

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 48 PRIVATE LAW ENFORCEMENT PRACTITIONERS
PART 4 MANDATORY FIREARMS TRAINING

16.48.4.1 ISSUING AGENCY: Regulation and Licensing Department[, ~~Private Investigations Advisory Board~~].

[16.48.4.1 NMAC - Re-pr, 16.48.4.1 NMAC, 9/24/2008, xx/xx/2021]

16.48.4.2 SCOPE: All individuals that apply for licensure and are authorized to carry a firearm under the Private Investigations Act.

[16.48.4.2 NMAC - Re-pr, 16.48.4.2 NMAC, 9/24/2008]

16.48.4.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Private Investigations Act, Section 61-27B-31.

[16.48.3.3 NMAC - Re-pr, 16.48.4.3 NMAC, 9/24/2008]

16.48.4.4 DURATION: Permanent.

[16.48.4.4 NMAC - Re-pr, 16.48.4.4 NMAC, 9/24/2008]

16.48.4.5 EFFECTIVE DATE: September 24, 2008 unless a later date is cited in the history note at the end of a section.

[16.48.4.5 NMAC - Re-pr & A, 16.48.4.5 NMAC, 9/24/2008]

16.48.4.6 OBJECTIVE: To establish the firearms training requirements necessary to apply for licensure.

[16.48.4.6 NMAC - Re-pr, 16.48.4.6 NMAC, 9/24/2008]

16.48.4.7 DEFINITIONS: Refer to 16.48.1.7 NMAC

[16.48.4.7 NMAC - Re-pr, 16.48.4.7 NMAC, 9/24/2008]

16.48.4.8 MANDATORY FIREARMS TRAINING:

A. [~~After July 1, 2007, any~~] A private investigator, a private patrol operator, a private investigations employee, or a level three security guard or a private patrol operations employee may carry a firearm upon successful completion of the mandatory firearm training required by the department. Any licensee who carries a firearm on duty shall be required to provide proof of being firearm certified by an instructor recognized by the department pursuant to 16.48.2.20 (A)(3) NMAC [~~and certified by the New Mexico law enforcement academy or the national rifle association law enforcement activities division~~] prior to carrying a weapon on duty, and annually thereafter.

B. The licensee or registrant will be required to qualify with the same type of weapon(s) and caliber(s) [~~he~~] they will be carrying while on duty.

C. Specific course requirements and verification of completion forms will be posted on the [~~board~~] department's website and are available [~~on~~] upon request [~~from the board office~~].

D. The firearms qualification forms issued by an instructor recognized and certified by the New Mexico law enforcement academy, federal government entity, military or the national rifle association law enforcement activities division shall at all times be in the possession of and located on the person of a registrant when working.

(1) Handgun:

(a) Ability to recite the four firearms safety rules

(b) Ability to safely present (draw) and re-holster

(c) Ability to safely load and unload

(d) Ability to describe and perform immediate corrective action for class 1, 2 and 3 malfunctions

(e) Ability to describe and perform tactical and emergency (speed) reloading

(f) Obtain a minimum passing score of eighty percent (80%, 40 hits) on the "50 Round Day Qualification Course of Fire - Handgun". All rounds are fired to the body from a standing position unless otherwise specified herein:

- (1) Draw, shoot a failure drill in 7 seconds, re-holster – 7 yard line
- (2) Draw, shoot a failure drill in 7 seconds, re-holster – 7 yard line
- (3) Draw, shoot two rounds in 10 seconds, re-holster – 25 yard line
- (4) Draw, move to kneeling position of choice and shoot two rounds in 12 seconds, recover to a standing position and re-holster – 25 yard line
- (5) Draw, shoot two rounds in 8 seconds, re-holster – 15 yard line
- (6) Draw, shoot two rounds, move to kneeling position of choice, reload an empty firearm and shoot two rounds from kneeling in 12 seconds, recover to a standing low-ready position – 15 yard line
- (7) From a low-ready position shoot two rounds in 5 seconds, re-holster – 15 yard line
- (8) Draw, shoot two rounds, reload an empty firearm and shoot two rounds in 12 seconds, re-holster – 10 yard line
- (9) Draw, shoot two rounds, reload an empty firearm and shoot two rounds in 12 seconds, re-holster – 10 yard line
- (10) From a low-ready strong hand only position shoot two rounds in 4 seconds, recover to a low-ready position – 7 yard line
- (11) From a low-ready strong hand only position shoot two rounds in 4 seconds, recover to a low-ready position – 7 yard line
- (12) From a low-ready support hand only position shoot two rounds in 4 seconds, recover to a low-ready position – 7 yard line
- (13) From a low-ready support hand only position shoot two rounds in 4 seconds, transition and re-holster – 7 yard line
- (14) Draw, shoot two rounds in 4 seconds, recover to a low-ready position – 5 yard line
- (15) From a low-ready position shoot two rounds in 3 seconds, re-holster – 5 yard line
- (16) Draw, shoot two rounds to the body, take one step to the right, shoot one round to the head in 10 seconds – 5 yard line
- (17) Draw, shoot two rounds to the body, take one step to the right, shoot one round to the head in 10 seconds, re-holster – 5 yard line
- (18) Draw to weapon retention position, shoot two rounds to the body, take one step back, assume a two-handed shooting stance and shoot one round to the head in 7 seconds, re-holster – 1 yard line
- (19) Draw to weapon retention position, shoot two rounds to the body, take one step back, assume a two-handed shooting stance and shoot one round to the head in 7 seconds, re-holster – 1 yard line

(2) Rifle:

- (a) Ability to recite the four firearms safety rules
- (b) Ability to safely use a sling, and present to low ready and high ready positions
- (c) Ability to safely load and unload
- (d) Ability to describe and perform immediate corrective action for class 1, 2 and 3 malfunctions
- (e) Ability to describe and perform tactical and emergency (speed) reloading
- (f) Obtain a minimum passing score of eighty percent (80%, 24 hits) on the “30 Round Day Qualification Course of Fire - Rifle”. All rounds are fired to the body from a standing position unless otherwise specified herein:
 - (1) From a low-ready half-load position, shoot two rounds in 4 seconds, recover to a low-ready position – 15 yard line
 - (2) From a low-ready full-load position, shoot two rounds in 3 seconds, recover to a low-ready position – 15 yard line
 - (3) From a low-ready full-load position, shoot two rounds in 3 seconds, recover to a safe low-ready or slung position – 15 yard line

- (4) From a low-ready half-load position, shoot two rounds in 5 seconds, recover to a low-ready position – 25 yard line
 - (5) From a low-ready full-load position, shoot two rounds in 3 seconds, recover to a low-ready position – 25 yard line
 - (6) From a low-ready full-load position, shoot two rounds in 3 seconds, recover to a low-ready or slung position – 25 yard line
 - (7) From a low-ready half-load position, assume a kneeling position of choice and shoot two rounds in 7 seconds, recover to a standing low-ready position – 25 yard line
 - (8) From a low-ready full-load position, assume a kneeling position of choice and shoot two rounds in 5 seconds, recover to a standing low-ready position – 25 yard line
 - (9) From a low-ready full-load position, assume a kneeling position of choice and shoot two rounds in 5 seconds, recover to a standing safe low-ready or slung position – 25 yard line
 - (10) From a low-ready half-load position, assume a kneeling position of choice and shoot two rounds in 9 seconds, recover to a standing low-ready position – 50 yard line
 - (11) From a low-ready full-load position, assume a kneeling position of choice and shoot two rounds in 7 seconds, recover to a standing safe low-ready or slung position – 50 yard line
 - (12) From a low-ready half-load position, assume a prone position, shoot two rounds, reload an empty firearm, and fire two rounds in 20 seconds, recover to a standing safe low-ready or slung position – 50 yard line
 - (13) From a low-ready half-load position, assume a prone position, shoot two rounds, reload an empty firearm, and fire two rounds in 25 seconds, recover to a standing safe low-ready or slung position – 100 yard line
- (3) Shotgun: All rounds are fired to the body unless otherwise specified herein
- (a) Ability to recite the four firearms safety rules
 - (b) Ability to safely use a sling, and present to low ready and high ready positions
 - (c) Ability to safely load and unload
 - (d) Ability to describe and perform immediate corrective action for class 1, 2 and 3 malfunctions
 - (e) Ability to describe and perform tactical and emergency (speed) reloading
 - (f) Obtain a minimum passing score of eighty percent (80%, 16 hits) on the “20 Round Day Qualification Course of Fire - Shotgun”. All rounds are fired to the body from a standing position unless otherwise specified herein:
 - (1) From a low-ready half-load position, shoot two rounds, load one round, and shoot two rounds in 12 seconds, recover to a safe low-ready or slung position – 7 yard line – .00 buckshot rounds
 - (2) From a low-ready half-load position, shoot two rounds, assume a kneeling position of choice, speed load an empty firearm, tactically load one round and shoot two rounds from kneeling in 15 seconds, recover to a safe low ready or slung position – 15 yard line – .00 buckshot rounds
 - (3) From a low-ready half-load position, shoot one round, assume a kneeling position of choice, and shoot one round from kneeling in 7 seconds, recover to a safe low ready or slung position – 25 yard line – .00 buckshot rounds
 - (4) From a low-ready half-load position, select load 1 round and shoot one head shot in 6 seconds, recover to a safe low-ready or slung position – 10 yard line – slug round
 - (5) From a low-ready half-load position, shoot two rounds in 4 seconds,

recover to a safe low ready or slung position – 15 yard line – slug rounds

(6) From a low-ready bolt open position, speed load an empty firearm and shoot one round in 4 seconds, recover to a safe low-ready or slung position – 25 yard line – slug round

(7) From a low-ready bolt open position, assume a kneeling position of choice, speed load an empty firearm, tactically load one round and shoot two rounds in 2 seconds, recover to a safe low-ready or slung position – 25 yard line – slug rounds

E. Optional, non-mandatory night/low light courses of fire acceptable for use in conducting qualification courses of fire pursuant to the above three categories of firearms will be posted on the department’s website and are available upon request for internal industry use as desired.

F. Authorized Targets and Scoring Process

(1) Instructors will only use a “TQ-19” style target, which depicts an average adult human-sized silhouette comprised of torso, neck and head zones. There shall be clearly designated body/neck and head zones as scoring areas outlined by a colored perimeter line for each zone. Only body-designated rounds impacting within the outlined body and neck area will be scored as “hits”. Only headshot-designated rounds impacting within the outlined head area will be scored as “hits”. All other rounds that impact outside of the outlined strike areas will be scored as “misses”. For clarification, an actual round impact which breaks the perimeter line of the designated target zone will be scored as a “hit”; paper tears around the perimeter of a round impact that break the perimeter line are not sufficient to be scored as a “hit”.

(2) Alibis will only be considered for firearm malfunctions that the shooter immediately and properly employs an action drill to correct.

(3) Ammunition management is the shooter’s responsibility.

G. All shooters must adhere to the safety rules and directions of the attending range and the approved Firearm Instructor(s) providing the training.

[16.48.4.8 NMAC - Re-pr & A, 16.48.4.8 NMAC, 9/24/2008; A, 5/1/2010; A, 1/15/2019, xx/xx/2021]

HISTORY OF 16.48.4 NMAC:

Pre NMAC History:

The material in this part was derived from that previously filed with the commission of public records - state records center and archives:

AG 68-1 (Rule No. IV), Private Patrol Operator Licenses, filed 4/3/1968.

AG 68-2 (Rule No. V), Private Investigator Licenses, filed 4/3/1968.

AG 69-2 (Rule No. VII), Private Investigators Licenses: Titles, filed 9/17/1969.

AG 70-2 (Rule No. VII), Private Investigators: Fictitious Names and Titles, filed 8/20/1970.

AG 69-3 (Rule No. VIII), Private Investigator Licenses: Interview of Applicant, filed 9/17/1969.

AG 70-3 (Rule No. VIII), Private Investigators: Interview of Applicant, filed 8/20/1970.

AG 70-5 (Rule No. X, Private Investigators: Alcohol Beverages, filed 8/20/1970.

AG 70-7 (Rule No. XII), Private Investigators: Deputy Sheriff Commissions, filed 11/19/1970.

AG 70-8 (Rule No. XIII), Private Investigators: Cessation of Licensed Business, filed 11/19/1970.

NMLEA Rule #30, Bureau of Private Investigators: Rules and Regulations, filed 4/24/1981.

NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations, filed 11/4/1983.

History of Repealed Material:

NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations (filed 11/4/1983) repealed 3/7/2008.

This rule expired on July 5, 2008 which was 120 days after its emergency filing on March 7, 2008. The Uniform Licensing Act (Subsection A of Section 61-1-30 NMSA 1978) stipulates that emergency rules cannot remain in effect for more than 120 days unless they are replaced by permanent rules.

Other History:

Those applicable portions of NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations (filed 11/4/1983) renumbered, reformatted, and replaced by 16.48.4 NMAC, Mandatory Firearms Training, effective 3/7/2008.

16.48.4 NMAC, Mandatory Firearms Training (filed 3/7/2008) was replaced by 16.48.4 NMAC, Mandatory Firearms Training, effective 9/24/2008.