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## General Memorandum 2025-001

**Date:** January 16, 2025  
**To:** Cabinet Secretaries, Agency Heads, and HR Managers  
**From:** Dylan K. Lange, Director  
**Subject:** Safety-Sensitive Positions

On December 6, 2024, the State Personnel Board approved amendments to NMAC 1.7.8. In part, the approved amendments updated the definition of safety-sensitive to match statute and eliminated the requirement for the State Personnel Board to approve the designated safety-sensitive positions on an annual basis.

Agencies must continue to follow the definition of a safety-sensitive position as outlined in NMAC 1.7.8.7(M) when designating positions: *"Safety-sensitive position" is a position in which performance by a person under the influence of drugs or alcohol would constitute an immediate or direct threat of injury or death to that person or another, or as otherwise provided by state or federal law."*

Though the State Personnel Board will not approve the safety-sensitive positions, the SPO Director must maintain a list of positions designated by agencies as being safety-sensitive. *See* NMAC 1.7.8.10(A). To comply with this requirement, agencies are to review the positions designated as safety-sensitive annually and update SHARE accordingly by January 31, to ensure an accurate safety-sensitive roster is generated for annual random testing. Out-of-cycle safety-sensitive designations should be entered in SHARE within 30 days of such designation. Agencies may run the query **NMS\_HR\_POSITION\_SAFETY\_SENSITI** to verify the health certificate designations in SHARE.

The State Personnel Office (SPO) will continue to generate the annual safety-sensitive and omnibus random testing lists. SPO will communicate these lists to agencies via email by no later than February 15 each year and agencies are to return the confirmation of testing by November 1.

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