

NEW MEXICO PUBLIC REGULATION COMMISSION

A RESOLUTION

1-27-21

A RESOLUTION TO APPOINT THE TRANSPORTATION DIVISION DIRECTOR AS COMMISSION DESIGNEE TO APPROVE REQUESTS TO MAINTAIN AND STORE TRANSPORTATION DIVISION REQUIRED RECORDS OUT-OF-STATE

***WHEREAS**, the New Mexico Public Regulation Commission (“Commission”) has identified a need for appointment of a designee to approve requests to maintain and store Transportation Division required records at an out-of-state location in accordance the Transportation Division’s Motor Carrier Rules, 18.3.7.12 NMAC, LOCATION OF RECORDS; and*

***WHEREAS**, pursuant to 18.3.7.12 NMAC, LOCATION OF RECORDS: “Every motor carrier shall maintain records at the motor carrier's principal place of business within the state. The commission may, on a showing of good cause, allow the records to be maintained at a location outside the state, provided the motor carrier demonstrates to the satisfaction of the commission that the records will be reasonably accessible for inspection.*

***WHEREAS**, the Commission has determined that, pursuant to 18.3.7.12 NMAC, and Section 8-8-4. B.2 NMSA 1978, Commission; general powers and duties, the Commission has the authority to “delegate authority to subordinates as it deems necessary and appropriate, clearly*

delineating such delegated authority and any limitations; accordingly, the Commission has the authority to appoint the Transportation Division Director as its designee to approve storage and maintenance of records at an out-of-state location.

THEREFORE, BE IT RESOLVED,

The Commission hereby appoints the Transportation Division Director as the Commission's designee to approve requests to maintain and store Transportation Division required records at an out-of-state location which records shall be subject to inspection and investigation accordance with the Motor Carrier Rules.

This Resolution shall expire on December 31, 2022 or sooner if so resolved by the Commission.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 27th day of
January, 2021.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Cynthia B. Hall, electronically signed

CYNTHIA B. HALL, COMMISSIONER DISTRICT 1

/s/ Jefferson L. Byrd, electronically signed

JEFFERSON L. BYRD, COMMISSIONER DISTRICT 2

/s/ Joseph M. Maestas, electronically signed

JOSEPH M. MAESTAS, COMMISSIONER DISTRICT 3

/s/ Theresa Becenti-Aguilar, electronically signed

THERESA BECENTI-AGUILAR, COMMISSIONER DISTRICT 4

/s/ Stephen Fischmann, electronically signed

STEPHEN FISCHMANN, COMMISSIONER DISTRICT 5

