

**TITLE 14 HOUSING AND CONSTRUCTION**  
**CHAPTER 7 BUILDING CODES GENERAL**  
**PART 9 2018 NEW MEXICO COMMERCIAL ENERGY CONSERVATION CODE**

**14.7.9.1 ISSUING AGENCY:** Construction Industries Division (CID) of the Regulation and Licensing Department.  
[14.7.9.1 NMAC – N, 9/25/2020]

**14.7.9.2 SCOPE:** This rule applies to all commercial contracting work performed in New Mexico on or after 9/25/2020, 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.  
[14.7.9.2 NMAC – N, 9/25/2020]

**14.7.9.3 STATUTORY AUTHORITY:** Sections 60-13-9 and 60-13-44 NMSA 1978.  
[14.7.9.3 NMAC – N, 9/25/2020]

**14.7.9.4 DURATION:** Permanent.  
[14.7.9.4 NMAC, 9/25/2020]

**14.7.9.5 EFFECTIVE DATE:** September 25, 2020 unless a later date is cited at the end of a section.  
[14.7.9.5 NMAC – N, 9/25/2020]  
[From the date of publication of this rule in the New Mexico register, until month 3/2021 permits may be issued under either the previously-adopted rule, or this rule. After month 3/2021, permits may be issued only under this rule.]

**14.7.9.6 OBJECTIVE:** The purpose of this rule is to establish minimum standards for energy conservation for commercial construction in New Mexico.  
[14.7.9.6 NMAC – N, 9/25/2020]

**14.7.9.7 DEFINITIONS:** See 14.5.1 NMAC, General Provisions and Chapter 2 of the IECC as amended in 14.7.6.10 NMAC.  
[14.7.9.7 NMAC - N, 9/25/2020]

**14.7.9.8 ADOPTION OF THE 2018 NEW MEXICO COMMERCIAL ENERGY CONSERVATION CODE:**

**A.** This rule adopts by reference the 2018 international energy conservation code (IECC) commercial provisions, as amended by this rule.

**B.** In this rule, each provision is numbered to correspond with the numbering of the 2018 international commercial energy conservation code.

**C.** This rule is to be applied where appropriate to each of the following New Mexico building codes, including the NMCBC, NMEBC, NMPC, NMMC and the NMEC.

[14.7.9.8 NMAC - N, 9/25/2020]

**14.7.9.9 CHAPTER 1 - ADMINISTRATION:**

**A. Section C101 - General.**

**(1) C101.1 Title.** Delete this section of the IECC and substitute: this rule shall be known as 14.7.6 NMAC, the 2018 New Mexico Commercial Energy Conservation Code (MCECC).

**(2) C101.2 Scope.** Delete this section of the IECC and see 14.7.9.2 NMAC, Scope.

**(3) C101.3 Intent.** Delete this section of the IECC and see 14.7.9.6 NMAC, Objective.

**(4) C101.5.1 Compliance materials.** Delete this section of the IECC and substitute the following: the code official shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code, including but not limited to ComCheck, ResCheck, and worksheet or trade-off sheets from the New Mexico energy conservation code commercial applications manual issued by the New Mexico department of energy.

**B. Section C102 Alternate Materials-Method of Construction, Design for Insulating Systems.** See this section of the IECC.

**C. Section C103 - Construction Documents.** Delete this section of the IECC and see 14.5.2 NMAC, Permits except retain Section C103.2 and C103.6 to read as follows:

**D. Section C103.2 Information on construction documents.** Delete section and substitute the following: Ducts shall be installed in accordance with Chapter 6 and Chapter 17 of the New Mexico Mechanical Code and current applicable standards.

**E. Section C103.6 Building documentation and closeout submittal requirements.** Delete section and substitute the following: The construction documents shall specify that the documents described in this section be provided to the building owner or owner's authorized agent.

**F. Section C104 Fees.** Delete this section of the IECC and see 14.5.5 NMAC, Fees.

**G. Section C105 Inspections.** Delete this section of the IECC and see. 14.5.3 NMAC, General Provisions.

**H. Section C106 Validity.** Delete this section of the IECC and see. 14.5.2.12 NMAC, Permits.

**I. Section C107 Referenced Standards.** All references in the IECC to the international building code shall be deemed references to 14.7.2 NMAC, the New Mexico Commercial Building Code (NMCBC). All references to the international plumbing code shall be deemed references to 14.8.2 NMAC, the New Mexico Plumbing Code (NMP). All references to the international mechanical code shall be deemed references to 14.9.2 NMAC, the New Mexico Mechanical Code (NMMC). All references to the ICC or international electrical code shall be deemed references to 14.10.4 NMAC, the New Mexico Electrical Code (NMEC). All references to the international energy conservation code shall be deemed references to 14.7.9 NMAC, the New Mexico Commercial Energy Conservation Code (NMCECC). All references to the international fuel gas code are deemed references to the NMMC or the LP gas standards found at 19.15.40 NMAC, and Sections 70-5-1 through 70-5-23 NMSA 1978.

**I. Section C108 Stop Work Order.** Delete this section of the IECC and see 14.5.3 NMAC, Inspections.

**J. Section C109 Board of Appeals.** Delete this section of the IECC and See 14.5.1 NMAC, General Provisions.

[14.7.6.9 NMAC – N, 9/25/2020]

**14.7.9.10 CHAPTER 2 - DEFINITIONS:** See this chapter of the IECC substituting the definition for residential building and adding the other definitions.

**A. Section C201.1 Scope.** See this section of the IECC and add the following: If the same term is defined in the New Mexico construction codes and in the IECC, the term shall have the meaning given it in the New Mexico construction codes.

**B. Section C201.3 Terms defined in other codes.** Delete this section of the IECC and substitute with the following: Terms defined in the New Mexico Commercial Construction Code and the New Mexico Existing Building Code.

**C. Section C202 General Definitions.** See this section of the IECC and additionally the following:  
**(1) Unconditioned space.** Add the following definition: Space within a building that is not mechanically heated or cooled and is outside the building thermal envelope.

**(2) Vapor retarder class.** Add the following definition: a measure of a material or assembly's ability to limit the amount of moisture that passes through that material or assembly. Vapor retarder class shall be defined using the desiccant method of ASTM E96 as follows:

- (a) class I:** 0.1 perm or less;
- (b) class II:** > 0.1 perm □ 1.0 perm;
- (c) class III:** > 1.0 perm < 10 perm.

**(3) NMCECC** means 2018 New Mexico Commercial Energy Conservation Code, which adopts by reference and amends the 2009 International Energy Conservation Code.

**(4) NMCBC** 14.7.3 NMAC, 2015 New Mexico Commercial Building Code, which adopts by reference and amends the 2015 International Commercial Code.

**(5) NMEBC** means the 2015 New Mexico Existing Building Code, which adopts by reference and amends the 2015 International Existing Building Code.

**(6) NMPC** means 2015 New Mexico Plumbing Code, which adopts by reference and amends the 2012 Uniform Plumbing Code.

**(7) NMMC** means 14.9.2 NMAC, NMMC 2015 New Mexico Mechanical Code, which adopts by reference and amends the 2012 Uniform Mechanical Code.

**(8) NMEC** means 14.10.4 NMAC, NMEC 2017 New Mexico Electrical Code, which adopts by reference and amends the 2017 National Electrical Code.

(9) **RESNET Software** is an approved software program to meet the performance requirements of the IECC.

(10) **COMCHECK** is the commercial energy compliance tool of the U.S. Department of Energy designed to clarify commercial energy code compliance providing a user information whether or not a building meets the requirements of the International Energy Conservation Code (IECC) and ASHRAE 90.1, as well as state-specific codes.

(11) **RESCHECK** is a document describing the overall efficiency of the insulation of a building which works by performing a simple U-factor x Area (UA) calculation for each building assembly to determine the overall UA of a building. The UA of the proposed project building is compared to the code requirements.

(12) **ASTM** means the American society for testing and materials, is an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials utilized in construction.

(13) **HERS** means the home energy rating system index and is the industry standard by which a home's energy efficiency is measured. It's also the nationally recognized system for inspecting and calculating a home's energy performance.

[14.7.9.10 NMAC, N, 9/25/2020]

**14.7.9.11 CHAPTER C301 - CLIMATE ZONES:** See this Chapter of the IECC except delete the text of section 301.1 General and replace with the following: the table below in conjunction with Table 301.3(2) shall be used to determine the applicable requirements for Chapter 4. Locations not listed in the table below shall use either Table 301.1, Section 301.3 or the building official may designate a climate zone consistent with the elevation, HDD & CDD from the table below.

| <b>City</b>       | <b>County</b> | <b>Elev. (feet)</b> | <b>Heating Degree Days (HDD) 65°F</b> | <b>Cooling Degree Days (CDD) 50°F day</b> | <b>Climate Zone</b> |
|-------------------|---------------|---------------------|---------------------------------------|---|---------------------|
| Abiquiu Dam       | Rio Arriba    | 6380                | 5872                                  |   | 5B                  |
| Angel Fire        | Colfax        | 8406                | 9769                                  | 195                                       | 7B                  |
| Alamogordo        | Otero         | 4350                | 3053                                  | 5309                                      | 3B                  |
| Albuquerque       | Bernalillo    | 5312                | 4332                                  | 4462                                      | 4B                  |
| Artesia           | Eddy          | 3380                | 3366                                  | 5374                                      | 3B                  |
| Aztec Ruins       | San Juan      | 5644                | 5757                                  |   | 5B                  |
| Belen             | Valencia      | 4800                | 4432                                  | 5012                                      | 3B                  |
| Bernalillo        | Sandoval      | 5052                | 4782                                  | 4138                                      | 4B                  |
| Bloomfield        | San Juan      | 5456                | 5490                                  |   | 5B                  |
| Bosque del Apache | Socorro       | 4520                | 3916                                  | 5012                                      | 3B                  |
| Carlsbad          | Eddy          | 3295                | 2813                                  | 5997                                      | 3B                  |
| Carrizozo         | Lincoln       | 5438                | 4234                                  | 3631                                      | 4B                  |
| Cedar Crest       | Bernalillo    | 6581                | 5703                                  |   | 5B                  |
| Chaco Canyon      | San Juan      | 6200                | 6137                                  |   | 5B                  |
| Chama             | Rio Arriba    | 7871                | 8254                                  |   | 6B                  |
| Clayton           | Union         | 5056                | 5150                                  | 3170                                      | 4B                  |
| Cloudcroft        | Otero         | 8801                | 7205                                  |   | 6B                  |
| Clovis            | Curry         | 4268                | 4033                                  | 4252                                      | 4B                  |
| Corona            | Valencia      | 6690                | 5389                                  | 3631                                      | 4B                  |
| Cuba              | Sandoval      | 7035                | 7122                                  |   | 5B                  |
| Deming            | Luna          | 4305                | 3347                                  | 5292                                      | 3B                  |

|                 |            |       |       |      |    |
|-----------------|------------|-------|-------|------|----|
| Dulce           | Rio Arriba | 6793  | 7979  |      | 6B |
| Eagle Nest      | Colfax     | 8262  | 9254  |      | 7B |
| Edgewood        | Santa Fe   | 6649  | 6146  |      | 5B |
| Espanola        | Rio Arriba | 5643  | 5641  |      | 5B |
| Farmington      | San Juan   | 5395  | 5747  |      | 5B |
| Fence Lake      | Cibola     | 7055  | 6396  |      | 5B |
| Fort Sumner     | De Baca    | 4032  | 3799  | 4616 | 3B |
| Gallup          | McKinley   | 6465  | 6207  |      | 5B |
| Glenwood        | Catron     | 4725  | 3632  | 4427 | 4B |
| Grants          | Cibola     | 6460  | 6143  |      | 5B |
| Hatch           | Dona Ana   | 4052  | 3270  | 5904 | 3B |
| Hobbs           | Lea        | 3622  | 2954  | 5181 | 3B |
| Jemez Springs   | Sandoval   | 6198  | 5260  | 2059 | 4B |
| Las Cruces      | Dona Ana   | 4000  | 3223  | 5904 | 3B |
| Las Vegas       | San Miguel | 6424  | 5738  |      | 5B |
| Lordsburg       | Hidalgo    | 4250  | 3213  | 5210 | 3B |
| Los Alamos      | Los Alamos | 7320  | 6381  |      | 5B |
| Los Lunas       | Valencia   | 4856  | 4725  | 4462 | 4B |
| Magdalena       | Socorro    | 6572  | 5074  | 2093 | 4B |
| Mescalero       | Otero      | 6611  | 5540  |      | 5B |
| Moriarty        | Torrance   | 6220  | 4735  | 3786 | 4B |
| Mosquero        | Harding    | 5485  | 5209  | 3631 | 4B |
| Mountainair     | Torrance   | 6520  | 5558  |      | 5B |
| Organ           | Dona Ana   | 5245  | 3215  | 4919 | 3B |
| Placitas        | Sandoval   | 5955  | 4917  | 3701 | 4B |
| Portales        | Roosevelt  | 4006  | 3845  | 4347 | 4B |
| Raton           | Colfax     | 6680  | 6001  |      | 5B |
| Red River       | Taos       | 8671  | 8742  | 179  | 7B |
| Reserve         | Catron     | 5847  | 5483  |      | 5B |
| Rio Rancho      | Sandoval   | 5282  | 4880  | 3949 | 4B |
| Roswell         | Chaves     | 3573  | 3565  | 5505 | 3B |
| Ruidoso         | Lincoln    | 6920  | 6309  |      | 5B |
| Sandia Crest    | Bernalillo | 10680 | 10034 |      | 7B |
| Sandia Park     | Bernalillo | 7077  | 7510  |      | 6B |
| Santa Fe        | Santa Fe   | 7260  | 6001  |      | 5B |
| Santa Rosa      | Guadalupe  | 4620  | 3749  | 4714 | 3B |
| Shiprock        | San Juan   | 4892  | 5475  |      | 5B |
| Silver City     | Grant      | 5895  | 4438  | 3975 | 4B |
| Socorro         | Socorro    | 4603  | 3984  | 5147 | 3B |
| Springer        | Colfax     | 5797  | 5653  |      | 5B |
| Taos            | Taos       | 6967  | 6827  |      | 5B |
| Taos Ski Valley | Taos       | 9321  | 9769  |      | 7B |
| Tatum           | Lea        | 3999  | 3680  | 4721 | 3B |
| Thoreau         | McKinley   | 7200  | 5789  |      | 5B |
| Tierra Amarilla | Rio Arriba | 7425  | 7901  |      | 6B |

|                       |            |      |      |      |    |
|-----------------------|------------|------|------|------|----|
| Tijeras               | Bernalillo | 6322 | 6338 |      | 5B |
| Tohatchi              | McKinley   | 6447 | 5418 |      | 5B |
| Truth or Consequences | Sierra     | 4245 | 3394 | 5103 | 3B |
| Tucumcari             | Quay       | 4096 | 3767 | 4429 | 4B |
| Tularosa              | Otero      | 4508 | 3056 | 5130 | 3B |
| Zuni                  | McKinley   | 6293 | 5742 |      | 5B |

[14.7.9.11 NMAC – N, 9/25/2020]

**14.7.9.12 CHAPTER 4 - COMMERCIAL ENERGY EFFICIENCY:** See this Chapter of the IECC except for the following:

**A. Section C402.4.2.1 Lighting controls in toplit daylight zones.** Delete section without substitution.

**B. Section C405.2.3.3 Toplit zone.** Delete section without substitution.

**C. Section C405.5 Dwelling electrical meter (Mandatory).** Amend to read as follows: Each dwelling unit located in a Group R-2 building shall have a separate electrical meter. Dormitories, fraternities, sororities, monasteries, and convents shall be exempt from the requirements of this section.

**D. Section C405.9 Voltage drop in branch circuits supplying motors or motor driven mechanical equipment with a rating of 50 HP and higher.** Amending to read as follows: The total voltage drop across branch circuits supplying motors or motor driven mechanical equipment with rating of 50 HP and higher shall not exceed 5 percent.

**E. C408.2 Mechanical systems and service water-heating systems commissioning and completion requirements.** Amending to read as follows: Prior to the final mechanical and plumbing inspections, the registered design professional or approved agency, shall provide evidence of mechanical systems commissioning and completion in accordance with the provisions of this section. Construction document notes shall clearly indicate provisions for commissioning requirements in accordance with this section and are permitted to refer to specifications for further requirements. Copies of all documentation shall be given to the building owner or owner’s authorized agent.

**Exceptions:** The following systems are exempt:

(1) Mechanical systems and service water heater systems in buildings where the total mechanical equipment capacity is less than 480,000 Btu/h (140.7 kW) cooling capacity and 600,000 Btu/h (175.8 kW) combined service water-heating and space-heating capacity.

(2) Systems included in Section C403.5 that serve individual dwelling units and sleeping units.

**F. C408.2.4.1 Acceptance of report.** Delete section without substitution.

**G. C408.2.4.2 Copy of report.** Delete section without substitution.

**H. C408.2.5 Documentation requirements. Change section to read as follows.** The construction documents shall specify that the documents described in this section be provided to the building owner or owner’s authorized agent.

**I. C408.3.2 Documentation Requirements.** Change section to read as follows: The construction documents shall specify that the documents described in this section be provided to the building owner or owner’s authorized agent.

**FIGURE C408.2.4  
COMMISSIONING COMPLIANCE CHECKLIST**

Project Information: \_\_\_\_\_ Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Commissioning Authority: \_\_\_\_\_

Commissioning Plan (Section C408.2.1)

- Commissioning Plan was used during construction and includes all items required by Section C408.2.1
- Systems Adjusting and Balancing shall be completed per plans and specifications.
- HVAC Equipment Functional Testing shall be completed per plans and specifications.
- HVAC Controls Functional Testing shall be completed per plans and specifications.
- Economizer Functional Testing shall be completed per plans and specifications.
- Lighting Controls Functional Testing shall be completed per plans and specifications.
- Service Water Heating System Functional Testing shall be completed per plans and specifications.
- Manual, record documents and training shall be completed per plans and specifications.
- Preliminary Commissioning Report shall be submitted to owner and includes all items required by Section C408.2.4.
- The above-referenced items are scheduled to be provided on:

I, the commissioning provider, do hereby certify that I am providing the owner or owner’s representative with documentation as to the mechanical, service water heating and lighting systems commissioning in accordance with the 2018 IECC.

\_\_\_\_\_  
Signature of Commissioning Provider

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Building Owner/Owner’s Representative

\_\_\_\_\_  
Date

[14.7.6.12 NMAC – N, 9/25/2020]

**14.7.9.13 CHAPTER 5 - EXISTING BUILDINGS:** See this Chapter of the IECC.

[14.7.9.13 NMAC - N, 9/25/2020]

**14.7.9.14 CHAPTER 6 - REFERENCED STANDARDS:** See this Chapter of the IECC.

[14.7.9.14 NMAC – N, 9/25/2020]

**HISTORY OF 14.7.9 NMAC: [RESERVED]**