

NOTICE OF RESCHEDULED PUBLIC HEARING

The Construction Industries Commission will convene a public hearing on the following proposed changes to the administrative code to include amendments to its rules 14.8.2 NMAC – 2015 NEW MEXICO PLUMBING CODE and 14.9.2 NMAC – 2015 NEW MEXICO MECHANICAL CODE. The hearing will be held before a hearing officer, at which time any interested person is invited to submit data, views or arguments on the proposed changes, either orally or in writing and to examine witnesses testifying at the hearing. The original public notice hearing scheduled for November 30, 2021, was cancelled and is reset through this notice to January 18, 2022.

The purpose of this public rule hearing is to receive public comments regarding the amendments and changes to the 2015 New Mexico Plumbing and Mechanical codes reflecting updating of the codes to reflect the publishing and consideration in New Mexico of the 2021 Uniform Plumbing Code and the 2021 Uniform Mechanical Code.

The statutory authority for this rulemaking is found in the Construction Industries Licensing Act, NMSA 1978 60-13-1 through 60-13-59, specifically Sections 60-13-9, 60-13-44, 60-13-45, 60-13-46 and 60-13-47.

The hearing is scheduled as follows:

The hearing shall begin at 9:30 a.m., January 18, 2022, will remain open until 10:00 a.m. or until participants have an opportunity to make public comment, whichever is longer. Due to the ongoing public health concerns posed by the threat of the contagious disease COVID-19, the rule hearing will be virtual via an Internet-based video conference and via telephone.

Interested persons may secure copies of the proposed changes by accessing the Construction Industries Division website (<https://www.rld.nm.gov/construction-industries>) to download the proposed rules or by written request to the Santa Fe CID Office – Toney Anaya Building, 2550 Cerrillos Rd. Santa Fe, NM 87505, attention: Mary James.

In order to ensure that the rules hearing is open to the public in a manner allowing members of the public to participate while social distancing due to COVID-19, the division shall implement the following procedures: You may send written comments to: Construction Industries Division, P.O. Box 25101, Santa Fe, New Mexico 87504, Attention: Public Comments. Written comments may also be faxed to (505) 476-4685/ (505) 476-4702 or submitted to Mary James at her email address: mary.james2@state.nm.us. All written comments must be received no later than 5:00p.m., on Friday, January 14, 2022. You may also review submitted comments by contacting Mary James at her email address above. All public comment received shall be admitted into the record during the public hearing.

Written comments may also be received on the day of the hearing as a division representative shall be stationed at the each of the division offices: Toney Anaya Building, Santa Fe; 5500 San Antonio NE- Suite F Albuquerque and 505 S. Main St – Suite 103 Las Cruces between 8:30 a.m. and 9:30 a.m. to receive written comments and to provide for the comments to be admitted into the record during the public hearing. Those desiring to participate in the public video/telephonic hearing process may do so by remote participation through livestreaming the meeting or becoming a participant by following these instructions:

Join via Video:

<https://nmrld.webex.com/nmrld/onstage/g.php?MTID=e0e6d52f4d2e669ff4306c65c5264cad3>. Once you join through the above link you will be provided instructions for accessing the meeting. Event password not required.

Join via telephone:

+1-415-655-0002

Access Code: 2488 099 9706

No password required.

You may also access the division's website at <https://www.rld.nm.gov/construction-industries/> the day of the hearing to locate instructions for participating in the hearing. All persons desiring to make public comment during the hearing shall do so through the WebEx process notifying the host who shall then ensure the ability for recorded comment. If you have any issues you may contact Kimberly Salazar at (575) 621-8351

All public comments and documentation will be entered into the record during the public rules hearing. If you require special accommodations to attend the hearing, please notify CID by phone, email, or fax, of such needs as soon as possible to ensure adequate accommodations. Telephone: (505) 476-4616. Email: mary.james2@state.nm.us; Fax No. (505) 476-4702.

Summary of the Proposed Changes to the Administrative Codes:

14.8.2 NMAC, currently titled the 2015 New Mexico Plumbing Code is being amended to update the Plumbing Code to acknowledge the most current 2021 Uniform Plumbing Code which is adopted by reference by New Mexico. These changes reflect alternatives for establishing efficiency and cost savings in the construction of mechanical systems while also considering the uniqueness of our state as to the geography and ownership of property by citizens in our state referencing other enacted codes where appropriate, allowing for natural ventilation and exhaust when available, deleting repetitive sections and providing an approved emergency shutoff valve for a property owner.

14.9.2 NMAC, currently titled the 2015 New Mexico Mechanical Code is being amended to update the Mechanical Code to acknowledge the most current 2021 Uniform Mechanical Code which is adopted by reference by New Mexico. These changes reflect alternatives for establishing efficiency and cost savings in the construction of mechanical systems while also considering the uniqueness of our state as to the geography and ownership of property by citizens in our state referencing other enacted codes where appropriate, allowing for natural ventilation and exhaust when available, deleting repetitive sections and providing an approved emergency shutoff valve for a property owner.