M. Amendment. Include a description of the process for amending the bylaws.

N. Compliance with law.

(1) Acknowledgement stating, in execution of its business, the local board shall comply with all applicable New Mexico statutes and regulations including, but not limited to, the state Procurement Code, the state Open Meetings Act, NMSA 1978 Compilation, and the state Mileage and Per Diem Act.

(2) Acknowledgement stating, in execution of its business, the local board shall comply with WIOA and related regulations as well as state policies and directives.

[11.2.4.13 NMAC - N, 7/1/2018; A, 9/9/2026]

WORKFORCE SOLUTIONS, DEPARTMENT OF

This is an amendment to 11.3.300 NMAC Sections 301, 315 and 320 to be effective 9/9/2026.

11.3.300.301 FILING INITIAL, ADDITIONAL AND REOPENED CLAIMS:

A. Upon filing an initial claim, an additional claim, or a reopened claim, the claimant shall be subject to a waiting week period before the commencement of benefits begins.

B. Unless otherwise prescribed, [~~any claimant wishing to claim~~] individuals claiming unemployment benefits shall register for work, file an initial, additional, transitional or reopened claim [~~for benefits~~] and provide the name and address of their last employer.

C. The date of filing of any initial, additional or reopened claim shall be the Sunday of the week in which filed. Upon a showing of good cause, any initial claim or additional claim may be back-dated to the Sunday of the week immediately following the week in which the claimant was separated, and any reopened claim may be back-dated up to a maximum of 21 days from the preceding Sunday of the date of the request for back-dating. "Good cause," as used in [~~11.3.300.301~~] 11.3.300.7 NMAC, exists when it is established that factors or circumstances beyond the reasonable control of the claimant caused the delay in filing. All requests for back-dating or post-dating shall include a fact-finding response.

D. Unless otherwise prescribed, all claims shall be made online or by phone, giving all information required thereby. A claimant shall also separately register for work within 14 calendar days of the date the claim is filed. If a claimant is already registered with the department from a prior claim, the registration must be reactivated within 14 days of the date the claim is filed. If a claimant's registration is not current with the department, their benefits shall be temporarily withheld until they comply unless good cause for the failure to register is shown.

E. An individual must verify their identity within 10 days of filing an initial application using one of the approved methods prescribed by the department. Failure to verify identity within 10 days of filing the claim will result in a denial of benefits from the date of the initial claim until verification is completed.

[11.3.300.301 NMAC - Rp, 11.3.300.301 NMAC, 11/1/2018 A, 10/29/2019; A, 9/9/2026]

11.3.300.315 RETIREMENT INCOME:

A. Each eligible claimant who, pursuant to a pension or retirement plan financed in whole or in part by a base-period employer of the claimant shall have the weekly benefit amount reduced, but not below zero, by the prorated amount of the pension, retirement pay, annuity or other similar periodic or lump-sum payment that exceeds the percentage contributed to the plan by the eligible claimant. The maximum benefit amount payable shall also be reduced to an amount not more than 26 times the reduced weekly benefit amount. For purposes of this section periodic retirement income is not deemed "received", if , under the time period allowed by the Internal Revenue Code, 26 U.S.C. Section 3405 and related provisions, that amount is placed in a non-taxable qualifying retirement account.

B. A claimant's monthly pension or retirement payment shall be multiplied by 12, then divided by 52 to determine the amount of pension or retirement income attributed to a week [~~beginning with the last week worked prior to separation from employment~~] in which the pension became effective.

C. A lump-sum pension or retirement payment shall be considered a periodic payment and the amount divided by 52 and allocated on a weekly basis beginning with the last week worked prior to separation from employment.

[11.3.300.315 NMAC - Rp, 11.3.300.315 NMAC, 11/1/2018 A, 10/29/2019; A, 9/9/2026]

11.3.300.320 WORK SEARCH REQUIREMENT:

A. WORK SEARCHES: To qualify for continued benefits, a claimant must:

(1) be a member of a union with a hiring hall or a referral hall and meet the union requirements for job referral or placement;

(a) the claimant must be a member in good standing at the time of certification;

(b) the hiring hall or referral hall must be actively seeking to place its members in employment; or

(2) actively seek work by contacting a minimum [~~number~~] of two different employers each week during the week for which benefits are claimed, as directed by department representatives. It is not mandatory that the work searches occur on different days of the week;

(a) a claimant may contact the same employer more than one time during a given week, which may count for multiple searches if the claimant applies for multiple jobs with the same employer so long as the applications are distinct and separate positions;

(b) a claimant may list jobs applied for through the New Mexico department of workforce solutions [~~workforce connection centers~~], the New Mexico state personnel office (SPO), [~~America's job bank,~~] Workforce Innovation and Opportunity Act (WIOA) partners and similar programs as approved from time to time by the department as valid work search contacts for each week of claim certification;

(c) a valid work search may also include participating in documented reemployment activities through the department of workforce solutions, job networking providers, or other job recruitment providers.

(3) Other unions may apply for work search waivers by submitting a request in writing to the secretary, who may upon discretion make an exception to the work search requirements.

B. In order to qualify for continued interstate benefits [~~, interstate,~~] if New Mexico is the liable state, claimants must seek work within the week for which benefits are being claimed and actively seek work by contacting a minimum of two different employers each week, or if a union member, actively seek work by contacting the union as required by the union in order to be eligible for job referral or placement

C. Claimants must keep a record of the name, address, [~~and~~] telephone number, [~~or~~]electronic mail address or web address of each employer or reemployment service provider contacted in the event of an audit. [~~and~~] Claimants must retain a copy of any email confirmation received as a result of applying for a job on-line;

(1) This information must be provided to department representatives upon request;

(2) the claimant must provide the requested information no later than 10 calendar days from the date of the department's request;

(3) the claimant must provide sufficient information for the department to verify the claimant's work search efforts. If the claimant is able to provide specific job numbers or requisition numbers for the job applied for, this information will be considered sufficient to verify the contact;

(4) failure to provide the required information without good cause may result in a denial of benefits for the week in question;

(5) if the information provided is insufficient to verify a valid work search occurred, benefits for the week in question will be denied;

(6) if a denial is imposed, the effective period may include weeks for which the claimant has already been paid benefits. Such benefits would constitute an overpayment which would be recouped pursuant to Section 51-1-38 NMSA 1978;

(7) any denial imposed for failure to provide the required information may be appealed pursuant to 11.3.300.500.9 NMAC;

D. A claimant whose work search is deemed inadequate or invalid shall be denied benefits for the week in question. A rebuttable

presumption that the claimant failed to meet the active work-search requirements for that week will be raised in all cases where a claimant's work search is deemed inadequate or invalid. In order to overturn the denial of benefits the claimant shall provide proof that the claimant did meet the active work-search requirements for that week. If a denial is imposed, the effective period may include weeks for which the claimant has already been paid benefits. Such benefits would constitute an overpayment which would be recouped pursuant to Section 51-1-38 NMSA 1978. Any denial imposed on the basis of an inadequate or invalid work search may be appealed pursuant to 11.3.300.500.9 NMAC.

E. The department may waive the work search requirements for claimants who the department determines are on temporary lay-off status from their regular full-time employment upon receipt of an assurance from the employer that the lay-off shall not exceed four weeks or upon receipt of an express offer in writing of substantially full-time work which will begin within a period not exceeding four weeks. Such waivers shall apply only to the four-week period covered on the determination. A claimant who receives a determination granting a waiver for the four-week period shall promptly transmit any change to the claimant's recall date or start date to the department. The claimant's eligibility shall then be subject to redetermination pursuant to Subsection A of 11.3.300.308 NMAC.

F. In cases where the department determines a claimant is in a temporary lay-off status due to a government furlough or shutdown, the department may waive the work search requirements during the period of the temporary lay-off for all affected claimants.

G. In the event of a public health emergency declaration issued by the governor, work searches shall be waived for all claimants at the discretion of the secretary until the end of the public health crisis.

[11.3.300.320 NMAC - Rp, 11.3.300.320 NMAC, 11/1/2018; A/E, 1/9/2019 A, 10/29/2019; A/E 7/28/2020; A, 1/12/2021; A, 9/9/2026]

WORKFORCE SOLUTIONS, DEPARTMENT OF

This is an amendment to 11.3.500 NMAC Sections 7, 8, 9, 10, 12, 13 and 14 to be effective 9/9/2026.

11.3.500.7 DEFINITIONS:

A. "Adjudicatory body" means the appeal tribunal, the board of review or other commissions or body within the department holding an adjudicatory hearing.

B. "Adjudicatory hearing" means a judicial or quasi-judicial hearing upon either the law or the evidence or both which allows the parties to present evidence, objections to evidence, documents and witnesses as well as cross-examine opposing parties' witnesses and evidence.

C. "Administrative law judge or ALJ" mans the individual who conducts appeal tribunal hearings and makes decisions on issues arising from determinations issued by the department. This term is synonymous with the term "hearing officer" as set forth in Section 51-1-8 NMSA 1978.

D. "Authorized representative" means an individual who, by virtue of his position within the department, is designated by the secretary to perform certain specific tasks on behalf of the department.

E. "Good cause" means a substantial reason, one that affords a legal excuse, or a legally sufficient ground or reason. In determining whether good cause has been shown for permitting an untimely action or excusing the failure to act as required, the department may consider any relevant factors including, but not limited to, whether the party acted in the manner that a reasonably prudent individual would have acted under the same or similar circumstances, whether the party received timely notice of the need to act, whether there was administrative error by the department, whether there were factors outside the control of the party that prevented a timely action, the efforts made by the party to seek an extension of time by promptly notifying the department, the party's physical inability to take timely action, the length of time the action was untimely, and whether any other interested party has been prejudiced by the untimely action. However, good cause cannot be established to accept or permit an untimely action or to excuse the failure to act, as required, that was caused by the party's failure to keep the department directly and promptly informed by written, signed statement of the claimant's, employer's or employing unit's correct mailing address. A written decision concerning the existence of good cause need not contain findings of fact on every relevant factor, but the basis for the decision must be apparent from the [~~order~~] decision.

F. "Practice manual" means a resource maintained by the department consisting of department procedures and guidelines based on federal and state statutes and regulations, Department of Labor directives and guidance, and decisions of the Board of Review or district court judges.

[11.3.500.7 NMAC - N, 01/01/2003; A, 11/15/2012; A, 07/31/2013; A, 10/29/2019; A, 9/9/2026]

11.3.500.8 PRESENTATION OF APPEALS OF INITIAL DETERMINATIONS:

A. Any interested party aggrieved by a determination of the department may file an appeal to the appeal tribunal within 15 days from the date of transmission of the determination. Any written communication clearly demonstrating a desire to appeal a determination of the department will be regarded as an appeal. Appeals shall be transmitted to the department by U.S. mail, email, [~~by~~] fax or [~~by~~] electronic filing using the on-line

system. All appeals should be transmitted to the department in a format indicating the interested party's desire to appeal. For any issues of timeliness with regard to faxed appeals, the time and date affixed on the department's receiving device will be presumptively the date and time of submission. For any issues of timeliness with regard to appeals submitted via U.S. mail, the postmark date on the appeal envelope will presumptively be the date and time of submission. For any issues of timeliness with regard to appeals filed electronically through the department's claims processing website, the date and time that the department's on-line system "electronically stamps" the appeal will be presumptively the date and time of submission.

B. All interested parties will be given notice of any hearing or review before the appeal tribunal as provided for in 11.3.500.9 and 11.3.500.12 NMAC.

C. Unless otherwise provided by statute or a specific rule of the department, the time for the appeal of any determination from one level to another within the department is 15 calendar days from the date of the transmission of the decision or determination, with the first day commencing on the calendar date after the date of transmission.

D. The time for filing any appeal within the department may be extended only upon a showing of good cause.

[11.3.500.8 NMAC - N, 01/01/2003; A, 11/15/2012; A, 10/29/2019; A, 9/9/2026]

11.3.500.9 ADJUDICATORY PROCEEDINGS GENERALLY:

A. Right to representation: In any adjudicatory hearing before the department:

(1) Any party may self-represent or be represented by an attorney at law or by any other person qualified to represent the party in the matters under consideration. The secretary may bar attorneys and authorized representatives from appearing on behalf of others in proceedings before the department if the attorney or authorized representative's previous conduct has established to the department's satisfaction that the attorney or authorized representative is unlikely to provide competent representation in future proceedings.

(2) A partnership may be represented by any of its employees, members or duly authorized representative. A corporation or association may be represented by an officer, employee or any duly authorized representative. Any governmental entity may be represented by an officer, employee, or any other authorized person.

(3) The presiding officer or the secretary may, for lack of qualifications or other sufficient cause, bar any person from representing any party, and in such circumstances the reasons for such bar shall be set out in the record of proceedings.

B. The unauthorized practice of law: Any party may be represented by an attorney at law licensed to practice in the courts of this state. A representative or agent other than licensed attorneys may represent any party only to the extent that such participation does not constitute unauthorized practice of law under the statute and rules of the courts of the state of New Mexico.

C. Copies: Consistent with the provisions of Section 51-1-32 NMSA 1978 and 11.3.100.106 NMAC, while any proceeding before the department is ongoing a party to such proceeding may request and receive from the department, without charge, one set of copies of the department files and records, including but not limited to investigation reports, statements, memoranda, correspondence, [~~tape~~] recordings or transcripts of hearings, if available, or other data pertaining to matters under consideration, scheduled for hearing, or other proceeding before the department. Thereafter, copies shall be charged at the department's usual rate for copying.

D. Notice of hearing: Upon the scheduling of an adjudicatory hearing before the appeal tribunal on any appeal, a notice of the hearing shall be transmitted to all interested parties at least 10 calendar days prior to the date of the adjudicatory hearing and shall include:

(1) a statement notifying the parties of their responsibilities and the requirements to participate in the hearing;

(2) a statement of the time, place and nature of the hearing;

(3) a statement of the legal authority and jurisdiction under which the hearing is to be held;

(4) a short and plain statement of the foreseeable issues to afford each party reasonable opportunity to prepare; if any issue cannot be stated in advance of the hearing, it shall be stated as soon as practicable; in all cases of delayed statement, or where subsequent amendment of the issues is necessary, sufficient time shall be allowed after statement or amendment to afford all parties reasonable opportunity to prepare or the parties may waive notice of such issue on the record.

(5) Any party to an appeal before the appeal tribunal may elect, using the self-service feature of the claims processing website, to have all notices of hearing for that appeal delivered electronically rather than by paper notice through the mail. Such electronic notification shall be deemed legally sufficient notice for all purposes and the party electing that electronic notification will be deemed to have acknowledged their responsibility to exercise due diligence in checking the website for notifications. For parties electing electronic notification, such notification shall continue until the party has taken all necessary steps change their notification preference using the self-service feature of the website. Until the party's notification preference has been changed, that party's obligation to exercise due diligence in checking the website for notifications will remain in effect.

(6) If an

adjudicatory hearing has been scheduled and a notice of hearing has already been issued to an interested party before that interested party's attorney or authorized representative has filed its entry of appearance in the matter, notice shall be deemed to be sufficient.

E. Subpoenas: Authorized representatives of the department may issue subpoenas requiring upon reasonable notice, the attendance and testimony of witnesses or the production of evidence, including books, records, correspondence, documents, papers or other objects necessary and relevant to any proceedings before the department. An authorized representative in any proceeding may authorize the taking of depositions of witnesses in the same manner and to the same extent as permitted in the district court.

(1) "Subpoena" means an official directive or order by [~~an administrative law judge~~] a hearing officer or quasi-judicial official directing the recipient to appear and testify as a witness. The subpoena may require witnesses to bring documents with them when they come to testify. Failure of a party to respond to a subpoena could result in the department filing a motion for compliance in the district court of the jurisdiction where the party is located.

(2) The department's authority to issue subpoenas is found at Subsection L of Section 51-1-8 NMSA 1978 and Section 51-1-28 NMSA 1978. Department subpoenas can be served personally at least 5 days prior to the hearing date or by certified mail posted at least 10 days prior to the hearing date.

(3) Issuance and challenges to subpoenas: The adjudicatory body or other authorized representative of the department may issue subpoenas to compel attendance of witnesses and production of records in connection with proceedings before the adjudicatory body or department. Sections 51-1-28 & 29 NMSA 1978.

(a) Who may request: Any party to an adjudicatory proceeding may make written application to the applicable adjudicatory body for the issuance of a subpoena.

(b) Contents of requests for subpoena: The party seeking the subpoena must reasonably identify and specify the evidence or documents sought and show the relevance of such evidence or documents to the issue under consideration. The proposed subpoena shall show upon its face the name and address of the party at whose request the subpoena was issued.

(c) Decision regarding issuance of subpoena: The adjudicatory body, at its discretion, may issue the subpoena upon the written application, [~~or~~] may schedule a limited purpose hearing or conference, or [~~on the application to~~] hear argument and objections from interested parties for the purpose of determining whether the subpoena should issue for the next scheduled hearing. If such a hearing is held, the adjudicatory body may make a ruling on the record during the hearing, or may, in its discretion, issue a written decision, informing the parties of the decision and of their right to further appeal.

(d) Challenge to issued subpoena or a request to quash: Any witness summoned may petition the department to quash or modify a subpoena served on the witness. The department shall give prompt notice of such petition to all interested parties. After the investigation or hearing, whichever the department considers appropriate, it may grant the petition in whole or part, or it may deny the petition upon a finding that the testimony or the evidence required to be produced does not relate with reasonable directness to any matter in question, or that a subpoena for the attendance of a witness or the production of evidence is unreasonable or oppressive, or has not been issued a reasonable period in advance of the time when the evidence is requested, or for any other reason that justice requires.

(e) Appeal of disputes: The stated reason for the request for the subpoena and the stated reason for the opposition as well as the [~~administrative law judge's~~] hearing officer's decision in regard to the subpoena shall be part of the record on appeal.

(f) Order of protection: If the department denies the petition to quash the subpoena, the aggrieved party may petition the district court of either the county where [~~he resides~~] they reside, or, in the case of a corporation, the county where it has its principal office, or the county where the hearing or proceeding will be held, for an order of protection.

(g) Sanctions to compel compliance with subpoenas: In case of failure to comply with any subpoena issued and served under the department's statutory authority or for the refusal of any person to testify to any matter regarding which [~~he~~] they may be interrogated lawfully in a proceeding before an adjudicatory body of the department, the department may apply to the district court either in the county of the person's residence or in the county where the hearing or proceeding is being held, for an order to compel compliance with the subpoena or the furnishing of information or the giving of testimony. The prevailing party is entitled to costs of the enforcement proceeding.

(h) Sanctions against parties for witnesses' failure to comply with subpoenas: When a subpoenaed witness fails to attend or testify, if a party exercises substantial control or influence over the witness, such as an employee, relative of a party employer or a relative of a party claimant, the adjudicatory body can deem that, if the witness had appeared and testified, the testimony would have been unfavorable to the party controlling or influencing the witness.

(i)

If a party or a subpoenaed witness fails or refuses to produce records or documentary evidence pursuant to an order or subpoena of the adjudicatory body, the adjudicatory body can deem that, if the records or documentary evidence had been produced, the evidence would have been unfavorable to the party failing or refusing to produce the records or documentary evidence or to the party controlling or influencing the witness who failed or refused to produce the records or documentary evidence.

F. Disqualification of board of review members and [~~appeal tribunal administrative law judges~~] hearing officers: [~~An appeal tribunal administrative law judge~~] A hearing officer or board of review member shall withdraw from any proceeding in which the [~~appeal tribunal administrative law judge~~] hearing officer or board of review member cannot accord a fair and impartial hearing or consideration and from any proceeding in which the [~~appeal tribunal administrative law judge~~] hearing officer or board of review member has an interest. Any party may request a disqualification of [~~an appeal tribunal administrative law judge~~] a hearing officer or board of review member on the grounds of the person's inability to be fair and impartial, by filing an affidavit or written statement or making a statement on the record with the appeal tribunal or board of review promptly upon the discovery of the alleged grounds for disqualification, stating with particularity the grounds upon which it is claimed that the person cannot be fair and impartial. The disqualification shall be mandatory if sufficient factual basis is set forth in the affidavit of disqualification. If a board of review member is disqualified pursuant to this regulation, the remaining board of review members may appoint [~~an appeal tribunal administrative law judge~~] a hearing officer or other qualified department representative to sit on the board of review for the proceeding involved. The grant or denial of a requested disqualification can be considered in an appeal on the merits.

G. Attorneys at law and authorized representatives: Prior to or at the commencement of any adjudicatory hearing, all attorneys at law or other authorized representatives shall file a written entry of appearance which shall be made a part of the record and a copy shall be furnished by the attorney or representative to the opposing party. The entry of appearance shall be signed by the attorney at law or authorized representative, whose mailing address, telephone number and other contact addresses shall be provided. An attorney or representative who has provided notice of representation will be deemed to continue such representation until a written notification of the withdrawal of such representation is provided to all parties, the [~~administrative law judge~~] hearing officer or the board of review. Even if an attorney or authorized representative has entered [~~his~~] an appearance on behalf of a party, the party may appear on [~~his~~] their own behalf without the attorney or authorized representative.

H. Ex parte communications: No party or representative of a party or any other person shall communicate off the record about the merits of the case with the cabinet secretary, any [~~administrative law judge~~] hearing officer or board of review member who participates in making the decision for any adjudicatory hearing, unless the communication is written and a copy of the communication is transmitted to all interested parties to the proceeding. The cabinet secretary, any [~~administrative law judge~~] hearing officer, board of review member or their representatives shall not communicate off the record about the merits of an adjudicatory hearing with any party or representative of a party or any other person, unless a copy of the communication is sent to all interested parties in the proceeding.

I. Requirements for hearing evidence or reviewing record: The cabinet secretary, board of review member or appeal tribunal [~~administrative law judge~~] hearing officer shall not participate in any decision for any adjudicatory hearing unless the cabinet secretary, board of review member or [~~appeal tribunal administrative law judge~~] hearing officer has heard the evidence or reviewed the record.

[11.3.500.9 NMAC - N, 01/01/2003; A, 11/15/2012; A, 07/31/2013; A, 10/29/2019; A, 9/9/2026]

11.3.500.10 HEARING PROCEDURE BEFORE THE APPEAL TRIBUNAL:

A. Conduct of adjudicatory hearings:

(1) Adjudicatory hearings before the appeal tribunal shall be conducted in such a manner that all parties are afforded basic rights of due process and that all pertinent facts necessary to the determination of the rights of the parties are obtained. All hearings and proceedings will be conducted informally in such a manner as to ascertain the substantial rights of the parties and will not be governed by common law or statutory rules as to the admissibility of evidence or by technical rules of procedure, but the procedures shall afford the parties equally and impartially the right to:

(a) call and examine witnesses and to cross examine the opposing party's witnesses;

(b) introduce exhibits and offer rebuttal evidence;

(c) object to questions and to the introduction of improper or irrelevant testimony or evidence; and

(d) submit written expositions of the case, within the discretion of the [~~administrative law judge~~] hearing officer.

(2) The appeal tribunal, on its own initiative:

(a) may examine parties and witnesses;

(b) require additional evidence as it finds necessary to the determination of the issues before it;

(c) may exclude testimony and evidence which it finds to be incompetent, irrelevant or otherwise improper by standards of common reasonableness; and

(d) if it deems appropriate, the appeal tribunal may permit opening and closing statements.

B. Opportunity for fair hearing: In conducting adjudicatory hearings, the appeal tribunal shall afford all parties an opportunity for a full and fair hearing including an opportunity to respond and present evidence and argument on all issues involved; provided that the term "adjudicatory hearing" as used in this rule does not apply to fact-finding interviews conducted by the department representative for purposes of making an initial determination of eligibility for benefits or liability for contributions, payments in lieu of contributions, interest or penalties under the Unemployment Compensation Law.

C. Continuance, adjournment and reopening of adjudicatory hearings:

(1) An adjudicatory hearing before [~~an appeal tribunal administrative law judge~~] hearing officer, for good cause shown, may be continued or adjourned upon the request of a party or upon the appeal tribunal's own motion, at any time before the hearing is concluded. A claimant's right to a prompt determination of claimant's eligibility and payment of benefits shall not be impaired by undue delay of proceedings.

(2) If any party fails to appear at a scheduled adjudicatory hearing, the appeal tribunal may, in its best judgment, either adjourn the hearing until a later date or proceed to render its decision on the record and the evidence then before it. Any decision shall be subject to reopening before the appeal tribunal upon a showing of good cause for the party's failure to appear as long as the request to reopen is received no later than 15 days from the date of the decision that.

(3) A reopening of any adjudicatory hearing shall be granted upon showing of good cause, including good cause for not appearing at the scheduled hearing, or may be ordered on the appeal tribunal's, the board of review's or the secretary's own motion for good cause. A request for reopening shall be made as soon as reasonably possible but in no event later than 15 days after the decision of the appeal tribunal was mailed.

(4) A request for a continuance, adjournment or reopening shall be made to the [~~appeal tribunal administrative law judge~~] hearing officer as identified on the notice of hearing. If the [~~administrative law judge~~] hearing officer finds good cause for failing to appear, the merits of the appeal shall be set for hearing. Notice of the date, time and place of a reopened, postponed or adjourned hearing shall be given to the parties or their representatives and shall include a statement of the issues to be heard. The [~~administrative law judge~~] hearing officer shall issue a decision approving or denying a request for a continuance adjournment or reopening.

(5) A request for reopening made later than 15 days after the decision of the appeal tribunal was issued shall be heard by the secretary or the board of review on the reason for the untimely request for the reopening. If the secretary or the board of review finds good cause for the late request, the merits of the appeal shall be set for hearing before the appeal tribunal. Notice of the date, time and place of a reopened hearing shall be given to the parties or their representatives and shall include a statement of the issues to be heard.

D. Authority over conduct of adjudicatory hearings. The appeal tribunal shall have and shall exercise full authority over the conduct and behavior of parties and witnesses appearing before it to insure a fair, orderly adjudicatory hearing and an expeditious conclusion of the proceedings.

E. Mode of hearings:

(1) The appeal tribunal may conduct the adjudicatory hearing by telephone or in person at the discretion of the appeal tribunal. The mode of conducting the hearing will be as indicated in the notice setting the hearing.

(2) Notice of telephone hearing: If the hearing is to be by telephone, the notice shall so inform the parties and will include instructions for informing the [~~administrative law judge~~] hearing officer of the necessary telephone numbers. If the hearing is a telephonic hearing, no party or representative will be permitted to attend in person. If the hearing is an in-person hearing, at the discretion of the [~~administrative law judge~~] hearing officer, a party, witness or representative will be permitted to appear telephonically.

F. Exhibits:

(1) Exchange of exhibits prior to hearings:

(a) A party seeking to introduce exhibits shall provide copies of all proposed exhibits to the other party. The copies shall be transmitted by the offering party in a manner to [~~insure~~] ensure their receipt by the other party at least [~~48 hours~~] two business days prior to the date and time of the scheduled hearing.

(b) A party seeking to introduce exhibits shall provide copies of all proposed exhibits to the [~~administrative law judge~~] hearing officer at least [~~48 hours~~] two business days prior to any hearing. In no event shall the [~~administrative law judge~~] hearing officer be provided copies of exhibits not previously transmitted by the offering party to the opposing party.

(c) Documents not submitted in accordance with this subsection shall be denied admission and denied consideration by the department:

(i) unless it is apparent that the particular document was previously seen by the party whose interest is affected, that party acknowledges having seen the document and has no objection to its admission; or

(ii) the [~~administrative law judge~~] hearing officer, in [~~the judge's~~] their discretion, determines that fundamental fairness and the proper administration of the Unemployment Compensation Law requires the admission of the document.

(d) In any case where the [~~administrative law judge~~] hearing officer determines that documentary evidence will be admitted over the objection of a party that the party has not had an opportunity to review and consider the evidence, a reasonable continuance shall be granted by the [~~administrative law judge~~] hearing officer to give the objecting party an opportunity to review the evidence.

(2) Marking exhibits: All exhibits tendered to the [~~administrative law judge~~] hearing officer shall be separately marked for identification. The employer's exhibits shall be denoted E-1, E-2, E-3 and so forth; the claimant's exhibits shall be denoted C-1, C-2, C-3 and so forth. A file, such as a personnel file, containing voluminous documents need not be separately marked, but the pages shall be individually numbered by the offering party prior to admission. Failure to sequentially number the pages of a voluminous exhibit will be grounds to deny the admission of the exhibit.

(3) Exhibits admitted and considered by the [~~administrative law judge~~] hearing officer shall be individually identified on the record.

(4) Exhibits denied admission: The reason for the denial of admission of tendered exhibits shall be clearly stated on the record. Typical, but not exclusive, reasons for the denial of admission of an exhibit is lack of relevancy, immateriality, redundancy and voluminous unnumbered pages or documents. Exhibits offered and denied admission shall be retained in the record, but shall not form the basis for the decision of the [~~administrative law judge~~] hearing officer. The written decision shall reiterate the statement of exhibits denied admission and the basis for the denial.

G. Record of hearings:

(1) Proper record: The appeal tribunal shall ensure that all of the testimony, objections and motions or other matters in connection therewith are fully and accurately recorded, in such a manner that a complete and accurate transcript can be rendered therefrom as needed.

(2) The record in an adjudicatory hearing shall include:

(a) all documents in the department's files, pleadings, motions and previous rulings;

(b) documentary evidence received or considered;

(c) a statement of matters officially noticed;

(d) questions, tenders of evidence, offers of proof, objections and rulings thereon in the form of a [~~tape~~] recording or transcript;

(e) findings and conclusions; and

(f) any decision, opinion or report by the cabinet secretary, board of review members or [~~appeal tribunal administrative law judge~~] hearing officer conducting the hearing.

(3) The department deems that the recording of a proceeding made by the department is the official recording of the record.

(a) Inaudible recording: If the [~~tape or digital~~] recording or a significant portion of it is demonstrated as inaudible or otherwise unusable, if the parties do not stipulate as to the matters which would have appeared on the recording if usable, the appeal tribunal may order a rehearing de novo of all matters or of only the matters which were on the unusable portions of recording.

(b) Official transcript: The department or either party, at the party's expense, may prepare a typed transcript of any such [~~tape~~] recording for the use of the parties. Any typed transcript prepared by the department or under its supervision may be designated by the appeal tribunal as the official transcript. Typed transcripts prepared by a party shall not be deemed official transcripts unless such transcript was transcribed with the department's consent and prepared either in-person or from a department [~~tape or digital~~] recording by an individual approved by the department. A copy of the typed transcript of an appeal hearing may be made available without charge to parties of an appeal pending before the district court.

(c) Availability of recordings: Upon written application, for good cause shown, a duplicate copy of the recording of all testimony, objections and motions or other matters will be supplied to any party to the proceeding. Unless the applicant is entitled to the a copy of the recording without charge or otherwise shows good cause as to why the party should not be charged as provided in 11.3.100.106 NMAC, the applicant may be required to pay for a copy of the recording.

H. Factual information to be considered: All evidence, including any records, investigation reports and documents in the possession of the adjudicatory body which the department desires to avail itself as evidence in making a decision, shall be made a part of the record in the proceedings, and no other factual information or evidence shall be considered, except as provided in this section. Documentary evidence may be received in evidence in the form of copies or excerpts or by specific citation to page numbers in published documents.

I. Briefs or memoranda of law, requested findings of fact and conclusions of law: At any time during an adjudicatory hearing and prior to a decision, the parties may be afforded a reasonable opportunity to submit briefs or memoranda of law, proposed findings of fact and conclusions of law, together with supporting reasons including citations to the record and copies of case law, for

the consideration of the adjudicatory body.

J. Official notice: Official notice may be taken of all facts of which judicial notice may be taken and of other facts within the specialized knowledge of the board of review or [~~appeal tribunal administrative law judge~~] hearing officer, but whenever any such member or officer takes official notice of a fact, the noticed fact and its source shall be stated at the earliest practicable time, before or during the adjudicatory hearing, but before the final decision, and any party shall, on timely request, be afforded an opportunity to show the contrary.

K. Specialized knowledge of department: The experience, technical competence and specialized knowledge of the department and its staff may be utilized in the evaluation of the evidence by the adjudicatory bodies of the department.

L. Decision of the appeal tribunal:

(1) Decision in writing: Following the conclusion of an adjudicatory hearing on an appeal, the appeal tribunal shall promptly announce its decision on the case. The decision shall be in writing, shall include findings of fact and conclusions of law, and shall be signed by the [~~administrative law judge~~] hearing officer who heard the appeal.

(2) Findings of fact shall be based exclusively on the record, the evidence presented at the tribunal hearing and matters officially noted.

(3) The residuum rule shall apply in the issuance of all decisions. This rule requires that the decision of the department's appeal tribunal be supported by "substantial evidence", that is evidence which would be admissible in a court of law. A decision of the appeal tribunal cannot be made on the basis of controverted hearsay evidence alone; there must be a residuum of legal evidence which would be admissible in a court of law.

(4) Where an appeal was not filed within the statutory appeal period, the appeal tribunal shall, after review of the record conduct an evidentiary hearing with notice to all interested parties to determine whether the appellant has good cause for failure to timely appeal from an initial determination. Any decision that grants a request for reopening or finds good cause for failure to timely appeal from an initial determination cannot be appealed. Any decision that denies a request for reopening shall include the appeal tribunal's findings and conclusions for the denial. Either party if aggrieved may file an appeal on the merits of any written decision issued by the [~~administrative law judge~~] hearing officer to higher authority.

(5) Publication of decision: Copies of any decision issued by the appeal tribunal shall be promptly transmitted to all interested parties to the appeal.

M. Remand by appeal tribunal: The appeal tribunal may, in its discretion, remand any issue developed from evidence presented at the hearing or apparent from the existing record to the department with an order directing that a determination be made with regard to that issue or that additional procedures be taken to perfect a determination already issued or to make other disposition in the matter.

[11.3.500.10 NMAC - N, 01/01/2003; A, 11/15-/2012; A, 07/31/2013; A, 10/29/2019; A, 9/9/2026]

11.3.500.12 PRESENTATION OF FURTHER APPEALS:

A. An interested party aggrieved by a decision of the appeal tribunal is entitled to appeal to higher authority. A written communication clearly demonstrating a desire to appeal a determination to higher authority shall be filed with the department. The information submitted with the appeal shall include a clear statement of the relevant facts and a clear statement of the party's basis for appeal.

B. Secretary decision: The secretary shall review the application and shall, within 15 days after receipt of the application for appeal, either affirm the decision of the [~~administrative law judge~~] hearing officer, remand the matter to the appeal tribunal for an additional hearing or new decision, remand to the department for further investigation and determination, or refer the decision to the board of review for further review and decision on the merits of the appeal. Issues of timeliness shall be decided by the secretary, who may refer the decision to the board of review.

(1) Decision in writing: Following the conclusion of a review on an appeal, the cabinet secretary shall issue a decision. The decision shall be in writing, shall include findings of fact and conclusions of law, and shall be signed by cabinet secretary.

(2) Findings of fact shall be based exclusively on the record and matters officially noted.

(3) Publication of decision: Copies of any decision issued by the secretary shall be promptly transmitted to all interested parties to the appeal.

C. If the secretary takes no action within 15 days of receipt of the application for appeal and review, the decision will be promptly scheduled for review by the board of review as though it had been referred by the secretary.

D. All appeals from a decision of the appeal tribunal filed more than 15 days from the date of the appeal tribunal's decision shall be referred to the secretary, who may refer the decision to the board of review. In addition to the information required by Subsection A of 11.3.500.12 NMAC, all late appeals shall contain a concise statement setting forth the reasons for the late appeal. The secretary, or the board of review if the case has been referred to the board, may extend the time for filing any appeal from a decision of the appeal tribunal only upon showing of good cause.

E. Notice of review before the board of review shall be [~~mailed~~] sent to all interested parties

informing them that, unless a hearing is granted pursuant to the Subsection A of 11.3.500.13 NMAC, no additional evidence shall be taken and all parties will have the opportunity to submit written statements, briefs or memorandum of law explaining why the decision of the appeal tribunal should be affirmed or reversed.

F. Applications for leave to participate or intervene in an appeal: An interested party, if aggrieved by a decision of the appeal tribunal, but not a party to the proceeding before the appeal tribunal, may apply for leave to participate or intervene in an appeal before the board of review. The party applying for leave to participate or intervene in an appeal before the board of review shall file with the board of review an application for leave to join an appeal setting forth his interest in the matter appealed. The board of review shall have the discretionary power to approve or reject any such application.

[11.3.500.12 NMAC - N, 01/01/2003, A, 02/14/2011; A, 11/15/2012; A, 10/29/2019; A, 9/9/2026]

11.3.500.13 THE BOARD OF REVIEW:

A. The board of review's authority: In every case referred to the board of review by the secretary from an appeal tribunal decision the board of review may, in its discretion, hear and review [and decide] the case upon the record; it may entertain written arguments, or, after notice to all parties and remand the matter to the appeal tribunal in accordance with 11.3.500.9 NMAC [~~it may~~] to enter supplemental findings based on the existing record or conduct a hearing and take additional evidence [~~before it~~].

B. Review of the record as an appellate or reviewing body: As a general practice and unless the board of review gives specific notice to the contrary, the board sits in its capacity as an appellate or reviewing body. As such, it reviews the record; it does not receive new evidence.

C. Remand by board of review to the appeal tribunal or the department: With an order directing that a determination or decision be made with regard to that issue, or that additional procedures be taken to perfect a determination or decision already issued, or to make other disposition in the matter, as the board of review, in its discretion, may deem necessary, the board of review may remand any claim or an issue involved in a claim; any issue developed from evidence presented at the hearing or apparent from the existing record:

(1) To the appeal tribunal for the taking of additional evidence or a hearing de novo. Hearings conducted by the appeal tribunal pursuant to a remand by the board of review shall be conducted after notice to all parties and in accordance with 11.3.500 NMAC. Unless directed otherwise by the board of review, the appeal tribunal shall issue a decision based upon the entire record before it, including the record of all the prior hearings. Parties to any additional hearing shall have the right to review the appeal tribunal recording made at any prior evidentiary hearing.

(2) To the department for fact-finding and issuance of an initial determination or redetermination.

D. Appeals by the secretary: Within 15 days from the date of issuance of any decision by the appeal tribunal, the secretary, on the secretary's motion, may request the board of review to reconsider a decision of [~~an appeal tribunal administrative law judge~~] a hearing officer, which the secretary believes to be inconsistent with law or the applicable rules of interpretation or which is not supported by the evidence. In such situations the board of review may, in its discretion, take additional evidence, review the matter on the record or remand the matter to the appeal tribunal for an additional evidentiary hearing.

E. Where an appeal was not filed within the statutory appeal period, the cabinet secretary shall, after review of the record and appeal, determine whether the appellant has good cause for failure to timely appeal from an initial determination. Any decision that denies a request to extend the time frame for the appeal shall include findings and conclusions for the denial of the reopening.

F. Decision by the board of review:

(1) Decision in writing: The board of review may take the appeal under advisement, [~~may order a transcript of proceedings for review may~~] afford the parties an opportunity to file memorandum briefs and proposed findings of fact and conclusions of law, [~~; or the board may~~] or issue a decision. The decision shall be in writing, shall include findings of fact and conclusions of law, and shall be signed by the members of the board who heard or reviewed the appeal. If a decision of the board of review is not unanimous, the decision of the majority shall control. The minority may file a dissent from such decision.

(2) Findings of fact shall be based exclusively on the record, the evidence presented at the tribunal hearing and matters officially noted.

(3) Publication of decision: Copies of any decision issued by the board of review shall be promptly transmitted to all interested parties to the appeal.

[11.3.500.13 NMAC - N, 01/01/2003; A, 11/15/2012; A, 10/29/2019; A, 9/9/2026]

11.3.500.14 ~~[INSPECTION OF DECISIONS:~~ ~~Copies of all decisions of the cabinet secretary, board of review and appeal tribunal shall be kept on file in accordance with the state records center retention requirements at the department's office in Albuquerque, New Mexico. A compilation of decisions of the appeal tribunal and board of review designated significant by the secretary or the general counsel, but with the parties' names and identifying information redacted and removed shall be open for inspection. The redacted decisions shall be filed~~

~~chronologically but, from time to time, may be indexed by topic and offered as a precedent manual.~~]

[RESERVED]

[11.3.500.14 NMAC – N, 01/01/2003; A, 11/15/2012; Repealed, 09/09/2026]

History of Repealed Material:
11 NMAC 3.500, Adjudicatory Hearings, Filing of Appeals and Notice - Repealed 01/01/2003
11 NMAC 3.500.14, Inspection of Decisions – repealed 9/9/2026

End of Adopted Rules

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REGULATION AND LICENSING DEPARTMENT
ALCOHOLIC BEVERAGE CONTROL DIVISION

CORRECTION TO NOTICE OF PUBLIC RULEMAKING HEARING

In the Notice of Public Rulemaking Hearing published in Issue 16 of the New Mexico Register, August 25, 2026, announcing a public rule hearing October 1, 2026, an incorrect paragraph **"Purpose of Proposed Rules"** has been corrected to the following:

Purpose of Proposed Rules: The proposed rule changes are intended to amend the rules to align with statutory changes in 2021 (age for serving in restaurants where primary source of revenue is derived from food and not alcoholic beverages lowered to 18, and to remove military institutions from the distance requirement for liquor establishments), and 2023 (removing restrictions and requirements for alcoholic beverage delivery specific to Class A Counties), and to correct typographical errors.

Also, rule 15.11.20 Licenses and Permits, was incorrectly listed as 5.11.20 in two places and has been corrected.

End of Other Material Related to Administrative Law

2026 New Mexico Register

Submittal Deadlines and Publication Dates

Volume XXXVII, Issues 1-24

Issue	Submittal Deadline	Publication Date
Issue 1	January 2	January 13
Issue 2	January 15	January 27
Issue 3	January 29	February 10
Issue 4	February 12	February 24
Issue 5	February 26	March 10
Issue 6	March 12	March 24
Issue 7	March 26	April 7
Issue 8	April 9	April 21
Issue 9	April 23	May 5
Issue 10	May 7	May 19
Issue 11	May 21	June 10
Issue 12	June 11	June 23
Issue 13	June 25	July 14
Issue 14	July 16	July 28
Issue 15	July 30	August 11
Issue 16	August 13	August 25
Issue 17	August 27	September 9
Issue 18	September 11	September 22
Issue 19	September 24	October 6
Issue 20	October 8	October 20
Issue 21	October 22	November 3
Issue 22	November 5	November 17
Issue 23	November 19	December 8
Issue 24	December 10	December 22

The ***New Mexico Register*** is the official publication for all material relating to administrative law, such as notices of rulemaking, proposed rules, adopted rules, emergency rules, and other similar material. The Commission of Public Records, Administrative Law Division, publishes the ***New Mexico Register*** twice a month pursuant to Section 14-4-7.1 NMSA 1978. The New Mexico Register is available free online at: **http://www.srca.nm.gov/new-mexico-register/.** For further information, call 505-476-7941