



RESOLUTION 2025-28

A RESOLUTION OPPOSING COMPLIANCE WITH THE AMENDED 2021 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED AS THE NEW MEXICO RESIDENTIAL AND COMMERCIAL ENERGY CONSERVATION CODES BY THE NEW MEXICO CONSTRUCTION INDUSTRIES COMMISSION

WHEREAS, the New Mexico Construction Industries Commission is a nine-member entity appointed by the Governor that is responsible for establishing rules, regulations and standards for the construction industry within the State; and

WHEREAS, the International Energy Conservation Code (IECC) is a model code, created by the International Code Council (ICC) that sets minimum requirements for energy efficiency in residential and commercial buildings, the New Mexico Construction Industries Commission voted on January 30, 2024, to adopt the 2021 edition of the International Energy Conservation Code (IECC) as the New Mexico Residential and Commercial Energy Conservation codes; and

WHEREAS, the New Mexico Construction Industries Division (NMCID), a division of the New Mexico Regulation and Licensing Department (NMRLD), responsible for licensing and regulating the State's construction industry began to actively enforce the residential and commercial requirements of the New Mexico Energy Conservation Codes as of July 30, 2024; and

WHEREAS, prior to adoption, the New Mexico Construction Industries Commission voted to amend the 2021 International Energy Conservation Code to make it more restrictive than the code enacted by the International Code Council by mandating electric vehicle charging stations on new, and other remodeled, residential dwellings in the New Mexico Residential Energy Conservation Code; and

WHEREAS, the amended 2021 International Energy Conservation Code now mandates through the New Mexico Commercial Energy Conservation Code, that newly constructed, and other remodeled commercial facilities, including apartment complexes, retail centers, and public buildings be equipped with at least 5% electric vehicle parking spaces which must include charging stations, or differing levels of pre-installed infrastructure for future expansion; and

WHEREAS, these unfunded electric vehicle mandates constitute an undue burden to homeowners, small businesses, residential housing projects, and prudent use of public funds which will diminish economic development and community growth in Union County; and

WHEREAS, the Union County Board of Commissioners contends that the New Mexico Construction Industries Commission failed to provide adequate public hearings regarding these electric vehicle mandates prior to their vote on January 30, 2024; and

WHEREAS, the Board further contends that the New Mexico Construction Industries Commission failed to reach out to local governments, and failed to effectively inform the public of the practical implications of these electric vehicle mandates prior to their vote on January 30, 2024, and once rendered fully effective on July 30, 2024; and

WHEREAS, the Union County Board of Commissioners believes it is the responsibility of state government to operate as a representative branch of government, and as such, the New Mexico Construction Industries Commission had a responsibility to obtain input from local governments regarding the relevance, feasibility, and economic impacts of adopting any electric vehicle mandates prior to the adoption and implementation of such mandates; and

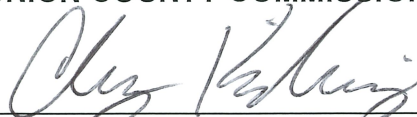
WHEREAS, the Union County Board of Commissioners contends that the New Mexico Construction Industries Commission has a responsibility to obtain feedback and incorporate concerns into the decision process.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Board of County Commissioners, that:

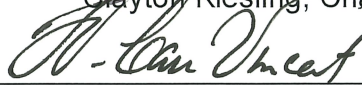
1. The Board opposes compliance with the Electric Vehicle mandates as adopted by the New Mexico Construction Industries Commission, and as enforced by the New Mexico Construction Industries Division, and, by extension, the New Mexico Regulation and Licensing Department.
2. That local governments should be an active part of any decision-making process resulting in legislation that impacts their communities, and economies, and should thus be afforded input into any new mandates, particularly those involving a considerable monetary increase in costs, for homeowners, small businesses, residential housing projects, local governments, and economic development projects in their communities.
3. That any legislation involving the codification of new mandates regarding residential and commercial construction should empower both local and state governments to respond to the unique needs, demands, and priorities of their communities, and should honor the diverse needs and demands of local communities throughout the great state of New Mexico

DONE THIS 12th day of November 2024 at Clayton, Union County, New Mexico

BOARD OF UNION COUNTY COMMISSIONERS



Clayton Kiesling, Chairman



W. Carr Vincent, Vice-Chairman

Lloyd Miller, Member

ATTEST:



Devian Fields
County Clerk