TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT
CHAPTER 28 LAW ENFORCEMENT STANDARDS AND TRAINING
PART 1 GENERAL PROVISIONS

10.28.1.1 ISSUING AGENCY: New Mexico Law Enforcement Standards and Training Council, 4491 Cerrillos Road, Santa Fe, New Mexico 87507.
[10.28.1.1 NMAC - N, 11/3/2026

10.28.1.2 SCOPE: All police officers, public safety telecommunicators, and law enforcement agencies in the state of New Mexico.
[10.28.1.2 NMAC - N, 11/3/2026]

10.28.1.3 STATUTORY AUTHORITY: Subsection E of Section 29-7-4 NMSA 1978, Section 29-7-2 NMSA 1978, Section 29-7-3 NMSA 1978, Section 29-7-4 NMSA 1978, Section 29-7-4.1 NMSA 1978, Section 29-7-4.2 NMSA 1978, Section 29-7-4.3 NMSA 1978, Section 29-7-4.4 NMSA 1978, Section 29-7-5 NMSA 1978, Section 29-7-5.1 NMSA 1978, Section 29-7-6 NMSA 1978, Section 29-7-6.1 NMSA 1978, Section 29-7-7 NMSA 1978, Section 29-7-7.1 NMSA 1978, Section 29-7-7.2 NMSA 1978, Section 29-7-7.3 NMSA 1978, Section 29-7-7.4 NMSA 1978, Section 29-7-7.5 NMSA 1978, Section 29-7-7.6 NMSA 1978, Section 29-7-7.7 NMSA 1978, Section 29-7-12 NMSA 1978, Section 29-7-14 NMSA 1978, Section 29-7C-4 NMSA 1978, Section 29-7C-5 NMSA 1978; Section 29-7C-7 NMSA 1978.
[10.28.1.3 NMAC - N, 11/3/2026]

10.28.1.4 DURATION: Permanent
[10.28.1.4 NMAC - N, 11/3/2026]

10.28.1.5 EFFECTIVE DATE: November 3, 2026, unless a later date is cited at the end of a section.
[10.28.1.5 NMAC - N, 11/3/2026]

10.28.1.6 OBJECTIVE: The objective of Part 1 is to establish procedures and policies for conducting meetings of the New Mexico Law Enforcement Standards and Training Council.
[10.28.1.6 NMAC - N, 11/3/2026]

10.28.1.7 DEFINITIONS: [Reserved]
[10.28.1.7 NMAC - N,11/3/2026]

10.28.1.8 REGULATIONS, POLICIES AND PROCEDURES FOR CONDUCTING THE BUSINESS OF THE LAW ENFORCEMENT STANDARDS AND TRAINING COUNCIL:

A. Duties of council members:

(1) The council shall annually elect the council chair at the first Council meeting of each calendar year. The chair shall preside at all meetings and shall be charged with the responsibility of preserving order and decorum and enforcing these regulations. The chair shall execute all of those duties commonly performed by a presiding officer.

(2) The council shall elect a vice-chair at the first council meeting of each calendar year. The vice-chair shall act in the capacity of the chair in the absence or unavailability of the chair.

B. Director: The director shall implement the training standards and requirements developed and adopted by the council; and is the chief executive officer of the academy pursuant to Subsection A and Subsection D of Section 29-7-5 NMSA 1978. The director shall be under the supervision and direction of the secretary of public safety and shall fulfill the other functions established in Section 29-7-5 NMSA.

(1) The director, or designee, provides administrative services to the council. The director, or designee, represents the council in administrative matters and is subject to the direction of the council through its official proceedings. The director, or designee, is responsible for the review and certification of the minutes of the council. The director, or designee, implements the training standards and requirements developed and adopted by the council.

(2) Because the director is subject to the direction of the council, the director may not hold the position of council chair or vice-chair.

(3) The council may direct the director to implement, carry out, or finalize a particular policy or agreement. When the council has so directed, the director is authorized to sign on behalf of the council those contracts and other documents that are customarily signed by the chair of the council.

(4) The director supervises the operation of the academy as its chief executive officer. The director shall perform all duties delegated to the director by law and those customarily exercised by the chief executive officer of a state agency.

(5) The director ensures that regional satellite academies adhere to the training standards established by the council.

(6) The director evaluates basic law enforcement training programs, basic public safety telecommunicator training programs, certification by waiver programs, and in-service programs on a regular basis to ensure that they comply with standards set by the council, in addition to state and federal law.

(7) The director shall accredit advanced training classes and ensure compliance whenever a specific curriculum for a class is established as a statewide standard by the council.

(8) The director is responsible for maintaining training records for all officers and public safety telecommunicators who complete basic law enforcement or public safety telecommunicator training, as well as certification-by-waiver programs. The director is responsible for maintaining training records for officers and public safety telecommunicators who successfully complete accredited advanced training and in-service classes.

C. Meetings: Regular meetings of the council will be held at least four times a year at a time and place to be designated by the chair:

(1) A majority of the council members currently serving shall constitute a quorum for the transaction of business at any regular or emergency meeting. The transaction of the council's business shall be by the vote of the majority of its members present at the meeting. All members of the council, including the chair and those serving ex officio, have the same duties and responsibilities as any other member.

(2) If a number of council members less than a quorum shall assemble for any meeting, they may postpone or adjourn the meeting until such time as a quorum can be obtained and notice again given in accordance with the rules herein set forth.

(3) If, prior to the commencement of a regular or emergency meeting, the director has received notice that the majority of the members of the council will not be able to attend the meeting, the director may cancel the meeting and is instructed to attempt to give notice of cancellation of the meeting to all council members.

(4) All meetings of the council shall be open to the public, except that the council may exclude the public for the portion of the meeting as authorized by the New Mexico Open Meetings Act.

(5) The council may request that persons having business before the council, in addition to providing written information for the council to review, appear personally before the council to discuss their item of business.

(6) All meetings of the council that are open to the public shall allow for a portion of the meeting time to be designated for public comment. The council shall receive comments from those attending in person or virtually. Members may ask questions for clarification but may not engage in substantive discussion or take formal action unless noticed in the meeting agenda. Comments will be taken under advisement and may be placed on the agenda of a future public meeting for discussion or action at the discretion of the council.

(7) The order of business of the council at regular meetings shall be as follows:

- **(a)** Roll call;
- **(b)** Approval of agenda;
- **(c)** Approval of minutes;
- **(d)** Old business;
- **(e)** New business;
- **(f)** Designation of place of next meeting; and
- **(g)** Adjournment.

(8) The chair shall prepare an agenda for each meeting.

(9) The agenda for an emergency meeting shall specify the items of business to be considered by the council at that meeting. No business other than that specifically stated on the agenda for that emergency meeting shall be considered. The subject matter to be considered at any emergency meeting shall be included in that notice given by the director to the members of the council as required in these regulations and the New Mexico Open Meetings Act.

(10) All meetings shall be called to order and the business of the meeting conducted by the chair of the council, or in his absence, the vice-chair. Should both officers of the council be absent from the meeting, if a quorum is present, the council shall designate one of its members to assume the responsibilities of the chair for that meeting.

(11) In the event a question as to the proper method of procedure arises in any meeting, the chair is vested with authority to resolve such questions, and the decisions shall be final.

(12) The chair shall send to all council members prior to the regular meeting date a copy of the agenda for the regularly scheduled meeting and any documents or other items of information that may assist the council members in preparing for the upcoming meeting.

(13) The minutes of each council meeting shall comply with the requirements of the Open Meetings Act. The director or the staff is directed to compile the minutes of the meeting from stenographic notes of the meeting, a tape recording, a video recording, or any combination thereof. The approved minutes of a meeting shall constitute the official record of business transacted at the meeting. The approved minutes of the council meeting shall be preserved physically or electronically and shall be available for public inspection during normal working hours.

D. Request for Consideration as a Meeting Agenda Item:

(1) All persons desiring to place before the council any item for discussion or time of business for the council's consideration may do so by submitting a request in writing to the chair as early as possible, and no later than 10 days in advance of the regular meeting. The request shall contain:

(a) A request that the item of business be placed on the agenda of the next regularly scheduled meeting;

(b) A description of the subject matter of the item of business, any supporting documentation, and any presentation material;

(c) The action that the requester desires the council to take on the item of business; and

(d) The reason why the petitioner feels the action proposed by the petitioner is appropriate.

(2) The chair has the discretion to place any requested item on the agenda. The decision as to whether or not to place a requested item on the agenda, the method of presentation allowed, and the amount of time allowed to present on the item may be decided by the chair, and that decision is final.

(3) The chair may choose to treat the request as a Request for Rule Clarification.

E. Regulations: The council may alter and amend these regulations from time to time as it deems necessary. Changes to the regulations shall comply with requirements under the State Rules Act, Chapter 14, Article 4, NMSA 1978.

F. Rule Clarification

(1) The council is empowered to develop and promulgate statewide training requirements, curricula, methods, and professional development programs for law enforcement officers and public safety telecommunicators; and to adopt, publish, and file all rules necessary for the implementation and enforcement of such training, pursuant to Subsection B of Section 29-7-3 NMSA 1978and Subsection E of Section 29-7-4 NMSA 1978.

(2) The Standards and Training Council shall be responsible for reviewing and clarifying the New Mexico Administrative Code (NMAC) and state statutes related to law enforcement and public safety telecommunicator training in Chapter 29 NMSA.

(3) When the director, the academy, or any affected party within the scope of this rule requires clarification regarding the application of a statute or a provision in Title 10, Chapter 28 NMAC to a particular fact pattern, the party may submit a written request for clarification to the chair through the director or designee. The director, or designee, shall forward the written request to the chair without unreasonable delay.

(4) The chair, the vice-chair, and the director, or designee, together may render a preliminary clarification, convene the NMAC Working Group to handle the preliminary clarification, or consult with the New Mexico Department of Justice attorney assigned to support the Standards and Training Council, as needed, to assist with the preliminary clarification.

(5) The preliminary clarification issued in writing by the chair, vice chair, or NMAC Working Group shall serve as the controlling standard until such time as the council convenes to discuss the issue.

(6) All preliminary clarifications of NMAC shall be reported to the council at the next regularly scheduled council meeting for a final decision. The council may ratify, overrule, revise the clarification, or direct the NMAC Working Group to make recommendations for revisions to NMAC.

G. Miscellaneous:

(1) In computing any period of time prescribed or allowed by these regulations, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday or Sunday or legal holiday, in which even the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. For purposes of this rule, a legal holiday shall include any day in which state offices are closed for any consecutive period of three hours or more between 8:00 a.m. and 5:00 p.m.

(2) The academy will maintain a database of all certified law enforcement officers and public safety telecommunicators that will reflect a valid mailing address for each individual. It will be incumbent on each certified individual to provide the academy a current and valid mailing address for the purpose of council communications, notices of hearing, notices of action, and other official means of notification listed within the scope of this rule. Each certified law enforcement officer and public safety telecommunicator will provide notice of change of address in writing by use of the LEA 82A form within 30 days of any change of address. If an address change is due to termination, resignation, or retirement of a certified individual from a New Mexico public safety agency, the agency may provide a valid mailing address for the individual on the LEA-82 form. Reporting and notification to the academy of valid mailing address information is a requirement of certification maintenance and is the sole responsibility of the certified individual.

H. Open Meetings Act Requirements:

(1) Pursuant to subsection D of Section 10-15-1 of the Open Meeting Act, the council will determine annually what constitutes reasonable notice of its public meetings, which shall be done in the form of a resolution adopted annually pursuant to the Open Meetings Act and these rules.

(2) Notice:

(a) Regular meetings of the council shall ordinarily be held at least quarterly at a time and place designated in the notice. The agenda will be available from the director whose office is located at 4491 Cerrillos Road, Santa Fe, New Mexico. Notice of regular meetings will be given 10 days in advance of the meeting date.

(b) Special meetings of the council may be called by the chair with notice of at least 72 hours.

(c) Emergency meetings of the council are meetings called under circumstances that demand immediate action by the council. Although the council would avoid emergency meetings whenever possible, such circumstances may occasionally arise. Emergency meetings of the council may be called by the chair upon notice of at least 24 hours, unless shorter notice is necessary as authorized by the Open Meetings Act.

(3) Closed Meetings: The council may close a meeting to the public if the subject matter of such discussion or action is subject to a listed exemption of the Open Meeting Act. If any council meeting is closed, such closure shall comply with the specific requirements described in the Open Meetings Act.

[10.28.1.8 NMAC - N,11/3/2026]

History of 10.28.1 NMAC: [RESERVED]