



NEW MEXICO ADMINISTRATIVE HEARINGS OFFICE

1220 S. St. Francis Drive, Room #262 | P.O. Box 6400, Santa Fe, NM 87502
Phone: (505) 827-0358 | brian.vandenzen@aho.nm.gov | aho.state.nm.us



STANDING ORDER #23-01 OF THE CHIEF HEARING OFFICER

ORDER REPEALING ALL PREVIOUS STANDING ORDERS ADDRESSING IN-PERSON HEARING PROTOCOLS

With the expiration of the public health order on March 31, 2023 and in light of the March 30, 2023 cancellation of all masking and social distancing requirements in New Mexico Courts (as announced by the New Mexico Supreme Court), all previous standing orders of this agency addressing in-person hearing protocols are **HEREBY REPEALED**.

Under Regulation 22.600.6.10 NMAC, a driver or their representative may still request or consent to a telephonic or videoconference Implied Consent Act hearing. Under NMSA 1978, Section 7-1B-8(H) and Regulation 22.600.3.10 NMAC, the Taxation and Revenue Department and/or a taxpayer may still request or consent to a videoconference hearing or a hybrid videoconference hearing. For any other general hearing type, including other MVD and other agency hearings, under Regulation 22.600.1.15 NMAC the parties may request or consent to a telephonic or videoconference hearing.

Most hearing participants across the spectrum of parties in all hearing programs have reported an overwhelmingly positive response to and desire to maintain the remote hearing process and technology adopted during the pandemic. Considering this positive response and consistent with the New Mexico Courts' recent March 30, 2023 announcement of continuation of remote hearings, in all hearing programs *the Administrative Hearings Office will continue to conduct hearings remotely via telephone or videoconference unless a party files a demand for an in-person hearing or files a timely objection under applicable regulations to a notice of a remote telephonic or videoconference hearing.*

IT IS SO ORDERED on this 3rd day of April 2023.

A handwritten signature in blue ink, appearing to read "B. VanDzen".

Brian VanDzen
Chief Hearing Officer
Administrative Hearings Office