STATE COMPLIANCE EXHIBIT

NEW MEXICO

Safety & Environmental Management Program | 2026 Edition

Exhibit To	NM&C Safety & Environmental Management Program (PRG-SAF-10282026-01)
Jurisdiction	**State Plan (private sector)**
Version	1.2
Effective Date	November 16, 2026
Next Scheduled Review	November 16, 2027

HOW THIS EXHIBIT WORKS

This exhibit is part of the NM&C Safety & Environmental Management Program for all commercial construction projects and facility maintenance service calls located in New Mexico. The master program applies in full; this exhibit adds the New Mexico requirements that go beyond, or differ from, the federal OSHA baseline used in the master.

When this exhibit, the master program, a local rule, a customer requirement or a contract differ, the most protective requirement applies. This exhibit summarizes key requirements and is not a complete list of every state or local law. Fill-in fields are highlighted in yellow.

1 OSHA JURISDICTION AND SERIOUS INJURY REPORTING

Coverage for NM&C work	State Plan - NMED Occupational Health and Safety Bureau (NM OSHA) covers private and public employers
Serious injury and fatality reporting	Report fatalities within 8 hours and inpatient hospitalizations, amputations or eye losses within 24 hours directly to NM OSHA rather than federal OSHA (11.5.1.16 NMAC), by email to complaints.osha@env.nm.gov or by calling 1-877-610-6742.
Master program sections	Section 35 (Reporting), Section 38 (Recordkeeping) and Section 43 (State Compliance Exhibits).

2 NEW MEXICO REQUIREMENTS

Item / Topic	Requirement
2.1 OSHA Jurisdiction	NMED's Occupational Health and Safety Bureau (NM OSHA) enforces the state plan for private and state/local government workplaces, except military bases, tribal lands and other listed federal areas; severe-injury reports go to the Bureau under 11.5.1.16 NMAC. (11.5.1 NMAC (incl. 11.5.1.16 reporting) - NM State Records Center)
2.2 Written Program, Committees and Training	None beyond federal; New Mexico has no general state requirement for a written safety program or safety committee for private employers. (OSHA - New Mexico State Plan)
2.3 Heat, Cold and Wildfire Smoke	No adopted heat standard. NMED's proposed Heat Illness and Injury Prevention rule (11.5.7 NMAC, EIB No. 25-11(R)) is still pending: in July 2026 the Bureau moved to vacate the Sept. 21, 2026 hearing and reset it for March 22-26, 2027, citing lack of stakeholder consensus. Heat hazards remain under the general duty clause. (NMED OHSB - Heat Illness and Injury Prevention rulemaking)

2.4 Permits, Licenses and Utility Locates	Submit an NM811 locate request at least two working days before digging, not counting the day of the call; excavate only after marking or clearance and positive response, and locate tickets are valid 15 working days (NMSA 62-14-1 et seq.). (NM811 - Excavators)
2.5 Asbestos, Lead and Environmental	Asbestos NESHAP notifications for demolitions and RACM renovations go to the NMED Air Quality Bureau; inside Bernalillo County, use the City of Albuquerque Air Quality Program's asbestos notification form and fees under 20.11.20 NMAC, which requires accredited inspectors. EPA administers lead RRP. (City of Albuquerque - Asbestos Program)
2.6 Asbestos, Lead and Environmental	Report spills and environmental emergencies to the NMED 24-hour line at 505-827-9329. (NMED OHSB - Inspections, Citations and Reporting)
2.7 Workers' Compensation Injury Reporting	Employers must report every work accident to their insurer or claims administrator within 72 hours of knowledge or of receiving a notice of accident, whether or not they think the claim is valid (11.4.3 NMAC); the insurer then files first report data with the WCA within 10 days for cases over 7 days' lost time or death (11.4.2.8 NMAC). (NM Workers' Compensation Administration - 11.4.3 NMAC)
2.8 Drug Testing and Cannabis	The Cannabis Regulation Act lets employers prohibit cannabis use, possession or impairment at work and adopt a written zero-tolerance policy that may discipline on any positive THC test, absent a contrary agreement (NMSA 26-2C-34). (NM RLD - Cannabis Regulation Act (NMSA 26-2C))
2.9 Driving	No general handheld ban: NMSA 66-7-374 bars reading or viewing texts or manually typing on a handheld device while driving, including when stopped in traffic; hands-free and voice-operated use is allowed. (NMSA 1978, 66-7-374 (Laws 2014, ch. 5, § 1))
2.10 Drug Testing and Cannabis	Medical cannabis patients may not face adverse action for lawful use, but employers may still act on use or impairment at work or during work hours, and the protection does not apply to employees the employer deems safety-sensitive (NMSA 26-2B-9). Bills to narrow these exceptions died in 2025 (HB 230, SB 269) and 2026 (SB 129). (NM Legislature - SB 129 (2026), showing current NMSA 26-2B-9 text; died)

3 PROJECT START-UP CHECKLIST

Project / Customer	Enter	**Work Order / Project No.**	Enter
Site Address	Enter	**City / County**	Enter
NM&C Project Manager	Enter	**Date Reviewed**	Enter

Requirement	Applies?	Action Taken / Notes
2.1 OSHA Jurisdiction: NMED's Occupational Health and Safety Bureau (NM OSHA) enforces the state plan for private and state/local…	Yes / No / N/A	Action / notes
2.2 Written Program, Committees and Training: None beyond federal; New Mexico has no general state requirement for a written safety program or safety…	Yes / No / N/A	Action / notes
2.3 Heat, Cold and Wildfire Smoke: No adopted heat standard. NMED's proposed Heat Illness and Injury Prevention rule (11.5.7 NMAC, EIB No.…	Yes / No / N/A	Action / notes
2.4 Permits, Licenses and Utility Locates: Submit an NM811 locate request at least two working days before digging, not counting the day of the call…	Yes / No / N/A	Action / notes
2.5 Asbestos, Lead and Environmental: Asbestos NESHAP notifications for demolitions and RACM renovations go to the NMED Air Quality Bureau; inside…	Yes / No / N/A	Action / notes
2.6 Asbestos, Lead and Environmental: Report spills and environmental emergencies to the NMED 24-hour line at 505-827-9329.	Yes / No / N/A	Action / notes
2.7 Workers' Compensation Injury Reporting: Employers must report every work accident to their insurer or claims administrator within 72 hours of…	Yes / No / N/A	Action / notes
2.8 Drug Testing and Cannabis: The Cannabis Regulation Act lets employers prohibit cannabis use, possession or impairment at work and adopt…	Yes / No / N/A	Action / notes
2.9 Driving: No general handheld ban: NMSA 66-7-374 bars reading or viewing texts or manually typing on a handheld device…	Yes / No / N/A	Action / notes

2.10 Drug Testing and Cannabis: Medical cannabis patients may not face adverse action for lawful use, but employers may still act on use or…	Yes / No / N/A	Action / notes
Local (city or county) safety, permit or training requirements confirmed	Yes / No / N/A	Describe local rules

4 REFERENCES

- NMED OHSB - Inspections, Citations and Reporting
- OSHA - New Mexico State Plan
- NMED OHSB - Heat Illness and Injury Prevention rulemaking
- NM811 - Excavators
- City of Albuquerque - Asbestos Program
- NM Workers' Compensation Administration - 11.4.3 NMAC
- NM RLD - Cannabis Regulation Act (NMSA 26-2C)
- NMSA 1978, 66-7-374 (Laws 2014, ch. 5, § 1)
- NM Legislature - SB 129 (2026), showing current NMSA 26-2B-9 text; died
- 11.5.1 NMAC (incl. 11.5.1.16 reporting) - NM State Records Center

5 REVIEW AND APPROVAL

Role	Printed Name and Signature	Date
NM&C Project Manager	Name / Signature	Date
Safety Department	Name / Signature	Date