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HOUSE BILL 1310

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

EDWARD C. SANDOVAL

AN ACT

RELATING TO PROFESSIONAL LICENSING; AMENDING AND ENACTING  
SECTIONS OF THE CONSTRUCTION INDUSTRIES LICENSING ACT TO REQUIRE  
CONTINUING EDUCATION AS A CONDITION FOR RENEWAL OF CONTRACTORS'  
LICENSES AND JOURNEYMEN'S CERTIFICATION OF COMPETENCY.

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

Section 1. A new section of the Construction Industries  
Licensing Act is enacted to read:

" [NEW MATERIAL] RENEWAL OF LICENSE OR CERTIFICATE OF  
COMPETENCE-- CONTINUING EDUCATION. --

A. A contractor applying for license renewal or a  
journeyman applying for renewal of a certification of competence  
shall successfully complete continuing education requirements  
established by the division. The division shall require, at a  
minimum, that contractors and journeymen complete at least

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1 twenty hours of continuing education every three years. The  
2 continuing education courses shall include, at a minimum, the  
3 following courses for the respective specialties:

- 4 (1) building: GB2, GB98 and all GS;  
5 (2) electrical: EE98, EL and all ES  
6 classifications, including journeymen certificates;  
7 (3) plumbing: MM-1 and all MS specialties,  
8 including all journeymen certificates; and  
9 (4) mechanical: MM 2, 3, 4 and all MS  
10 specialties, including all journeymen certificates.

11 B. All active as well as inactive licensees and  
12 certificate holders shall have continuing education credits in  
13 their respective divisions. A licensed contractor holding a  
14 corresponding journeyman certificate satisfies the continuing  
15 education requirement for both areas by taking the appropriate  
16 code course.

17 C. The courses shall be taken only at accredited  
18 schools approved by the United States department of education  
19 and the commission on higher education. "

20 D. Persons who have been licensed for twenty years  
21 or more and are sixty-five years old or older are exempt from  
22 the provisions of this section.

23 Section 2. Section 60-13-18 NMSA 1978 (being Laws 1967,  
24 Chapter 199, Section 20, as amended) is amended to read:

25 "60-13-18. LICENSES--RENEWAL--CONTINUING EDUCATION. --

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1           A. Licenses issued by the division are not  
2 transferable.

3           B. Contractor's licenses shall expire two years  
4 after the issuance date or as determined by the division, but in  
5 no instance less than one year, and shall be renewable upon  
6 application to the division and payment of the prescribed  
7 renewal fee; provided that nothing in this subsection shall  
8 prohibit the division from establishing a staggered system of  
9 license expiration and a procedure for proration of fees for  
10 licenses issued for less than the two-year period or other  
11 period provided by the division pursuant to this subsection.

12           C. Licenses shall expire upon the date established  
13 by regulation of the commission, such regulation to provide for  
14 a staggered system of license expiration and for proration of  
15 fees for licenses issued for less than a full year. Thereafter,  
16 such licenses shall be issued for a period of two years or as  
17 otherwise provided by the division pursuant to Subsection B of  
18 this section. Licenses shall be subject to renewal upon  
19 application to the division and payment of the prescribed  
20 renewal fee.

21           D. The director shall, at least thirty days prior to  
22 the expiration date of a license, notify the licensee of the  
23 approaching expiration. Notice shall be given by mail addressed  
24 to the licensee's last address on file with the division. The  
25 notice shall include a renewal application form, instructions

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1 and any other information prescribed by the division.

2 E. Failure of a licensee to make application for the  
3 renewal of his license, to furnish such other information  
4 required by the commission to submit evidence of fulfilling the  
5 continuing education requirements provided for in the  
6 Construction Industries Licensing Act and to pay the prescribed  
7 renewal fee by the last working day prior to the expiration of  
8 the license shall cause the license to be suspended by operation  
9 of law.

10 F. Unless the license is renewed within a three-  
11 month period, it shall be canceled. The suspended license may  
12 be renewed only after payment of a fee equal to one dollar  
13 (\$1.00) for each day, up to thirty days, that has elapsed since  
14 the expiration date of the license and thereafter for a fee  
15 equal to twice the amount of the renewal fee. "

16 Section 3. Section 60-13-39 NMSA 1978 (being Laws 1967,  
17 Chapter 199, Section 42, as amended) is amended to read:

18 "60-13-39. CERTIFICATES AND EXAMINATION- ~~CONTINUING~~  
19 EDUCATION. --

20 A. Certificates of competence issued by the division  
21 are not transferable and shall expire on the date established by  
22 the division, not more than one year from the month of issuance.

23 B. Application shall be made before the expiration  
24 date for renewal of a current certificate of competence and  
25 shall be accompanied by evidence of fulfilling the continuing

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1 education requirements provided for in the Construction  
2 Industries Licensing Act and the fee prescribed for the initial  
3 issuance of the certificate.

4 C. Applications for a renewal of a certificate of  
5 competence shall be filed with the division prior to the last  
6 working day before the certificate expires. An expired  
7 certificate shall be renewable within a six-month period without  
8 examination and only upon paying a fee in twice the amount of  
9 the renewal fee. If the certificate has not been renewed within  
10 the six-month period, it shall be canceled."

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