

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 39 ENGINEERING AND SURVEYING PRACTITIONERS
PART 6 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES AND VETERANS

16.39.6.1 ISSUING AGENCY: State Board of Licensure for Professional Engineers and Professional Surveyors, 2550 Cerrillos Road, Santa Fe, NM 87505, telephone no. (505)476-4565.
[16.39.6.1 NMAC - N, 7/1/2015]

16.39.6.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, spouses and veterans.
[16.39.6.2 NMAC - N, 7/1/2015]

16.39.6.3 STATUTORY AUTHORITY: Section 61-23-10 (B) NMSA 1978 prescribes that “the board shall have the power to adopt and amend all bylaws and rules of procedure consistent with the constitution and the laws of this state that may be reasonable for the proper performance of its duties and the regulation of its procedures, meeting records, examinations and the conduct thereof. The board shall adopt and promulgate rules of professional responsibility for professional engineers and professional surveyors that are not exclusive to the practice of engineering or exclusive to the practice of surveying.” 16.39.1 NMAC applies to both engineering and surveying.
[16.39.6.3 NMAC - N, 7/1/2015]

16.39.6.4 DURATION: Permanent.
[16.39.6.4 NMAC - N, 7/1/2015]

16.39.6.5 EFFECTIVE DATE: July 1, 2015, unless a later date is cited at the end of a section.
[16.39.6.5 NMAC - N, 7/1/2015]

16.39.6.6 OBJECTIVE: The purpose of this part is to expedite licensure for military service members, spouses and veterans pursuant to Section 61-23-10 (B) NMSA 1978.
[16.39.6.6 NMAC - N, 7/1/2015]

16.39.6.7 DEFINITIONS:

A. 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 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, within the two years immediately preceding the date the person applied for an occupational or professional license pursuant to this section.

C. Spouse: means a person who is serving in the armed forces of the United States as an active-duty member or in an active reserve component of the armed forces of the United States, including the national guard; or a surviving spouse of a member who at the time of death was serving on active duty.

D. The child of a person who is serving in the armed forces of the United States as an active duty member or in an active reserve component of the armed forces of the United States, including the national guard; provided that child is also a dependent of that person for federal income tax purposes.

E. Licensing Fee: means a fee charged at the time an application for a professional license is submitted to the board and any fee charged for the processing of the application for such license; "licensing fee" does not include a fee for an annual inspection or examination of a licensee or a fee charged for copies of documents, replacement licenses or other expenses.

[16.39.6.7 NMAC - N, 7/1/2015; A, xx/xx/20xx]

16.39.6.8 APPLICATION REQUIREMENTS:

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

B. The information shall include:

(1) completed application and fee;

(2) satisfactory evidence that the applicant holds a license that is current and in good

standing, issued by another jurisdiction, including a branch of armed forces of the United States, that has met the

minimal licensing requirements that are substantially equivalent to the licensing requirements for ~~[the occupational or professional]~~ license the applicant applies for pursuant to Chapter 61, Article 23 NMSA 1978.

(3) the applicant shall provide the following documentation:
(a) for military service member: copy of military orders;
(b) for spouse of military service members: copy of spouse's military orders, and copy of marriage license;
(c) for spouses of deceased military service members: copy of spouse'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.

C. The license shall be issued by the board 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.

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

[16.39.6.8 NMAC - N, 7/1/2015; A, xx/xx/20xx]

[16.39.6.8 NMAC - N, 7/1/2015]

16.39.6.9 RENEWAL REQUIREMENTS:

A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for the issuance and for the renewal of a license pursuant to Chapter 61, Article 23 NMSA 1978.

B. The licensee must submit the following documents at the time of renewal:
(1) applicants, with board-approved engineering/surveying degrees shall submit their official transcript(s) provided directly from the university;
(2) applicants with an accreditation board for engineering and technology (ABET) accredited engineering technology degree shall submit their official transcript(s) provided directly from the university;
(3) acceptable replies from five (5) references, pursuant to Section 61-23-10 (B) NMSA 1978.

C. Every license shall automatically expire if not renewed on or before December 31 of the applicable biennial period pursuant Section 61-23-10 (B) NMSA 1978.

[16.39.6.9 NMAC - N, 7/1/2015]

HISTORY OF 16.39.6 NMAC: [RESERVED]