

**TITLE 21            AGRICULTURE AND RANCHING**  
**CHAPTER 30       ANIMALS AND ANIMAL INDUSTRY GENERAL PROVISIONS**  
**PART 5             HORSE RESCUE OR RETIREMENT FACILITIES**

**21.30.5.1            ISSUING AGENCY:** New Mexico Livestock Board; 300 San Mateo NE, Suite 1000; Albuquerque, New Mexico 87108; Telephone (505) 841-6161.  
[21.30.5.1 NMAC - N, 7-15-05]

**21.30.5.2            SCOPE:** All premises that promote themselves as a horse rescue or retirement facility, including a private preserve or private reserve, and that advertises or solicits for horses and provides lifelong care or finds new owners for horses that are unwanted or have been neglected or abused or captured wild horses that cannot be returned to their range.  
[21.30.5.2 NMAC - N, 7-15-05]

**21.30.5.3            STATUTORY AUTHORITY:** Section 77-2-7, A. 6,7,8,9 and 12, NMSA 1978.  
[21.30.5.3 NMAC - N, 7-15-05]

**21.30.5.4            DURATION:** Permanent.  
[21.30.5.4 NMAC - N, 7-15-05]

**21.30.5.5            EFFECTIVE DATE:** July 15, 2005, unless a later date is cited at the end of a section.  
[21.30.5.5 NMAC - N, 7-15-05]

**21.30.5.6            OBJECTIVE:** To establish rules governing the registration, operation, licensing and collection of fees of facilities operating as horse rescue or retirement facilities.  
[21.30.5.6 NMAC - N, 7-15-05]

**21.30.5.7            DEFINITIONS:**

A.        "Agent" means the executive director, deputy director, veterinarian, livestock inspectors or employee of the board.

B.        "American association of equine practitioners" or AAEP, is an internationally recognized authority on equine care composed of equine veterinarians.

C.        "Board" means the New Mexico livestock board.

D.        "Facility" means a horse rescue or retirement facility, including a private preserve or private reserve, that advertises or solicits for horses and provides lifelong care or finds new owners for horses that are unwanted or have been neglected or abused or captured wild horses that cannot be returned to their range.

E.        "Person" means an individual, partnership, association or operation.

F.        "Wild horses" means feral horses. Feral horses are horses existing in an untamed state having returned to a wild state from domestication.

[21.30.5.7 NMAC - N, 7-15-05]

**21.30.5.8            HORSE RESCUE OR RETIREMENT FACILITY REGISTRATION:**

A.        The board shall register facilities that meet the requirements of 21.30.5. NMAC. The board will follow the guidelines as established by the American association of equine practitioners (AAEP), an internationally recognized authority on equine care. Prior to registration, agents of the board will inspect said premise for adherence to the AAEP prescribed standards of care guidelines for equine rescue and retirement facilities.

(1) Any person desiring to operate a horse rescue or retirement facility in New Mexico shall file an application for a license with the board on such form(s) as the board shall prescribe, which application shall be signed by the applicant. The form(s) will contain at the very minimum the information as listed in the AAEP veterinary checklist for equine rescue and retirement facilities and any other information the board shall prescribe. The form(s) will be available at the board's office or may be downloaded from the board's website ([www.newmexicolivestockboard.com](http://www.newmexicolivestockboard.com))

(2) Every license issued by the board to a horse rescue or retirement facility shall expire one year from the date of issuance. Renewal of such license shall be made on renewal forms as prescribed by the board.

(3) The board shall provide a license to facilities and facility owner shall display the license in a prominent place visible to the public.

(4) The board may extend licenses for a portion of a calendar year, in order to synchronize the periods of all licenses, so that the one year period of issue coincides with the calendar year.

**B.** The board shall annually consult with representatives from the equine industry, equine rescue organizations and veterinarians on facility standards.

[21.30.5.8 NMAC - N, 7-15-05]

**21.30.5.9 HORSE RESCUE OR RETIREMENT FACILITY LICENSE FEES:**

A. The initial inspection and registration fee is two hundred fifty dollars (\$250.00) per facility.

B. The annual inspection and registration fee is one hundred dollars (\$100.00) per facility.

C. The re-inspection fee is one hundred dollars (\$100.00) per facility.

[21.30.5.9 NMAC - N, 7-15-05]

**21.30.5.10 HORSE RESCUE OR RETIREMENT FACILITIES, INSPECTIONS, RE-INSPECTION:**

A. Prior to annual registration conducted in January of each year, each facility will be inspected by agents of the board.

B. The board or its agents may enter the premises of a facility to conduct unannounced inspections.

C. If, following an inspection, the board's agent determines that the facility does not meet the requirements as established by the American association of equine practitioners, the board's agent shall give the registrant written notice of the deficiencies on site and schedule a re-inspection, allowing 14 calendar days for the registrant to correct the deficiencies

D. The registrant shall remedy the deficiencies and submit written evidence to the board demonstrating compliance with board rules for the facility.

E. If on re-inspection the board determines that the facility is still deficient in those areas for which it has been given written notice, the horses may be impounded in accordance with the provisions of Section 77-18-2 TMSA 1978 and the board shall hold a hearing as provided in the Uniform Licensing Act to determine if the registration should be suspended or revoked.

21.30.5.10 NMAC - N, 7-15-05]

**HISTORY OF 21.30.5 NMAC: [RESERVED]**