

**TITLE 14 HOUSING AND CONSTRUCTION**  
**CHAPTER 9 MECHANICAL CODES**  
**PART 6 2009 NEW MEXICO SOLAR ENERGY CODE**

**14.9.6.1 ISSUING AGENCY:** Construction Industries Division (CID) of the Regulation and Licensing Department.  
 [14.9.6.1 NMAC - Rp, 14.9.6.1 NMAC, 11-1-11]

**14.9.6.2 SCOPE:** This rule applies to all contracting work performed in New Mexico on or after November 1, 2011, that is subject to the jurisdiction of CID, unless performed pursuant to a permit for which an application was received by CID before that date.  
 [14.9.6.2 NMAC - Rp, 14.9.6.2 NMAC, 11-1-11]

**14.9.6.3 STATUTORY AUTHORITY:** NMSA 1978 Section 60-13-9 and 60-13-44.  
 [14.9.6.3 NMAC - Rp, 14.9.6.3 NMAC, 11-1-11]

**14.9.6.4 DURATION:** Permanent.  
 [14.9.6.4 NMAC - Rp, 14.9.6.4 NMAC, 11-1-11]

**14.9.6.5 EFFECTIVE DATE:** November 1, 2011, unless a later date is cited at the end of a section.  
 [14.9.6.5 NMAC - Rp, 14.9.6.5 NMAC, 11-1-11]

**14.9.6.6 OBJECTIVE:** The purpose of this rule is to establish minimum standards for the construction of all solar energy systems in New Mexico.  
 [14.9.6.6 NMAC - Rp, 14.9.6.6 NMAC, 11-1-11]

**14.9.6.7 DEFINITIONS:** See 14.5.1 NMAC, General Provisions and chapter 2 of the 2006 uniform solar energy code as amended in 14.9.6.10 NMAC.  
 [14.9.6.7 NMAC - Rp, 14.9.6.7 NMAC, 11-1-11]

**14.9.6.8 ADOPTION OF THE 2009 UNIFORM SOLAR ENERGY CODE:**

- A. This rule adopts by reference the 2009 uniform solar energy code (USEC) and all appendices, as amended by this rule.
  - B. In this rule, the internal numbering of each provision corresponds with the numbering of the 2009 USEC.
  - C. This rule is to be applied in conjunction with all the other 2009 New Mexico building codes, including the NMPC, the NMMC the NMCBC, the NMRBC, and the 2008 NMEC.
- [14.9.6.8 NMAC - Rp, 14.9.6.8 NMAC, 11-1-11]

**14.9.6.9 CHAPTER 1 ADMINISTRATION:**

- A. **101.0 - Title, purpose, and scope.**
  - (1) **101.1 Title.** Delete this section of the USEC and substitute: This code shall be known as the 2009 New Mexico solar energy code (NMSEC).
  - (2) **101.2 Purpose.** Delete this section of the USEC and substitute: The purpose of this code is to establish minimum standards for all solar energy systems construction in New Mexico.
  - (3) **101.3 Plans required.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
  - (4) **101.4 Scope.**
    - (a) **101.4.1** See this section of the USEC.
      - (i) **101.4.1.1 Repairs and alterations.** See this section of the USEC.
      - (ii) **101.4.1.2 Maintenance.** Delete this section of the USEC.
      - (iii) **101.4.1.3 Existing construction.** Delete this section of the USEC.
      - (iv) **101.4.1.4 Conflicts between codes.** Delete this section of the USEC and see 14.5.1 General Provisions.
    - (b) **101.4.2 Additions, alterations, repairs, and replacement.** See this section of the USEC.
    - (c) **101.4.3 Appendices.** All appendices in the USEC are specifically adopted except delete sections D2.2 and D2.3 from appendix D.
  - (5) **101.5. Application to existing solar system.** See this section of the USEC except delete subsection **101.5.5 Maintenance.**
- B. **102.0 - Organization and enforcement.**

- (1) **102.1 Authority having jurisdiction.** Delete this section of the USEC.
  - (2) **102.2 Duties and powers of the authority having jurisdiction.**
    - (a) **102.2.1** Delete this section of the USEC and see CILA 60-13-8.
    - (b) **102.2.2 Right of entry.** Delete this section of the USEC and see CILA Section 60-13-42.
    - (c) **102.2.3 Stop orders.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
    - (d) **102.2.4 Authority to disconnect utilities in emergencies.** Delete this section of the UPC and see CILA Section 60-13-42.
    - (e) **102.2.5 Authority to condemn.** Delete this section of the USEC and see 14.5.1 NMAC, General Provisions.
    - (f) **102.2.6 Liability.** Delete this section of the USEC and see CILA Section 60-13-26.
  - (3) **102.3 Violations and penalties.** Delete this section of the USEC and see CILA Section 60-13-1 et seq., and 14.5.3 NMAC, Inspections.
  - C. **103.0 Permits and inspections.**
    - (1) **103.1 Permits.**
      - (a) **103.1.1 Permits required.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
      - (b) **103.1.2 Exempt work.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
    - (2) **103.2 Application for permit.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
    - (3) **103.3 Permit issuance.** Delete this section of the USEC and see 14.5.2 NMAC, Permits.
    - (4) **103.4 Fees.** Delete this section of the USEC and see 14.5.5 NMAC, Fees.
    - (5) **103.5 Inspections.** Delete this section and table 1-1 of the USEC and see 14.5.3 NMAC, Inspections, except for subsection **103.5.6 Reinspections.** See 14.5.5. NMAC, Fees.
    - (6) **103.6 Connection approval.** Delete this section of the USEC and see 14.5.3 NMAC, Inspections.
    - (7) **103.7 Unconstitutionality.** Delete this section of the USEC and see 14.5.1 NMAC, General Provisions.
    - (8) **103.8 Validity.** Delete this section of the USEC and see 14.5.1 NMAC, General Provisions.
    - (9) **Table 1-1 Scheduled of fees.** Delete this section of the USEC and see 14.5.5. NMAC, Fees.
- [14.9.6.9 NMAC - Rp, 14.9.6.9 NMAC, 11-1-11]

- 14.9.6.10 CHAPTER 2 DEFINITIONS:** See this chapter of the USEC, except as provided below.
- A. **203.0 “A” - Air handling unit** - Delete this definition from the USEC and see this definition in the UPC.
  - B. **205.0 “C”**
    - (1) **Condenser.** Delete the text of this definition and see the definition for this term in the UPC.
    - (2) **Condensing unit.** Delete the text of this definition and see the definition for this term in the UPC.
  - C. **207.0 “E” - Existing work.** Delete the text of definition and see section 104.2 of the UMC.
  - D. **215.0 “M” - Mechanical code.** Delete the text of this definition and see section 14.5.1 NMAC, General Provisions.
  - E. **218.0 “P”**
    - (1) **Plenum.** Delete the text of this definition and see the definition of this term in the UPC.
    - (2) **Plumbing code.** Delete the text of this definition and see section 14.5.1 NMAC, General Provisions.
  - F. **220.0 “R” – Roughing In.** See this definition in the USEC except add “electrical control wiring” after “piping” in the definition.
  - G. **221.0 “S” - Swimming pool code.** Delete the text of this definition and see section 14.5.1 NMAC, General Provisions.
- [14.9.6.10 NMAC - Rp, 14.9.6.10 NMAC, 11-1-11]

- 14.9.6.11 CHAPTER 3 GENERAL REGULATIONS:** See this chapter of the USEC except delete subsection **301.2, Alternate Materials and Methods Equivalency**, and see 14.8.2.11, NMAC, New Mexico plumbing code and 14.5.1.11, NMAC, General Provisions.
- [14.9.6.11 NMAC - Rp, 14.9.6.11 NMAC, 11-1-11]

- 14.9.6.12 CHAPTER 4 PIPING:** See this chapter of the USEC except in **section 404.3 Testing** delete the text of this section of the USEC and substitute with the following: the premise owner or responsible person shall have the backflow prevention assembly tested by a certified backflow assembly tester at the time of installation, repair, or relocation and thereafter when required by the *authority having jurisdiction*.
- [14.9.6.12 NMAC - Rp, 14.9.6.12 NMAC, 11-1-11]

- 14.9.6.13 CHAPTER 5 JOINTS AND CONNECTIONS:** See this chapter of the USEC.
- [14.9.6.13 NMAC - Rp, 14.9.6.13 NMAC, 11-1-11]

**14.9.6.14 CHAPTER 6 THERMAL STORAGE:** See this chapter of the USEC except delete **Section 602.3** and see section 1006.3 of the UMC.

[14.9.6.14 NMAC - Rp, 14.9.6.14 NMAC, 11-1-11]

**14.9.6.15 CHAPTER 7 COLLECTORS:** See this chapter of the USEC except in **section 701.5 Glass** delete the text of this section of the USEC and substitute with the following: glass used in collector panel construction shall be tempered.

[14.9.6.15 NMAC - Rp, 14.9.6.15 NMAC, 11-1-11]

**14.9.6.16 CHAPTER 8 THERMAL INSULATION:** See this chapter of the USEC except as provided below.

**A. Section 801 General requirements - 801.1** Delete the first sentence of this section and substitute the following: "All piping and storage tanks in solar heating systems shall be insulated according to this chapter to minimize heat loss. All duct work in solar heating systems shall be insulated in accordance with Subsection B of 14.9.2.14 NMAC, New Mexico Mechanical Code (NMMC).

**B. Section 803 Ducts.** Delete the text of this section and substitute the following: "All duct work in solar heating systems shall be insulated in accordance with Subsection B of 14.9.2.14 NMAC, New Mexico Mechanical Code (NMMC).

**C. Table 8-5. Insulation of ducts.** Delete this table and notes and see Subsection B of 14.9.2.14 NMAC, New Mexico Mechanical Code (NMMC).

[14.9.6.16 NMAC - Rp, 14.9.6.16 NMAC, 11-1-11]

**14.9.6.17 CHAPTER 9 DUCT WORK:** See this chapter of the UMC.

[14.9.6.17 NMAC - Rp, 14.9.6.17 NMAC, 11-1-11]

**14.9.6.18 CHAPTER 10 ELECTRICAL:** Delete this chapter of the USEC and see 14.10.4 NMAC, New Mexico Electrical Code.

[14.9.6.18 NMAC - Rp, 14.9.6.18 NMAC, 11-1-11]

**14.9.6.19 CHAPTER 11 MATERIAL STANDARDS.** See this chapter of the USEC.

[14.9.6.19 NMAC - Rp, 14.9.6.19 NMAC, 11-1-11]

**14.9.6.20 APPENDICIES.** See this chapter of the USEC.

[14.9.6.20 NMAC - Rp, 14.9.6.20 NMAC, 11-1-11]

#### **HISTORY OF 14.9.6 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with state records center and archives under:

CIC 77-3, 1976 New Mexico Uniform Solar Energy Code, 2/26/77.

CID MB-80-6, 1979 Uniform Solar Energy Code, 4/24/80.

MB-USEC-82-1, 1982 Uniform Solar Energy Code, filed 11/4/82.

MB-USEC-85-1, 1985 Uniform Solar Energy Code, 12/23/85.

MB-USEC-88-1, 1988 Uniform Solar Energy Code, 12/15/88.

MB-USEC-91-1, 1991 Uniform Solar Energy Code, 7/28/92.

#### **History of Repealed Material:**

14.9.6 NMAC, Housing and Construction, Mechanical Codes, 2006 New Mexico Solar Energy Code (filed 01-24-2008) repealed 11-1-11.

#### **Other History:**

MB-USEC-91-1, 1991 Uniform Solar Energy Code (filed 7/28/92) replaced by 14 NMAC 9.2, 1997 New Mexico Plumbing and Mechanical Code, effective 12/31/98.

14 NMAC 9.2, 1997 New Mexico Plumbing and Mechanical Code (filed 10/30/98) replaced by 14.9.2 NMAC, 2003 New Mexico Mechanical Code, effective 7/1/04.

That applicable portion of 14.9.2 NMAC, 2003 New Mexico Mechanical Code (filed 5/27/04) replaced by 14.9.6 NMAC, 2006 New Mexico Solar Energy Code, effective 2/24/08.

14.9.6 NMAC, Housing and Construction, Mechanical Codes, 2006 New Mexico Solar Energy Code (filed 1-24-2008) was replaced by 14.9.6 NMAC, Housing and Construction, Mechanical Codes, 2009 New Mexico Solar Energy Code, effective 11-1-11.