

**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**  
**CHAPTER 29 LAW ENFORCEMENT ACADEMY**  
**PART 6 CERTIFICATION BY WAIVER**

**10.29.6.1 ISSUING AGENCY:** New Mexico Law Enforcement Academy - Training and Recruiting Division, Department of Public Safety, 4491 Cerrillos Road, Santa Fe, New Mexico 87505  
[10-1-97; 10.29.6.1 NMAC - Rn, 10 NMAC 29.6.1, 7/1/01]

**10.29.6.2 SCOPE:** All applicants for police officer certification by waiver of basic training and all law enforcement agencies in the state of New Mexico  
[10-1-97; 10.29.6.2 NMAC - Rn, 10 NMAC 29.6.2, 7/1/01]

**10.29.6.3 STATUTORY AUTHORITY:** NMSA 1978, Section 29-7-10 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-4 (Repl. Pamp. 1994), NMSA 1978, Section 29-7-5 (Repl. Pamp. 1994)  
[10-1-97; 10.29.6.3 NMAC - Rn, 10 NMAC 29.6.3, 7/1/01]

**10.29.6.4 DURATION:** Permanent  
[10-1-97; 10.29.6.4 NMAC - Rn, 10 NMAC 29.6.4, 7/1/01]

**10.29.6.5 EFFECTIVE DATE:** October 1, 1997  
[10-1-97; 10.29.6.5 NMAC - Rn, 10 NMAC 29.6.5, 7/1/01]

**10.29.6.6 OBJECTIVE:** The purpose of part 6 is to establish training requirements and eligibility standards for police officers and telecommunicators who seek certification by waiver of basic training under NMSA 1978, Section 29-7-10 (Repl. Pamp. 1994), NMSA 1978 Section 29-7C-6.  
[10-1-97; 10.29.6.6 NMAC - Rn, 10 NMAC 29.6.6, 7/1/01; A, 01/01/04]

**10.29.6.7 DEFINITIONS:** [RESERVED]

**10.29.6.8 REQUIREMENTS FOR POLICE OFFICERS:**

**A.** In order to be eligible for certification by waiver of basic training, such applicants shall be required to successfully complete an 120-hour certification by waiver of previous training program in order to demonstrate proficiency. The training will include the following topics: state laws; constitutional law; firearms training and testing; defensive tactics training and testing; use of force training; patrol tactics training and testing; emergency vehicles operations training and testing; and critical incident management training. All applicants must successfully challenge or complete a law enforcement Spanish class. The 1.5 mile run and the 300 meter run fitness tests must be completed at the 50th percentile or better. Agility course 1 and agility course 2 must be completed in the time required for graduation from the basic training program. If the applicant chooses, he or she may drag a rigid aid or object 10 feet from the side of the wall and use it as a platform to scale the wall. The rigid aid or object will have handles, a flat top, weigh 50 lbs. and be 25" tall. The law enforcement officer certification examination will be administered at the end of the training program. The applicant will have two (2) opportunities to successfully pass the exam. Two (2) failures of the exam will require the applicant to attend the basic police officer training program.

**B.** For the purposes of certification by waiver of previous training, pursuant to NMSA 1978, Section 29-7-10 (Repl. Pamp. 1997), the academy board has adopted the following formula to be applied to individuals who have not completed a comparable basic training program: applicants will be given credit for previous certified law enforcement experience at the rate of 40 hours per year for each year of service, up to but not to exceed ten (10) years, for a total of 400 hours, and the applicant will receive credit for advanced training, up to but not to exceed 400 hours. Applicant experience and training must be equivalent to the current minimum standards of training curriculum in effect at the time of application, unless such deficiencies are covered in the certification by waiver program.  
[11-25-89, 1-30-93, 10-1-97, 1-1-98, 1-1-99, 6-1-99, 12-31-99; 10.29.6.8 NMAC - Rn, 10 NMAC 29.6.8, 7/1/01; A, 01/01/04]

**10.29.6.9 ELIGIBILITY OF OUT-OF-STATE POLICE OFFICER APPLICANTS:**

**A.** In the event a certified officer from another state or duly commissioned officer from a federal agency makes application for certification in the state of New Mexico they must meet all qualifications and requirements as determined by the director.

**B.** Any applicant who has not been employed as a full-time law enforcement officer for a period in excess of eight (8) years must attend the basic police officer training program to become certified.

**C.** Any applicant who has successfully completed an accredited law enforcement academy from another state, but has never been certified, must secure a law enforcement position with a recognized New Mexico law enforcement agency within three (3) years of academy completion and must meet all other qualifications and requirements as determined by the director to be eligible for certification by waiver.

[1-30-93, 10-1-97, 12-20-99; 10.29.6.9 NMAC - Rn, 10 NMAC 29.6.9, 7/1/01; A, 01/01/04]

**10.29.6.10 ELIGIBILITY OF RETIREES:** In the event a retired certified officer or an out of state officer who provides sufficient proof to the director of a service record that would be equivalent to the requirements for retirement in the state of New Mexico and who has appropriately separated from law enforcement service in good standing, makes application to obtain or regain New Mexico certification by waiver of basic training, such applicants shall satisfy the following requirements.

**A.** Applicant must have graduated from a certified law enforcement academy that was comparable to or exceeded the standards of the programs of the New Mexico academy.

**B.** Separation period shall not exceed twenty (20) years.

**C.** Separation must be under honorable conditions.

**D.** Biennial training shall be complete and current.

**E.** Applicant shall complete current DPS/TRD basic firearms qualifications.

**F.** Complete all other conditions required under the current certification by waiver of basic training, except for the physical fitness and agility requirements.

**G.** Complete any other requirements imposed on applicant by sponsoring agency.

[10.29.6.10 NMAC - N, 07-01-03; A, 02-28-05:A, x/x/09]

#### **10.29.6.11 REQUIREMENTS FOR PUBLIC SAFETY TELECOMMUNICATOR**

**A.** In order to be eligible for certification by waiver of basic training, such applicants shall be required to successfully complete a certification by waiver of previous training program in order to demonstrate proficiency. The training will include the following topics: human relations; civil law; criminal law; domestic violence; NCIC - NMLETS and critical incident management training. The public safety telecommunicator certification examination will be administered at the end of the training program. The applicant will have two (2) opportunities to successfully pass the exam. Two (2) failures of the exam will require the applicant to attend the basic public safety telecommunicator training program.

**B.** For the purposes of certification by waiver of previous training, pursuant to NMSA 1978, Section 29-7C-6, the academy board has adopted the following formula to be applied to individuals who have not completed a comparable basic training program: applicants will be given credit for previous public safety telecommunicator experience at the rate of 24 hours per year for each year of service, up to but not to exceed five (5) years, for a total of 120 hours, and the applicant will receive credit for advanced training, up to but not to exceed 120 hours. Applicant experience and training must be equivalent to the current minimum standards of training curriculum in effect at the time of application, unless such deficiencies are covered in the certification by waiver program.

[10.29.6.11 NMAC - N, 01/01/04]

#### **10.29.6.12 ELIGIBILITY OF OUT-OF-STATE PUBLIC SAFETY TELECOMMUNICATOR APPLICANTS**

**A.** In the event a certified telecommunicator from another state or a telecommunicator from a federal agency makes application for certification in the state of New Mexico they must meet all qualifications and requirements as determined by the director.

**B.** Any applicant who has not been employed as a certified telecommunicator for a period in excess of eight (8) years must attend the basic public safety telecommunicator training program to become certified.

**C.** Any applicant who has successfully completed an accredited law enforcement academy from another state, but has never been certified, must secure a telecommunicator position with a New Mexico public safety agency within three (3) years of academy completion and must meet all other qualifications and requirements as determined by the director to be eligible for certification by waiver.

[10.29.6.12 NMAC - N, 01/01/04]

**HISTORY OF 10.29.6 NMAC:**

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under: NMLEA Rule #C4, Certification By Waiver Of Previous Training Program, filed 10-25-89; NMLEA Rule #C4, Certification By Waiver Of Previous Training Program, filed 12-31-92.

History of Repealed Material: [RESERVED]