

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 48 PRIVATE LAW ENFORCEMENT PRACTITIONERS
PART 4 MANDATORY FIREARMS TRAINING

16.48.4.1 ISSUING AGENCY: Regulation and Licensing Department [~~Private Investigations Advisory Board.~~]

[16.48.4.1 NMAC - Re-pr, 16.48.4.1 NMAC, 9/24/2008]

16.48.4.2 SCOPE: All individuals that apply for licensure and are authorized to carry a firearm under the Private Investigations Act.

[16.48.4.2 NMAC - Re-pr, 16.48.4.2 NMAC, 9/24/2008]

16.48.4.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Private Investigations Act, Section 61-27B-31.

[16.48.4.3 NMAC - Re-pr, 16.48.4.3 NMAC, 9/24/2008]

16.48.4.4 DURATION: Permanent.

[16.48.4.4 NMAC - Re-pr, 16.48.4.4 NMAC, 9/24/2008]

16.48.4.5 EFFECTIVE DATE: September 24, 2008 unless a later date is cited in the history note at the end of a section.

[16.48.4.5 NMAC - Re-pr & A, 16.48.4.5 NMAC, 9/24/2008]

16.48.4.6 OBJECTIVE: To establish the firearms training requirements necessary to apply for licensure.

[16.48.4.6 NMAC - Re-pr, 16.48.4.6 NMAC, 9/24/2008]

16.48.4.7 DEFINITIONS: Refer to 16.48.1.7 NMAC

[16.48.4.7 NMAC - Re-pr, 16.48.4.7 NMAC, 9/24/2008]

16.48.4.8 MANDATORY FIREARMS TRAINING:

A. [~~After July 1, 2007, any~~] A private investigator, a private patrol operator, a private investigations employee, or a level three security guard [~~or a private patrol operations employee~~] may carry a firearm upon successful completion of the mandatory firearm training required by the department. Any licensee who carries a firearm on duty shall be required to provide proof of being firearm certified by an instructor recognized by the department pursuant to 16.48.2.20 (B)(3) NMAC [~~and certified by the New Mexico law enforcement academy or the national rifle association law enforcement activities division prior to carrying a weapon on duty, and annually thereafter.~~]

B. The licensee or registrant will be required to qualify with the same type of weapon and caliber [~~he~~] they will be carrying while on duty.

C. Specific course requirements and verification of completion forms will be posted on the [~~board~~] department's website and available on request from the [~~board office.~~] department.

D. The firearms qualification form issued by [~~an instructor recognized and certified by the New Mexico law enforcement academy, federal government entity, military or the national rifle association law enforcement activities division shall at all times be in the possession of and located on the person of a registrant when working.~~] the department.

[16.48.4.8 NMAC - Re-pr & A, 16.48.4.8 NMAC, 9/24/2008; A, 5/1/2010; A, 1/15/2019, xx/xx/2021]

HISTORY OF 16.48.4 NMAC:

Pre NMAC History:

The material in this part was derived from that previously filed with the commission of public records - state records center and archives:

AG 68-1 (Rule No. IV), Private Patrol Operator Licenses, filed 4/3/1968.

AG 68-2 (Rule No. V), Private Investigator Licenses, filed 4/3/1968.

AG 69-2 (Rule No. VII), Private Investigators Licenses: Titles, filed 9/17/1969.

AG 70-2 (Rule No. VII), Private Investigators: Fictitious Names and Titles, filed 8/20/1970.

AG 69-3 (Rule No. VIII), Private Investigator Licenses: Interview of Applicant, filed 9/17/1969.

AG 70-3 (Rule No. VIII), Private Investigators: Interview of Applicant, filed 8/20/1970.
AG 70-5 (Rule No. X, Private Investigators: Alcohol Beverages, filed 8/20/1970.
AG 70-7 (Rule No. XII), Private Investigators: Deputy Sheriff Commissions, filed 11/19/1970.
AG 70-8 (Rule No. XIII), Private Investigators: Cessation of Licensed Business, filed 11/19/1970.
NMLEA Rule #30, Bureau of Private Investigators: Rules and Regulations, filed 4/24/1981.
NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations, filed 11/4/1983.

History of Repealed Material:

NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations (filed 11/4/1983) repealed 3/7/2008. This rule expired on July 5, 2008 which was 120 days after its emergency filing on March 7, 2008. The Uniform Licensing Act (Subsection A of Section 61-1-30 NMSA 1978) stipulates that emergency rules cannot remain in effect for more than 120 days unless they are replaced by permanent rules.

Other History:

Those applicable portions of NMLEA B/PI Rule #1, Bureau of Private Investigators: Rules and Regulations (filed 11/4/1983) renumbered, reformatted, and replaced by 16.48.4 NMAC, Mandatory Firearms Training, effective 3/7/2008.

16.48.4 NMAC, Mandatory Firearms Training (filed 3/7/2008) was replaced by 16.48.4 NMAC, Mandatory Firearms Training, effective 9/24/2008.