

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 48 PRIVATE LAW ENFORCEMENT PRACTITONERS**  
**PART 8 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES AND VETERANS**

**16.48.8.1 ISSUING AGENCY:** Regulation and Licensing Department[, ~~Private Investigations Advisory Board~~]. [16.48.8.1 NMAC - N, 1/15/2015, xx/xx/2021]

**16.48.8.2 SCOPE:** This part sets forth application procedures to expedite licensure and registration for military service members, their spouses, dependent children, and veterans.  
[16.48.8.2 NMAC - N, 1/15/2015, xx/xx/2021]

**16.48.8.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to and in accordance with the Private Investigations Act, NMSA 1978, Section 61-27B-~~5~~ [~~1 to 36 (specific authority to promulgate rules is 61-27B-5(C) and NMSA 1978, Section 61-1-34~~].  
[16.48.8.3 NMAC - N, 1/15/2015, xx/xx/2021]

**16.48.8.4 DURATION:** Permanent.  
[16.48.8.4 NMAC - N, 1/15/2015]

**16.48.8.5 EFFECTIVE DATE:** January 15, 2015, unless a later date is cited at the end of a section.  
[16.48.8.5 NMAC - N, 1/15/2015]

**16.48.8.6 OBJECTIVE:** The purpose of this part is to expedite licensure for military service members, their spouses, their dependent children and [~~recent~~] veterans pursuant to 61-1-34 NMSA 1978[, ~~Subsection 34, of Section 1 of Chapter 61~~].  
[16.48.8.6 NMAC - N, 1/15/2015, xx/xx/2021]

**16.48.8.7 DEFINITIONS:**

- ~~A. "License" has the same meaning as defined in Subsection F(1) of Section 61-1-34 NMSA 1978.~~
- ~~B. "Licensing fee" has the same meaning as defined in Subsection F(2) of Section 61-1-34 NMSA 1978.~~
- ~~C. "Military service member" has the same meaning as defined in Subsection F(3) of Section 61-1-34[(E)(2)] NMSA 1978.~~
- ~~D. "Substantially equivalent" means the determination by the department that the education, examination, and experience requirements contained in the statutes and rules of another jurisdiction are comparable to, or exceed the education, examination and experience requirement of the Private Investigations Act.~~
- ~~E. "[Recent v.] Veteran" has the same meaning as defined in Subsection F(4) of Section 61-1-34[(E)(3)] NMSA 1978.~~

~~["Military service member" means a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard.~~

~~B. "Recent veteran" means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applied for an occupational or professional license pursuant to this section.]~~

[16.48.8.7 NMAC - N, 1/15/2015, xx/xx/2021]

**16.48.8.8 APPLICATION REQUIREMENTS:**

- ~~A. Applications for registration shall be completed on a form provided by the [D]department.~~
- ~~B. The applicant shall provide a completed application that includes the following information:~~
  - ~~(1) [a completed application]applicant's full name;~~
  - ~~(2) current mailing address;~~
  - ~~(3) current electronic mail address, if any;~~
  - ~~(4) date of birth;~~
  - ~~(5) two, 2X2 inch recent photographs or upload of a recent electronic headshot photograph;~~

- (6) copy of completion of polygraph school diploma, if required;
- (7) completed jurisprudence examination for the license or registration, if required;
- (8) firearms qualification, if required;
- (9) information on an past disciplinary action;
- (10) fingerprinting receipt to establish positive identification for a federal criminal history background check
- (11) any required fees; and
- (12) proof as described in subsection (C) below.

C. The applicant shall provide the following satisfactory evidence as follows:

- (1) applicant is currently licensed and in good standing in another jurisdiction, including a branch of the United States armed forces;
- (2) applicant has met the minimal licensing requirements in that jurisdiction and the minimal licensing requirements in that jurisdiction are substantially equivalent to the licensing requirements for New Mexico; and
- (3) the following documentation:
  - a. for military service member: copy of military orders;
  - b. for spouse of military service members: copy of military service member's military orders, and copy of marriage license;
  - c. for spouses of deceased military service members: copy of decedent's DD 214 and copy of marriage license;
  - d. for dependent children of military service members: copy of military orders listing dependent child, or a copy of military orders and one of the following: copy of birth certificate, military service member's federal tax return or other governmental or judicial documentation establishing dependency;
  - e. for veterans (retired or separated): copy of DD 214 showing proof of honorable discharge.

D. The license or registration shall be issued by the department as soon as practicable but no later than thirty days after a qualified military service member, spouse, dependent child, or veteran files a complete application and provides a background check if required for a license, and any required fees.

E. Military service members and veterans shall not pay and the department shall not charge a licensing fee for the first three years for a license or registration issued pursuant to this rule.

F. A license or registration issued pursuant to this section shall be valid for the time period that is specified in the Private Investigations Act.

~~(2) military service members or recent veteran: satisfactory evidence that the applicant is currently licensed in another jurisdiction, including a branch of the United States armed forces, and holds a current license in good standing;~~

~~a. the applicant further must provide satisfactory evidence that the applicant has met the minimal licensing requirements in that jurisdiction and that they are substantially equivalent to the licensing requirements for New Mexico; and~~

~~b. proof of honorable discharge (DD214) or current military ID card;~~

~~(3) spouse: proof marriage to military service member or accepted proof of military spouse status or tax returns of military service;~~

~~(4) dependent child: copy of military service member's identification card and copy of income tax returns of the military service member for most recent tax year, or equivalent;~~

~~C. The license or registration shall be issued within thirty days as soon as practicable, but not later than sixty days after a qualified military service member, spouse, dependent child, or a recent veteran files an application, submits satisfactory evidence that the applicant holds a license that is current and in good standing in another jurisdiction, including a branch of the armed forces of the United States, and has met minimal licensing requirements that are substantially equivalent to the licensing requirements for the license or registration that the applicant applies for pursuant to the private investigations act[provides all the documents required for the application.]~~

~~A. Applications for licensure shall be completed on a form provided by the board.~~

~~B. The applicant shall provide:~~

~~(1) completed application and corresponding fee pursuant to 16.48.5.8 NMAC;~~

~~(2) satisfactory evidence that the applicant is currently licensed in another jurisdiction, including a branch of the United States armed forces, and holds a current license in good standing; the applicant further must provide satisfactory evidence that he has met the minimal licensing requirements in that jurisdiction~~

~~and that they are substantially equivalent to the licensing requirements for the occupational or professional license the applicant applies for pursuant to Chapter 61, Articles 27B NMSA 1978; and~~  
~~(3) proof of honorable discharge (DD214) or military ID card or accepted proof of military spouse status.]~~

~~[C] G.~~ Electronic signatures will be acceptable for applications submitted pursuant to section 14-16-1 through section 14-16-19 NMSA 1978.

~~[E. The licensing fee shall be waived for a period of three years for eligible applicants.]~~

[16.48.8.8 NMAC - N, 1/15/2015, xx/xx/2021]

#### **16.48.8.9 RENEWAL REQUIREMENTS:**

~~A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for the issuance set forth in 16.48.2 NMAC and for the renewal of a license set forth in 16.48.7 NMAC pursuant to Chapter 61, Articles 2 through 36 NMSA 1978.~~

~~B. A license issued pursuant to this section shall be valid for two years.~~

~~C. The board office mails license renewal notifications to licensees before the license expiration date. Failure to receive the renewal notification shall not relieve the licensee of the responsibility of renewing the license by the expiration date.~~

~~D. The renewal application will be available online at the board's website and in paper copy if requested from the board office and must be received at the board office on or before the expiration date.]~~

~~A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for renewal set forth in 16.48.7 NMAC pursuant to Chapter 61, Article 27B NMSA 1978.~~

~~B. As a courtesy, the department, will send via electronic mail license renewal notifications to licensees or registrants before the license expiration date to the last known email address on file with the department. Failure to receive the renewal notification shall not relieve the licensee or registrant of the responsibility of timely renewal on or before the expiration date.~~

[16.48.8.9 NMAC - N, 1/15/2015, Xx/xx/2021]

**History of 16.48.8 NMAC:** [RESERVED]