

This is an amendment to 20.7.4 NMAC, adding Section 16, effective 1/17/2017.

20.7.4.16 CODE OF PROFESSIONAL CONDUCT:

A. This code expresses in general terms the level of professional conduct expected of certified operators in the state of New Mexico. This code of professional conduct is intended to guide the actions of certified operators and depends upon the integrity of each certified operator to conduct themselves in a responsible and straightforward manner in operating public water supply systems and public wastewater facilities.

B. All certified operators are charged with understanding this code of professional conduct and are expected to be familiar with the provisions of these rules and the utility operator certification regulations. Failure to follow the code of professional conduct shall be considered gross incompetence by the department. The department shall, following notification of the certified operator, first seek the advisement of the utility operators certification advisory board prior to any application of enforcement made pursuant to this code of professional conduct.

C. The certified operator shall:

(1) protect the safety, health, and welfare of the public in the performance of the operator's duties;

(2) report to the proper authority or the department as necessary any conduct that would endanger the safety, health, and welfare of the public in regards to the operation of a public water supply system or public wastewater facility;

(3) submit objective and truthful information in all reports, statements, and testimony as required by state and federal law;

(4) conscientiously and proficiently operate and maintain public water supply systems and public wastewater facilities;

(5) act honestly, responsibly, ethically, and lawfully in a manner that enhances the reputation of the profession;

(6) avoid any conflict of interest that could influence the operator's professional judgment and promptly report any such conflict of interest to the operator's employer as necessary; and

(7) not falsify any academic or professional qualifications and not misrepresent such qualifications to the operator's employer, the department, or any member of the public.

[20.7.4.16 NMAC - N, 1-17-17]