

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 48    PRIVATE LAW ENFORCEMENT PRACTITIONERS**  
**PART 7         LICENSE AND REGISTRATION RENEWAL, INACTIVE STATUS AND**  
**REINSTATEMENT**

**16.48.7.1        ISSUING AGENCY:** Regulation and Licensing Department.  
[16.48.7.1 NMAC - N, 9/24/2008; A, 10/26/2021]

**16.48.7.2        SCOPE:** This part applies to the licensees and registrants licensed and registered pursuant to the Private Investigations Act.  
[16.48.7.2 NMAC - N, 9/24/2008; A, 10/26/2021]

**16.48.7.3        STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Private Investigations Act, Section 61-27B-5 NMSA 1978.  
[16.48.7.3 NMAC - N, 9/24/2008; A, 2/8/2022]

**16.48.7.4        DURATION:** Permanent.  
[16.48.7.4 NMAC - N, 9/24/2008]

**16.48.7.5        EFFECTIVE DATE:** September 24, 2008 unless a later date is cited in the history note at the end of a section.  
[16.48.7.5 NMAC - N, 9/24/2008]

**16.48.7.6        OBJECTIVE:** This part establishes the procedures for license expiration and license and registration renewal.  
[16.48.7.6 NMAC - N, 9/24/2008; A, 10/26/2021]

**16.48.7.7        DEFINITIONS:** Refer to 16.48.1.7 NMAC.  
[16.48.7.7 NMAC - N, 9/24/2008]

**16.48.7.8        LICENSE AND REGISTRATION RENEWAL:** To align with three-year initial terms and transition current licenses and registrations to a three-year renewal cycle, until December 31, 2023, each expiring license and registration ending in an even number (2, 4, 6, 8, 0) will renew for a final two-year term and pay a pro-rated renewal fee, and each expiring license and registration ending in an odd number (1, 3, 5, 7, 9) will renew for a three-year term. Beginning January 1, 2024, all expiring licenses and registrations will renew for three year terms. Licensees and registrants shall renew their licenses issued pursuant to the Private Investigations Act by submitting the renewal application and all forms required by the department as described in the application.

**A.** The completed application shall include applicant's:

- (1) full name;
- (2) current mailing address;
- (3) current electronic mail address, if any;
- (4) current license or registration number, and any expired license or registration numbers issued to the applicant by the department;
- ~~(5) two, 2X2 inch recent photographs or an upload of a recent electronic headshot photograph;~~
- ~~(6)~~(5) proof of the required continuing education required for each type of licensure pursuant to 16.48.6.8 NMAC;
- ~~(7)~~(6) firearms qualification, if required;
- ~~(8)~~(7) documentation showing submission of background check form to the department of public safety no less than 30 days prior to the expiration of the renewal term (documentation may include certified mail return receipt, mailing or delivery confirmation) required to be submitted only by individuals who currently hold and wish to maintain a firearm certification as a private investigator, private patrol operator, private investigations employee, a private patrol operations employee or level three security guard pursuant to 16.48.4 NMAC;
- ~~(9)~~(8) any required fees;

- ~~(10)~~(9) general liability insurance, if required; and  
~~(11)~~(10) surety bond, if required.

**B.** Renewal applications must be postmarked or submitted online no later than the expiration date of the license or registration or a late fee will be assessed without exception. Continuing education credits shall be documented as described in 16.48.6 NMAC.

**C.** The department may require renewal applications be submitted electronically.  
The board does not maintain a list of continuing education providers. The licensee must determine where to obtain the required continuing education.

**D.** As a condition for license renewal, each applicant must complete the required hours of continuing education for each license type;

- (1) continuing education must be completed within the renewal date
- (2) excess hours cannot be carried over to future renewals;
- (3) continuing education taken prior to the renewal period will not be accepted;
- (4) each licensee will maintain documentation of all completed continuing education,

including contact information for the provider of each course.

(5) if all continuing education requirements are not met by the expiration date of the license or granted extensions date, the license shall be subject to disciplinary action.

**E. Audit process:** The board will audit continuing education to verify compliance, pursuant to the board's rules or act.

- (1) renewing licensees will be randomly selected for audit; the board may audit continuing education records at any time before the next scheduled license renewal or when deemed appropriate by the board;
- (2) The licensee will be notified by email when selected for audit and will be given a deadline to submit the continuing education proof of completion;
- (3) Failure to respond to request by the Board may be subject to a fines and other penalties determined appropriate by the board;
- (4) The board may, at its discretion, accept a sworn affidavit as evidence of certificate/license holder compliance with continuing education requirements in support of renewal applications in lieu of documented evidence of such. Reciprocity and reinstatement applications shall require documented evidence of compliance with continuing education provisions.
- (5) An individual who submits records or a sworn affidavit on their renewal application to demonstrate compliance with continuing education requirements but is found to be non-compliant during a random audit will be subject to fines and other penalties determined appropriate by the board.
- (6) Failure to comply with Continuing Education Audit as defined in Section 61-27B-5, NMSA 1978

[16.48.7.8 NMAC - N, 9/24/2008; A, 1/15/2019; A, 10/26/2021; A, 2/8/2022; A, XX/XX/2025]

**16.48.7.9 LICENSE RENEWAL DEADLINE:** Licensees or registrants failing to submit a renewal application and the required documentation on or before the expiration date shall be considered expired and must refrain from practicing. A licensee or registrant will be allowed a 30-day grace period in which they will be allowed to renew their license or registration with a late fee. Any renewal received after the 30-day grace period will not be accepted and the licensee or registrant will need to comply with 16.48.2 NMAC.

[16.48.7.9 NMAC - N, 9/24/2008; A, 5/10/2010; A, 1/15/2019]

**16.48.7.10 LICENSE RENEWAL NOTICES:** Courtesy renewal notices will be electronically mailed to each current licensee and registrant at least 30 days prior to the expiration date of the license.

[16.48.7.10 NMAC - N, 9/24/2008; A, 1/15/2019; A, 10/26/2021]

**16.48.7.11 LICENSEE RESPONSIBILITY:** Renewal notices will be electronically mailed to the last known electronic mail address on file with the department. It is the responsibility of the licensee and registrant to keep the department informed of any changes in electronic mail, physical mail address and phone numbers. Failure

to receive the renewal notice shall not relieve the licensee or registrant of the responsibility of renewing his license before the expiration date.

[16.48.7.11 NMAC - N, 9/24/2008; A, 1/15/2019; A, 10/26/2021]

**16.48.7.12 APPROVAL OF RENEWAL APPLICATION:** Upon department approval of the renewal application, the department will issue a license or registration with new expiration date.

[16.48.7.12 NMAC - N, 9/24/2008; A, 2/8/2022]

**16.48.7.13 INACTIVE STATUS:**

**A.** A licensed or registered person in good standing may request up to five years of inactive status by notifying the department in writing before the expiration of their current license.

**B.** An inactive status license or registration may be restored within the five year period upon submitting a reinstatement application provided by the department.

**C.** A license or registration placed on inactive status not restored within five years is automatically expired without notice from the department.

[16.48.7.13 NMAC - N, 9/24/2008; A, 10/26/2021; A, 2/8/2022]

**16.48.7.14 REINSTATEMENT OF INACTIVE LICENSURE OR REGISTRATION:** Reinstatement of a license or registration that is in inactive status requires the following:

**A.** completion of a reinstatement application relevant to the license or registration;

**B.** payment of an application fee and initial license or registration fee equal to the relevant initial fees provided in 16.48.5 NMAC;

**C.** department of public safety background check, required to be submitted only by individuals who wish to also reinstate a firearm certification as a private investigator, private patrol operator, private investigations employee, private patrol operations employee, or level three security guard pursuant to 16.48.4 NMAC; and

**D.** proof of completion of two hours of continuing education credit for each year the license or registration was inactive.

[16.48.7.14 NMAC N, 9/24/2008; A, 5/10/2010; A, 10/26/2021; A, 2/8/2022]

**HISTORY OF 16.48.7 NMAC: [RESERVED]**