

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

16.48.8.1 ISSUING AGENCY: Regulation and Licensing Department.
[16.48.8.1 NMAC - N, 1/15/2015; A, 10/26/2021]

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; A, 10/26/2021]

16.48.8.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to and in accordance with the Private Investigations Act, Section 61-27B-5 NMSA 1978.
[16.48.8.3 NMAC - N, 1/15/2015; A, 10/26/2021]

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 veterans pursuant to 61-1-34 NMSA 1978.
[16.48.8.6 NMAC - N, 1/15/2015; A, 10/26/2021]

16.48.8.7 DEFINITIONS:

A. “License” has the same meaning as defined in Paragraph (1) of Subsection F of Section 61-1-34 NMSA 1978.

B. “Licensing fee” has the same meaning as defined in Paragraph (2) of Subsection F of Section 61-1-34 NMSA 1978.

C. “Military service member” has the same meaning as defined in Paragraph (3) of Subsection F of Section 61-1-34 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. “Veteran” has the same meaning as defined in Paragraph (4) of Subsection F of Section 61-1-34 NMSA 1978.
[16.48.8.7 NMAC - N, 1/15/2015; A, 10/26/2021]

16.48.8.8 APPLICATION REQUIREMENTS:

A. Applications for registration shall be completed on a form provided by the department.

B. The applicant shall provide a completed application that includes the following information:

(1) applicant’s full name;

(2) current mailing address;

(3) current electronic mail address, if any;

(4) date of birth;

~~(5) two, 2X2 in recent photographs or upload of a recent electronic headshot photograph;~~

~~(6)~~(5) copy of completion of polygraph school diploma, if required;

~~(7)~~(6) completed jurisprudence examination for the license or registration, if required;

~~(8)~~(7) firearms qualification, if required;

~~(9)~~(8) information on any past disciplinary action;

~~(10)~~(9) fingerprinting receipt to establish positive identification for a federal criminal history background check;

~~(11)~~(10) any required fees; and

~~(12)~~(11) 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 services members: copy of decedent's DD214 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 DD214 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.
- G. Electronic signatures will be acceptable for applications submitted pursuant to section 14-16-1 through section 14-16-19 NMSA 1978.
[16.48.8.8 NMAC - N, 1/15/2015; A, 10/26/2021]

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 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; A, 10/26/2021]

History of 16.48.8 NMAC: [RESERVED]