

**NOTICE OF PROPOSED RULEMAKING**  
**REPEAL AND REPLACEMENT OF 1.12.5 AND 1.12.9 NMAC**

Pursuant to Subsection (J) of Sections 9-27-6 and 14-4-5.2 NMSA 1978, the New Mexico Department of Information Technology (DoIT) hereby gives notice of repeal and replacement of 1.12.5 NMAC, Oversight of Information Technology Projects, and 1.12.9 NMAC, Project Certification of Technology Projects.

The repeal and replacement update the rules governing information technology oversight and certification to reflect current practices and statutory authority. The changes revise the title of Part 5 to Oversight of Information Technology Projects and Part 9 to Certification of Information Technology Projects. They remove references to the no longer existing Information Technology Commission and align responsibilities with the Department of Information Technology. Statutory authority is updated to refer to the New Mexico Department of Information Technology Act, ensuring consistency with the Department's role since its creation in 2007.

In addition, the repeal and replacement eliminate outdated or unused definitions and introduce new definitions that clarify project management roles, remove independent verification and validation requirements and the project certification committee, and update certification processes. Provisions are revised to modernize the oversight and certification procedures for executive agency information technology projects, including requirements for project plans, risk assessments, and phased funding tied to certification milestones. These rules were originally enacted in 2005—two years prior to the establishment of the Department of Information Technology—and have not been updated since.

Pursuant to Paragraph (11) of Subsection (C) of Section 9-27-6 NMSA 1978, the Department of Information Technology Cabinet Secretary “shall . . . promulgate rules to ensure that information technology projects satisfy criteria established by the secretary and are phased in with funding released in phases contingent upon successful completion of the prior phase[.]” Further, Paragraph (5) of Subsection (J) of Section 9-27-6 NMSA 1978 authorizes “the secretary [to] make and adopt such reasonable procedural rules as may be necessary to carry out the duties . . . of the department . . . including . . . requirements for agency information technology projects and related plan, analysis, oversight, assessment and specifications.”

An electronic copy of this Notice and the full text of the proposed new rules 1.12.5 and 1.12.9 NMAC are available on DoIT's website at <https://www.doit.nm.gov/Rulemaking/> and on the New Mexico Sunshine Portal at [https://statenm.my.salesforce-sites.com/public/SSP\\_RuleHearingSearchPublic](https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic).

Hard copies of this Notice and the full text of the proposed new rules 1.12.5 and 1.12.9 NMAC are available at 715 Alta Vista, Santa Fe, NM 87505.

Written comments may be submitted via email to [david.pardo@doit.nm.gov](mailto:david.pardo@doit.nm.gov) and via regular mail to New Mexico Department of Information Technology, Attn: Office of General Counsel, P.O. Box 22550, Santa Fe, NM 87502-2550. Written comments must be received no later than 5 p.m. on July 15, 2026.

A public rule hearing will be held at 10 a.m. on July 15, 2026, via Microsoft Teams and phone. Members of the public may participate by videoconference:

Microsoft Teams meeting

Join: <https://teams.microsoft.com/meet/240182825813637?p=28PJoobinr90iHn8s7>

Meeting ID: 240 182 825 813 637

Passcode: Ar23rQ3c

Or dial in by phone:

+1 505-312-4308, 296020218# United States, Albuquerque

(888) 506-1357, 296020218# United States (Toll-free)

Phone conference ID: 296 020 218#

Any individual with a disability in need of a reader, amplifier, qualified sign language interpreter, or other form of

auxiliary aid or service to attend or participate in the hearing should contact David Pardo, Deputy General Counsel, [david.pardo@doit.nm.gov](mailto:david.pardo@doit.nm.gov), (505) 660-9714 at least seven (7) days prior to the hearing.