



The Legislature
of the
State of New Mexico

50th Legislature, 1st Session

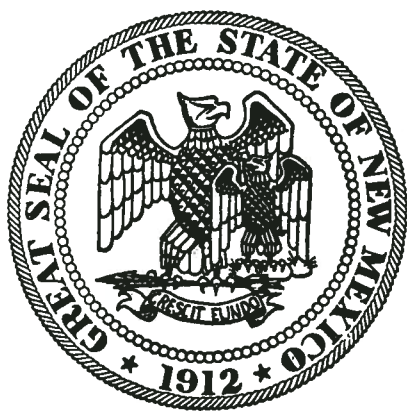
LAWS 2011

CHAPTER 129

SENATE BILL 262, as amended

Introduced by

SENATOR BERNADETTE M. SANCHEZ
SENATOR DAVID ULIBARRI



FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE

Chapter 129

AN ACT

RELATING TO MUNICIPAL INSPECTORS; AMENDING SECTIONS OF THE
NMSA 1978 TO CHANGE THE CONSTRUCTION INDUSTRIES COMMISSION
AUTHORITY OVER MUNICIPAL INSPECTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 60-13-41 NMSA 1978 (being Laws 1967,
Chapter 199, Section 49, as amended) is amended to read:

"60-13-41. INSPECTORS--DESIGNATED INSPECTION
AGENCIES.--

A. State inspectors shall be employed by the
director.

B. Qualifications and job descriptions for
inspectors for the state, municipalities and all other
political subdivisions shall be prescribed by the commission.

C. The division may appoint inspection agencies to
inspect the construction, installation, alteration or repair
of manufactured commercial units, modular homes and
premanufactured homes, including those manufacturers whose
business premises are without the state, to ensure that the
New Mexico standards of construction and installation are
adhered to and that the quality of construction meets all
New Mexico codes and standards. If the inspection agency has
no place of business within the state, it shall file a
written statement with the secretary of state setting forth

1 its name and business address and designating the secretary
2 of state as its agent for the service of process.

3 D. The division may enter into reciprocal
4 agreements with other jurisdictions having comparable codes,
5 standards and inspection requirements for the inspection of
6 the construction, alteration or repair of modular homes,
7 premanufactured homes and manufactured commercial units.

8 E. The division may, with the approval of the
9 commission, establish qualifications for inspectors certified
10 to inspect in more than one bureau's jurisdiction."

11 SECTION 2. Section 60-13-42 NMSA 1978 (being Laws 1967,
12 Chapter 199, Section 50, as amended) is amended to read:

13 "60-13-42. AUTHORITY OF INSPECTORS--LIMITATION.--

14 A. A state certified inspector may, during
15 reasonable hours, enter any building or go upon any premises
16 in the discharge of the inspector's official duties for the
17 purpose of making an inspection of work performed or for the
18 purpose of testing any installation authorized within the
19 jurisdiction of the inspector's trade certification. The
20 inspector may cut or disconnect, or have cut or disconnected
21 in cases of emergency, an installation or device when
22 necessary for safety to life or property or where the
23 installation may interfere with the work of a fire
24 department.

25 B. The inspector may disconnect or order the

1 discontinuance of service to any installation, device,
2 appliance or equipment found to be dangerous to life or
3 property because it is defective or is incorrectly installed,
4 until the installation, device, appliance or equipment is
5 made safe and is approved by the inspector.

6 C. The inspector may order the correction of any
7 defects or any incorrect installation that prompted the
8 disconnection and discontinuance of service.

9 D. In all cases where disconnection is made, a
10 notice shall be attached by the inspector to the
11 installation, device, appliance or equipment disconnected,
12 which notice shall state that the same has been disconnected
13 by or on order of the inspector and the reason for the
14 disconnection. It is unlawful for a person to remove the
15 notice or to use the installation, device, appliance or
16 equipment without authorization of an inspector.

17 E. The division shall by regulation adopt official
18 inspection stickers or medallions for the purpose of
19 identifying those modular homes and premanufactured homes
20 that have been inspected and found to comply with all
21 requirements of the state codes and standards. State
22 inspection and acceptance for use of modular homes and
23 premanufactured homes shall exclusively apply to the use and
24 occupancy of such dwellings in the state and in any of its
25 political subdivisions, subject to the requirements of local

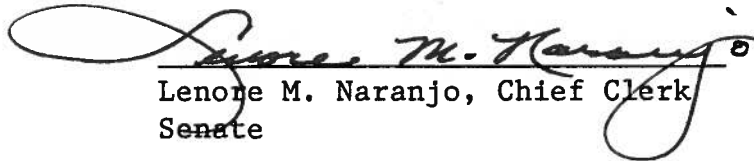
1 planning and zoning ordinances and ordinances requiring
2 permits and inspections for foundations, electrical and
3 mechanical hookups or other safety or sanitary
4 requirements." _____

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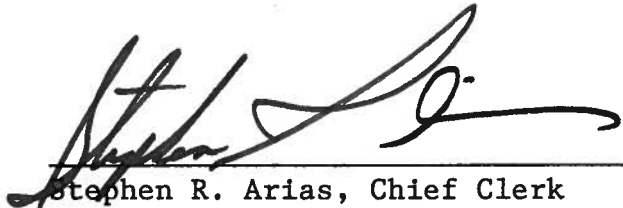
John A. Sanchez, President
Senate



Lenore M. Naranjo, Chief Clerk
Senate



Ben Lujan, Speaker
House of Representatives



Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this 7th day of April, 2011



Governor Susana Martinez
State of New Mexico

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