

**Other History:**

CID-MB-NMP&M 91-1, 1991 New Mexico Plumbing and Mechanical Code, (filed 7-7-92), 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) and MB-UPC-91-1, 1991 Uniform Plumbing Code, filed 7-28-92 both replaced by 14.8.2 NMAC, 2003 New Mexico Plumbing Code, effective 7-1-04.  
 14.8.2 NMAC, 2003 New Mexico Plumbing Code (filed 5-27-04) replaced by 14.8.2 NMAC, 2006 New Mexico Plumbing Code, effective 1-1-08.  
 14.8.2 NMAC, 2006 New Mexico Plumbing Code (filed 8-16-07) replaced by 14.8.2 NMAC, 2009 New Mexico Plumbing Code, effective 1-28-11.  
 14.8.2 NMAC, 2009 New Mexico Plumbing Code (filed 12-28-10) replaced by 14.8.2 NMAC, 2009 New Mexico Plumbing Code, effective 6-28-13.  
 14.8.2 NMAC, 2009 New Mexico Plumbing Code (filed 5-29-13) replaced by 14.8.2 NMAC, 2012 New Mexico Plumbing Code, effective 05/01/15.

**REGULATION AND LICENSING DEPARTMENT  
 CONSTRUCTION INDUSTRIES DIVISION**

**TITLE 14 HOUSING AND CONSTRUCTION  
 CHAPTER 8 PLUMBING CODES  
 PART 3 2012 NEW MEXICO SWIMMING POOL, SPA AND HOT TUB CODE**

**14.8.3.1 ISSUING AGENCY:** Construction Industries Division (CID) of the Regulation and Licensing Department. [14.8.3.1 NMAC - Rp, 14.8.3.1 NMAC, 05/01/15]

**14.8.3.2 SCOPE:** This rule applies to all contracting work performed on swimming pools, spas, and hot tubs in New Mexico on or after May 1, 2015, 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. [14.8.3.2 NMAC - Rp, 14.8.3.2 NMAC, 05/01/15]

**14.8.3.3 STATUTORY AUTHORITY:** Section 60-13-9 NMSA 1978. [14.8.3.3 NMAC - Rp, 14.8.3.3 NMAC, 05/01/15]

**14.8.3.4 DURATION:** Permanent. [14.8.3.4 NMAC - Rp, 14.8.3.4 NMAC, 05/01/15]

**14.8.3.5 EFFECTIVE DATE:** May 1, 2015, unless a later date is cited at the end of a section. [14.8.3.5 NMAC - Rp, 14.8.3.5 NMAC, 05/01/15]

**14.8.3.6 OBJECTIVE:** The purpose of this rule is to establish minimum standards for the construction of swimming pools, spas and hot tubs in New Mexico. [14.8.3.6 NMAC - Rp, 14.8.3.6 NMAC, 05/01/15]

**14.8.3.7 DEFINITIONS:** See 14.5.1 NMAC, General Provisions and Chapter 2 of the 2012 Uniform Swimming Pool, Spa, and Hot Tub Code (USPSHTC) as amended by this part. [14.8.3.7 NMAC - Rp, 14.8.3.7 NMAC, 05/01/15]

**14.8.3.8 ADOPTION OF THE 2012 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE:**

**A.** This rule adopts, by reference, the 2012 USPSHTC, as amended by this rule.

**B.** In this rule, each provision is numbered to correspond with the numbering of the USPSHTC. [14.8.3.8 NMAC - Rp, 14.8.3.8 NMAC, 05/01/15]

**14.8.3.9 CHAPTER 1 ADMINISTRATION:**

**A. 101.0 General.**  
**(1) 101.1 Title.** Delete this section of the USPC and substitute: This code shall be known as the 2012 New Mexico Swimming Pool, Spa, and Hot Tub Code (NMSPSHTC).

**(2) 101.2 Scope.** Delete this section of the USPSHTC and see 14.8.3.2 NMAC.

**(3) 101.3 Purpose.** Delete this section of the USPSHTC substitute: The purpose of this code is to establish minimum standards for all swimming pools, spas and hot tub construction in New Mexico.

**(4) 101.4 Unconstitutional.** Delete this section of the USPSHTC and see 14.5.1 NMAC.

**(5) 101.5 Validity.** Delete this section of the USPSHTC and see 14.5.1 NMAC.

**B. 102.0 Applicability.**  
**(1) 102.1**

**Conflicts between codes.** Delete this section of the USPSHTC and see 14.5.1 NMAC.

**(2) 102.2 Existing installations.** Delete this section of USPSTHC.

**(3) 102.3 Maintenance.** Delete this section of the USPSHTC.

**C. 103.0 Duties and powers having jurisdiction**

**(1) 103.1 General.** Delete this section of the USPSHTC and Construction Industries Licensing Act (CILA) Section 60-13-8.

**(2) 103.2 Liability.** Delete this section of the USPSTHC and see CILA Section 60-13-26.

**(3) 103.3 Applications and permits.** Delete this section of the USPSHTC and see 14.5.2 NMAC.

**(4) 103.4 Right of entry.** Delete this section of the USPSHTC and see CILA Section 60-13-42.

**D. 104.0 Permits.** Delete this section of the USPSHTC and see 14.5.2 NMAC.

**E. 105.0 Inspections and testing.** Delete this section of the USPSHTC and see CILA Section 60-13-1 to -59, and 14.5.3 NMAC.

**F. 106.0 Violations and penalties.** Delete this section of the USPSTHC and see CILA Section 60-14-1 to -59, and 14.5.3 NMAC.

**G. 107.0 Board of appeals.** [14.8.3.9 NMAC - Rp, 14.8.3.9 NMAC, 05/01/15]

**14.8.3.10 CHAPTER 2 DEFINITIONS:** See this chapter of the USPSHTC, except as provided below.

**A. 203.0 Authority having jurisdiction.** Delete the text of this definition and substitute: The authority having jurisdiction is the CID and the bureau chief of the mechanical and plumbing bureau of CID.

**B. 214.0 Listing agency.** See this definition in the UPC and Section 60-13-44 of the CILA.

**C. 221.0 Shall.** Delete this text of this definition and see Section 221.0 of the UPC.

[14.8.3.10 NMAC - Rp, 14.8.3.10 NMAC, 05/01/15]

**14.8.3.11 CHAPTER 3 GENERAL REQUIREMENTS:** See this chapter of the USPSHTC except as provided below.

**302.6 Alternate materials and methods equivalency.** Delete this section and see 14.8.2.11 NMAC and 14.5.1.11 NMAC.

[14.8.3.11 NMAC - Rp, 14.8.3.11 NMAC, 05/01/15]