

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 15 GENERAL RECORDS RETENTION AND DISPOSITION SCHEDULES (GRRDS)
PART 3 GRRDS, GENERAL ADMINISTRATIVE RECORDS (For Use by Local Government and
Educational Institutions)

1.15.3.1 ISSUING AGENCY: New Mexico Commission of Public Records - State Records Center and Archives
[8/8/96; 1.15.3.1 NMAC - Rn, 1 NMAC 3.2.90.1, 10/01/2000]

1.15.3.2 SCOPE: All New Mexico local governments and educational institutions
[8/8/96; 1.15.3.2 NMAC - Rn, 1 NMAC 3.2.90.2, 10/01/2000; A, 1/6/2002]

1.15.3.3 STATUTORY AUTHORITY: Section 14-3-4 NMSA 1978. It shall be the duty of the commission to adopt and publish rules to carry out the purposes of the Public Records Act. Section 14-3-6 NMSA 1978. The administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.
[8/8/96; 1.15.3.3 NMAC - Rn, 1 NMAC 3.2.90.3, 10/01/2000; A, 1/6/2002; A, 12/19/2011]

1.15.3.4 DURATION: Permanent
[8/8/96; 1.15.3.4 NMAC - Rn, 1 NMAC 3.2.90.4, 10/01/2000]

1.15.3.5 EFFECTIVE DATE: July 13, 1998
[1.15.3.5 NMAC - Rn, 1 NMAC 3.2.90.5, 10/01/2000]

1.15.3.6 OBJECTIVE: To establish a records retention schedule for the orderly management, retention, disposition and preservation of records necessary for carrying out the Public Records Act pursuant to Section 14-3-6 NMSA 1978.
[8/8/96; 1.15.3.6 NMAC - Rn, 1 NMAC 3.2.90.6, 10/01/2000; A, 1/6/2002; A, 12/19/2011]

1.15.3.7 DEFINITIONS:

- A. "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. "Agency"** means any institution or other organization of local government, the territorial government and the Spanish and Mexican governments in New Mexico.
- C. "Archives"** means the permanent records of the state of New Mexico, which may include government and private collections of the Spanish, Mexican, territorial and statehood periods, assessed to have significant historical value to warrant their preservation by the state of New Mexico or its political subdivisions.
- D. "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (i.e., transfer to archives or destruction).
- E. "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission.
- F. "Non-record"** means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts; blank forms, transmittal letters or forms that do not add information; sample letters; and reading file or informational files.
- G. "Public record"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).

H. "Records custodian" means the statutory head of the agency using or maintaining the records or the custodian's designee.

I. "Record destruction" means the process of totally obliterating information on records by any method to make the information unreadable or unusable under any circumstances.

J. "Records management" means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

K. "Records retention and disposition schedule" means rules adopted by the commission pursuant to Section 14-3-4 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

L. "Retention" means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.

[8/8/96; 5/19/97; 1.15.3.7 NMAC - Rn, 1 NMAC 3.2.90.7, 10/01/2000; A, 1/6/2002; A, 1/5/2004; A, 12/19/2011; A, 9/24/2012]

1.15.3.8 ABBREVIATIONS AND ACRONYMS:

A. "CFR" stands for code of federal regulations.

B. "EDRRDS" stands for education records retention and disposition schedules.

C. "ERRDS" stands for executive records retention and disposition schedules.

D. "GRRDS" stands for general records retention and disposition schedules.

E. "JRRDS" stands for judicial records retention and disposition schedules.

F. "LRRDS" stands for legislative records retention and disposition schedules.

G. "LGRRDS" stands local government records retention and disposition schedules.

H. "SRCA" stands for state records center and archives.

I. "USC" stands for United States code.

[8/8/96; 5/7/97; 1.15.3.8 NMAC - Rn, 1 NMAC 3.2.90.8, 10/01/2000; N, 1/6/2002; A, 12/19/2011]

1.15.3.9 INSTRUCTIONS:

A. Records retention and disposition schedules identify the types of records maintained by local government and educational institutions and specify a period of time which records must be retained. A retention period may be stated in terms of months or years and is sometimes expressed as contingent upon the occurrence of an event. There are several types of records retention and disposition schedules promulgated by the commission for local government and educational institutions. General schedules list records common to all local government and educational institutions and local government and educational schedules list records specific for that entity. Each record series will be represented in the format listed below.

(1) **Program** - describes the function of the records

(2) **Maintenance system** - describes how an agency files (organizes) records

(3) **Description** - describes the purpose and content of a record

(4) **Retention** - defines the length of time records must be kept before they are eligible for destruction or archival preservation.

B. For records of a general administrative nature, refer to the GRRDS, General Administrative, 1.15.3 NMAC.

C. For records of a financial nature, refer to the GRRDS, General Financial, 1.15.5 NMAC.

D. For records of a personnel nature, refer to the GRRDS, General Personnel, 1.15.7 NMAC.

E. For records of a medical nature, refer to the GRRDS, General Medical, 1.15.8 NMAC.

F. Retention periods shall be extended until six months after all current or pending litigation; current claims, audit exceptions or court orders involving a record have been resolved or concluded.

G. The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are included in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.

H. Confidentiality is denoted for files likely to contain confidential materials or information; however files without a confidentiality note may contain confidential or privileged information. Failure to include a confidentiality note in the description of a record series does not waive confidentiality. Refer questions concerning the confidentiality of a file to legal counsel for the agency.

I. Access to confidential documents, information or files shall be only by authorization of the agency records custodian (Section 14-2-8 NMSA 1978), or by the office of the attorney general or by court order, unless otherwise provided by law. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.

J. Records may be photographed, microfilmed, digitized or converted to computer output microfilm provided a microphotography plan has been approved by the state records administrator (Section 14-3-17 NMSA 1978). Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction as evidence in all courts or administrative agencies (Section 14-1-6 NMSA 1978).

K. Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.

L. Email is a transmission medium for content that may or may not be a public record. Email messages that contain information sent or received by an agency in connection with the transaction of official state business or in pursuance of law are public records and are subject to retention requirements established in records retention and disposition schedules. Email messages are required to be categorized, filed and retained on the basis of content (1.13.4 NMAC, Records Management Requirements for Electronic Messaging). The content of email messages may vary considerably; therefore, each email shall be evaluated to determine if it meets the definition of a public record as defined in the Public Records Act. Non-records or transitory emails that do not provide evidence of official agency policies or business transactions may be deleted.

[1.15.3.9 NMAC - Rn, 1 NMAC 3.2.90.8 & A, 1/6/2002; A, 1/5/2004; A, 12/19/2011; A, 9/24/2012]

1.15.3.10 - 1.15.3.100 [RESERVED]

1.15.3.101 NON-RECORD MATERIALS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: the following specific types of materials are defined as “non-record” and may be disposed of at the convenience of the agency when they have no more value/use to the agency: extra copies of correspondence and other documents preserved only for convenience of reference; blank forms, books, etc., which are outdated; materials neither made nor received in pursuance of statutory requirement nor in connection with the functional responsibility of the office/agency; preliminary drafts of letters, reports, and memoranda which do represent significant basic steps in preparation of record documents; shorthand notes, steno tapes, mechanical recordings which have been transcribed, where noted on agency retention schedule; routing and other interdepartmental forms which do not add any significant material to the activity concerned; stocks of publication already sent to archives and processed documents preserved for supply purposes only; form and guide letters, sample letters, form paragraphs. All other materials either related or received in pursuance of statutory requirements or in connection with the transaction of public business which belong to the office concerned are government property and not personal property of the officer or employees concerned. Therefore, any material not included in the above definition cannot be destroyed, given, or taken away, or sold without complying with all the statutory requirements specifically relating to said records.

D. Retention: none

[7/13/98; 1.15.3.101 NMAC - Rn, 1 NMAC 3.2.90.11.A101, 10/1/2000; A, 1/6/2002]

1.15.3.102 SUBJECT FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: correspondence, memoranda, publications, reports and other information received by agency and filed by subject. Also referred to as reading files or information files.

D. Retention: until superseded or until information no longer needed for reference

[7/13/98; 1.15.3.102 NMAC - Rn, 1 NMAC 3.2.90.11.A102, 10/1/2000; A, 1/6/2002]

1.15.3.103 PRIMARY MISSION RECORDS:

A. Program: administrative records

- B. Maintenance system:** entity preference
 - C. Description:** files concerning the establishment of the agency, its development and policies, its progress, operation summaries, plans for the future development, etc.
 - D. Retention:** permanent
- [7/13/98; 1.15.3.103 NMAC - Rn, 1 NMAC 3.2.90.11.A103, 10/1/2000; A, 1/6/2002]

1.15.3.104 AGENCY ORGANIZATIONAL CHARTS:

- A. Program:** administrative records
 - B. Maintenance system:** entity preference
 - C. Description:** records that reflect the organizational structure of the agency and its divisions. Information includes a diagram, which shows a systematic and symbolic arrangement of an agency's divisions and program areas by name and function.
 - D. Retention:**
 - (1) **Executive copy (agency director, deputy director, and division director):** until superseded and until no longer needed for reference, then transfer to archives
 - (2) **Non-executive copies:** until superseded by new organizational chart
- [7/13/98; 1.15.3.104 NMAC - Rn, 1 NMAC 3.2.90.11.A104, 10/1/2000; A, 1/6/2002]

1.15.3.105 ADMINISTRATIVE RULES:

- A. Program:** administrative records
 - B. Maintenance system:** entity preference
 - C. Description:** rules, regulations, orders, statements of policy, and amendments as defined and filed in compliance with the state rules act (Section 14-4-3 NMSA 1978). Administrative rules shall be filed with state records center, rules division (Section 14-3-3 NMSA 1978).
 - D. Retention:**
 - (1) **Agency copy:** until superseded or rescinded
 - (2) **State records center (copy filed in rules and publications division):** permanent
- [7/13/98; 1.15.3.105 NMAC - Rn, 1 NMAC 3.2.90.11.A105, 10/1/2000; A, 1/6/2002]

1.15.3.106 ADMINISTRATIVE FILES (EXECUTIVE LEVELS):

- A. Program:** administrative records
 - B. Maintenance system:** entity preference
 - C. Description:** records documenting actions of an agency director, deputy director, or division directors. Files may include memoranda and reports concerning agency policy, organizational and program development records, and non-routine fiscal data and personnel information. These records reflect administration of policy, coordination of agency functions, and management of program activity.
 - D. Retention:** after five years transfer to archives for appraisal and final disposal
- [7/13/98; 1.15.3.106 NMAC - Rn, 1 NMAC 3.2.90.11.A106, 10/1/2000; A, 1/6/2002]

1.15.3.107 ADMINISTRATIVE REFERENCE FILES (NON-EXECUTIVE LEVELS):

- A. Program:** administrative records
 - B. Maintenance system:** entity preference
 - C. Description:** routine office management files retained below the agency director, deputy director, and division director levels. Included are convenience copies of memoranda, reports, printed matter, and other reference materials. Topics include such subjects as: job activities, program material, general office information, professional associations, charitable affairs, parking for staff, disaster preparedness, and other related topics.
 - D. Retention:** until no longer needed for reference
- [7/13/98; 1.15.3.107 NMAC - Rn, 1 NMAC 3.2.90.11.A107, 10/1/2000; A, 1/6/2002]

1.15.3.108 ADMINISTRATIVE CORRESPONDENCE FILES (EXECUTIVE LEVELS):

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** correspondence is related to the administration of an agency or division. Communications concern coordination of programs, agency policy, and responsibilities of a non-routine nature that

impact on the agency or its divisions. These letters are usually found at the agency director, deputy director, and division director levels. This record group includes the correspondence files of all elected and appointed officials.

D. Retention: two years after close of fiscal year in which created, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.108 NMAC - Rn, 1 NMAC 3.2.90.11.A108, 10/1/2000; A, 1/6/2002]

1.15.3.109 GENERAL CORRESPONDENCE FILES (NON-EXECUTIVE LEVELS):

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: routine correspondence created or retained below the levels of agency director, deputy director, and division director. Letters and memoranda reflect communication regarding program procedures, general work activities, and responses to information requests.

D. Retention: one year after close of fiscal year in which created

[7/13/98; 1.15.3.109 NMAC - Rn, 1 NMAC 3.2.90.11.A109, 10/1/2000; A, 1/6/2002]

1.15.3.110 INTERSTATE COMPACTS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: interstate compact or other intergovernmental agreement as defined in the public records act (Section 14-3-20 NMSA 1978). Interstate compacts and intergovernmental agreements shall be filed with state records center, rules and publications division (Section 14-3-20 NMSA 1978).

D. Retention:

(1) **Agency copy:** six years after termination of compact or agreement

(2) **State records center (copy filed in rules and publications division):** permanent

[7/13/98; 1.15.3.110 NMAC - Rn, 1 NMAC 3.2.90.11.A110, 10/1/2000; A, 1/6/2002]

1.15.3.111 EXECUTIVE ORDERS, PROCLAMATIONS, AND LEGISLATIVE ADVISORIES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: instructions issued by the governor as the chief executive of state government.

D. Retention:

(1) **Agency copy:** until superseded or rescinded

(2) **Governor's office copy:** until transferred to archives for review

(3) **Copy filed with state records center, rules and publications division (14-4-2 and 14-4-4,**

NMSA 1978): permanent

[7/13/98; 1.15.3.111 NMAC - Rn, 1 NMAC 3.2.90.11.A111, 10/1/2000; A, 1/6/2002]

1.15.3.112 GOVERNING BOARD FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning agency dealings with the governing board of said agency. File may include original or copy of minutes of meetings, reports, related documentation, correspondence, etc.

D. Retention: five years then transfer to archives for appraisal and final disposition

[7/13/98; 1.15.3.112 NMAC - Rn, 1 NMAC 3.2.90.11.A112, 10/1/2000; A, 1/6/2002]

1.15.3.113 COMMITTEES OR COUNCILS FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning various committees/councils with which office or department deals. File may contain copies of minutes of meetings, reports, notifications, correspondence, memoranda, related documentation, etc.

D. Retention: five years after close of fiscal year in which created

[7/13/98; 1.15.3.113 NMAC - Rn, 1 NMAC 3.2.90.11.A113, 10/1/2000; A, 1/6/2002]

1.15.3.114 MANUALS OF PROCEDURES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** manuals of procedure prepared and published by state agencies for the guidance of public officers and employees engaged in operations required for the efficient operation of state and local government, including but not limited to acquiring space, budgeting, accounting, purchasing, contracting, vouchering, printing, appointment and dismissal of employees, record maintenance, etc.
- D. Retention:**
 - (1) **Agency copy:** until superseded by new manual of procedure
 - (2) **State records center copy (copy filed as publication with state records center):** permanent [7/13/98; 1.15.3.114 NMAC - Rn, 1 NMAC 3.2.90.11.A114, 10/1/2000; A, 1/6/2002]

1.15.3.115 POLICIES AND PROCEDURES FILES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** reference copies of current policies and procedures of government and non-government entities with which an agency deals.
- D. Retention:** until superseded or obsolete [7/13/98; 1.15.3.115 NMAC - Rn, 1 NMAC 3.2.90.11.A115, 10/1/2000; A, 1/6/2002]

1.15.3.116 LEGISLATION, AGENCY FILES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** documents pertaining to bills' prospective legislation. Copies of bills and proposed (drafted) legislation. Includes supporting material relating to legislation, such as newspaper clippings, reports, correspondence, memoranda, etc.
- D. Retention:**
 - (1) **Enacted legislation:** four years, then transfer to archives for review and final disposal
 - (2) **Failed or vetoed legislation:** four years after close of fiscal in which created[7/13/98; 1.15.3.116 NMAC - Rn, 1 NMAC 3.2.90.11.A116, 10/1/2000; A, 1/6/2002]

1.15.3.117 REPORTS:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** [RESERVED]
- D. Retention:**
 - (1) **Annual, biennial, or other periodic reports required by Article V, Section 9, N.M. Constitution, or by specific statute:** permanent
 - (2) **Routine, interim, or progress reports:** two years after close of fiscal year in which created
 - (3) **Ad hoc reports:** none[7/13/98; 1.15.3.117 NMAC - Rn, 1 NMAC 3.2.90.11.A117, 10/1/2000; A, 1/6/2002]

1.15.3.118 ACCIDENT REPORT FILE:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** reports of accidents involving agency personnel.
- D. Retention:**
 - (1) **Files resulting in no action/claim/litigation:** two years after date of accident
 - (2) **Files resulting in action/claim/litigation:** until incorporated into workers' compensation file[7/13/98; 1.15.3.118 NMAC - Rn, 1 NMAC 3.2.90.11.A118, 10/1/2000; A, 1/6/2002]

1.15.3.119 MINUTES OF MEETINGS:

- A. Program:** administrative records
- B. Maintenance system:** entity preference

C. Description: records of official proceedings of governing bodies. Information includes agenda, date, place, list of attendees, and a summary of discussion and decisions. Official minutes may also include all informational attachments such as reports, surveys, proposals, studies, and charts distributed to members for discussion and for use in making decisions on agency policy, planning, and administrative matters. Official minutes shall include only those documents and attachments that have been formally introduced as part of a record.

D. Retention:

(1) **Minutes of meetings of boards, commissions, and/or other policy-making bodies, as defined in open meetings Act (10-15-1, NMSA 1978):** permanent

(2) **Minutes of meetings of all other bodies:** five years, then transfer to archives for appraisal and final disposal

(3) **Tapes or recordings of meetings:** after minutes have been transcribed and accepted at next meeting but no longer than two years after meeting date

(4) **All other documentation including agenda, agenda package, etc:** after next meeting date but no longer than two years after meeting date

[7/13/98; 1.15.3.119 NMAC - Rn, 1 NMAC 3.2.90.11.A119, 10/1/2000; A, 1/6/2002]

1.15.3.120 APPLICATIONS FOR EMPLOYMENT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: applications for employment within particular office or department. File may contain application, resume, letters of reference or recommendation, correspondence, memoranda, related documentation, etc.

D. Retention:

(1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position

(2) **Applications and records for individuals not hired:** transfer to personnel office when position is filled

(3) **Unsolicited applications:** transfer to personnel office when received
[7/13/98; 1.15.3.120 NMAC - Rn, 1 NMAC 3.2.90.11.A120, 10/1/2000; A, 1/6/2002]

1.15.3.121 PUBLIC RELATIONS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: information concerning agency publicity. File may include press releases, biographies, newspaper clippings, promotional materials, bulletins, broadcast scripts, photographs, visual documentation, and other related items.

D. Retention: until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.121 NMAC - Rn, 1 NMAC 3.2.90.11.A121, 10/1/2000; A, 1/6/2002]

1.15.3.122 MOTION PICTURES OR VIDEO RECORDINGS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: [RESERVED]

D. Retention:

(1) **Documentary or training films produced or funded by agency:** until informational value ends, then transfer to archives for review

(2) **Films acquired from outside sources for personnel and management training:** until informational value ends

(3) **Routine surveillance footage or recordings:** 30 days after date created

(4) **Footage or recordings that document routing meetings:** 30 days after date created

[7/13/98; 1.15.3.122 NMAC - Rn, 1 NMAC 3.2.90.11.A122, 10/1/2000; A, 1/6/2002]

1.15.3.123 NEWSPAPER RELEASES:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference
- C. **Description:** includes news or press releases issued by the agency.
- D. **Retention:** four years after close of fiscal year in which created, then transfer to archives for

review

[7/13/98; 1.15.3.123 NMAC - Rn, 1 NMAC 3.2.90.11.A123, 10/1/2000; A, 1/6/2002]

1.15.3.124 PHOTOGRAPHS:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference
- C. **Description:** photographic proofs and negatives of agency activities. Photographs may include identification according to time, place, and agency activity.

- D. **Retention:** until no longer needed for reference, then transfer to archives for review

[7/13/98; 1.15.3.124 NMAC - Rn, 1 NMAC 3.2.90.11.A124, 10/1/2000; A, 1/6/2002]

1.15.3.125 PROPERTY FILES:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference
- C. **Description:** records of deeds and leases to real property owned or used by agency. Information includes description and location of the property, maps, sale agreements, land acquisition forms, deeds, lease agreements, and related correspondence.

- D. **Retention:**

(1) **Deeds and related documentation (property control copy):** permanent. After property is sold, disposed of, or relinquished, files may be transferred to archives

(2) **Leases and related documentation (property control copy):** six years after termination of lease, then transfer to archives for appraisal and final disposal

(3) **Deeds or leases and related documentation (agency information copy):** six years after termination of lease or six years after property is sold, or disposed of, or relinquished

[7/13/98; 1.15.3.125 NMAC - Rn, 1 NMAC 3.2.90.11.A125, 10/1/2000; A, 1/6/2002]

1.15.3.126 BUILDING DRAWINGS, PLANS, AND BLUEPRINTS:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference
- C. **Description:** original of photographic reproduction of architectural plans or technical drawings. Access to documentation of restricted or security areas (i.e., correctional facilities, museum and archival vaults, etc.) shall be limited to authorized personnel only.

- D. **Retention:**

(1) **Property control copy:** permanent. After no longer needed for reference, files may be transferred to archives

(2) **Agency information copy:** until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.126 NMAC - Rn, 1 NMAC 3.2.90.11.A126, 10/1/2000; A, 1/6/2002]

1.15.3.127 SURVEYS OR MAPS:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference
- C. **Description:** surveys or maps developed by an agency to carry out its mission and function. Information concerns roads, property lines, corners, monuments, road marker placements, structures, sites, and other related data.

- D. **Retention:** until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.127 NMAC - Rn, 1 NMAC 3.2.90.11.A127, 10/1/2000; A, 1/6/2002]

1.15.3.128 MAINTENANCE SERVICE FILE:

A. Program: administrative records
B. Maintenance system: entity preference
C. Description: records concerning maintenance services conducted for office or department. File may include work orders, maintenance reports, related documentation, correspondence, memoranda, service agreements, etc.

D. Retention:

- (1) **Service agreements:** six years after termination of agreement
- (2) **All other records:** three years after date of last entry

[7/13/98; 1.15.3.128 NMAC - Rn, 1 NMAC 3.2.90.11.A128, 10/1/2000; A, 1/6/2002]

1.15.3.129 SUPPLIES AND EQUIPMENT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning supplies and equipment. File may contain accounting records, operating manuals, warranties, inventories, related documentation, correspondence, memoranda, etc.

D. Retention:

- (1) **Warranties:** six years after termination of warranty
- (2) **Equipment records, including operating manuals:** until disposition of equipment
- (3) **Supply records:** three years after audit report released

[7/13/98; 1.15.3.129 NMAC - Rn, 1 NMAC 3.2.90.11.A129, 10/1/2000; A, 1/6/2002]

1.15.3.130 SURPLUS PROPERTY FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning surplus property and its disposition. File may contain inventories, records of disposal, accounting information, related documentation, correspondence, memoranda, etc.

D. Retention: one year after disposition of property or three years after all audits are released, whichever is longer

[7/13/98; 1.15.3.130 NMAC - Rn, 1 NMAC 3.2.90.11.A130, 10/1/2000; A, 1/6/2002]

1.15.3.131 TELEPHONE BILLINGS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: reference copies of monthly office telephone bills.

D. Retention: until audit report released

[7/13/98; 1.15.3.131 NMAC - Rn, 1 NMAC 3.2.90.11.A131, 10/1/2000; A, 1/6/2002]

1.15.3.132 TELEPHONE LOGS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: listing of telephone calls made by agency personnel for a particular time period. Logs may reflect date, time, caller, recipient of call, nature of business discussed, etc.

D. Retention: three years after close of fiscal year in which created

[7/13/98; 1.15.3.132 NMAC - Rn, 1 NMAC 3.2.90.11.A132, 10/1/2000; A, 1/6/2002]

1.15.3.133 WORK ORDERS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: work orders submitted to maintenance office or physical plant

D. Retention:

- (1) **Reference copy (copy maintained by entity requesting work):** until work completed
- (2) **Maintenance office/physical plant copy:** one year after work completed

[7/13/98; 1.15.3.133 NMAC - Rn, 1 NMAC 3.2.90.11.A133, 10/1/2000; A, 1/6/2002]

1.15.3.134 CALENDAR OF EVENTS FILE:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** reference copies of agency calendars of events.
- D. Retention:** until superseded or obsolete

[7/13/98; 1.15.3.134 NMAC - Rn, 1 NMAC 3.2.90.11.A134, 10/1/2000; A, 1/6/2002]

1.15.3.135 SCHEDULES OF DAILY ACTIVITIES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** records used to keep track of work-related events and commitments of agency staff members. Record includes daily appointment books, calendars, and other records indicating dates for meeting and work activities

D. Retention: until no longer needed for reference but no longer than one year after close of calendar year in which created

[7/13/98; 1.15.3.135 NMAC - Rn, 1 NMAC 3.2.90.11.A135, 10/1/2000; A, 1/6/2002]

1.15.3.136 LISTS OR DIRECTORIES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** includes mailing lists, directories, rosters, and registers compiled by the agency.
- D. Retention:** until superseded

[7/13/98; 1.15.3.136 NMAC - Rn, 1 NMAC 3.2.90.11.A136, 10/1/2000; A, 1/6/2002]

1.15.3.137 SPEECH FILES:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** transcript of speeches given by agency personnel. Speeches concern program procedure, work activities, and related concepts.

D. Retention:

(1) **Executive levels (including elected and appointed officials):** until no longer needed for reference, then transfer to archives for appraisal and final disposal

(2) **Non-executive levels:** until no longer needed for reference

[7/13/98; 1.15.3.137 NMAC - Rn, 1 NMAC 3.2.90.11.A137, 10/1/2000; A, 1/6/2002]

1.15.3.138 CONFERENCES OR WORKSHOPS ATTENDED FILE:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** records of conferences or workshops attended by office or departmental personnel. File may contain agendas, programs, handouts, correspondence, memoranda, related documentation, etc.

D. Retention: until no longer needed for reference

[7/13/98; 1.15.3.138 NMAC - Rn, 1 NMAC 3.2.90.11.A138, 10/1/2000; A, 1/6/2002]

1.15.3.139 CONFERENCES OR WORKSHOPS CONDUCTED FILE:

- A. Program:** administrative records
- B. Maintenance system:** entity preference
- C. Description:** records of conferences or workshops conducted by office or departmental personnel. File may contain agendas, programs, handouts, reports, training materials, critiques, questionnaires, correspondence, memoranda, related documentation, etc.

D. Retention: after five years, transfer to archives for appraisal and disposal

[7/13/98; 1.15.3.139 NMAC - Rn, 1 NMAC 3.2.90.11.A139, 10/1/2000; A, 1/6/2002]

1.15.3.140 SIGNATURE AUTHORIZATIONS:

- A. Program:** administrative records

- B. **Maintenance system:** entity preference
 - C. **Description:** record authorizing person to sign fiscal documents, personnel documents, etc.
 - D. **Retention:** one year after close of fiscal year in which created
- [7/13/98; 1.15.3.140 NMAC - Rn, 1 NMAC 3.2.90.11.A140, 10/1/2000; A, 1/6/2002]

1.15.3.141 ALCOHOL AND DRUG ABUSE PROGRAM FILE:

- A. **Program:** administrative records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records concerning the administration of the agency's alcohol and drug abuse program.
 - D. **Retention:** three years after close of fiscal year in which created
- [7/13/98; 1.15.3.141 NMAC - Rn, 1 NMAC 3.2.90.11.A141, 10/1/2000; A, 1/6/2002]

1.15.3.142 OVERTIME FILE:

- A. **Program:** administrative records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records of overtime by office or department personnel.
 - D. **Retention:** one year after overtime accrual date
- [7/13/98; 1.15.3.142 NMAC - Rn, 1 NMAC 3.2.90.11.A142, 10/1/2000; A, 1/6/2002]

1.15.3.143 AFFIRMATIVE ACTION OR EQUAL EMPLOYMENT OPPORTUNITY FILE:

- A. **Program:** administrative records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records concerning agency's affirmative action/equal opportunity program. File may include regulations and guidelines, policies, reports, studies, correspondence, and related records.
 - D. **Retention:**
 - (1) **Annual plan:** three years after date issued, then transfer to archives for appraisal and final disposal.
 - (2) **Regulations, policies, guidelines, reference materials:** until obsolete or superseded, then transfer to archives for appraisal and final disposal
 - (3) **Grievance or complaint files:** one year after date case closed
 - (4) **Compliance reviews:** after five years, transfer to archives for appraisal and final disposal
 - (5) **Remaining records:** two years after date created
 - E. **Confidentiality:** Section 10-15-1 NMSA 1978.
- [7/13/98; 1.15.3.143 NMAC - Rn, 1 NMAC 3.2.90.11.A143, 10/1/2000; A, 1/6/2002]

1.15.3.144 SEARCH COMMITTEE FILE:

- A. **Program:** administrative records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records concerning activities of specially formed search committees charged with recruiting new or replacement agency personnel. File may include resumes, applications, correspondence, related records, memoranda, etc.
 - D. **Retention:**
 - (1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position
 - (2) **Applications and records for individuals not hired:** transfer to personnel office when position is filled
 - (3) **Unsolicited applications:** transfer to personnel office when received
- [7/13/98; 1.15.3.144 NMAC - Rn, 1 NMAC 3.2.90.11.A144, 10/1/2000; A, 1/6/2002]

1.15.3.145 JOINT POWERS AGREEMENTS:

- A. **Program:** administrative records
- B. **Maintenance system:** entity preference

C. Description: written contractual agreement entered into between two or more public agencies subject to any constitutional or legislative restrictions imposed upon any of the contracting public agencies (Joint Powers Agreement Act, Section 11-1-1 to Section 11-1-7 NMSA).

D. Retention: 10 years after termination of agreement, then transfer to archives for review and final disposition
[7/13/98; 1.15.3.145 NMAC - Rn, 1 NMAC 3.2.90.11.A145, 10/1/2000; A, 1/6/2002; A, 1/6/2002]

1.15.3.146 DISASTER RECOVERY FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning the preparation of a disaster plan and the organization of salvage procedures for the agency. Records include the disaster recovery plan, salvage procedures, information on training in disaster recovery techniques, etc. A copy of this file should be maintained off-site. In the event of a disaster, all copies of this file shall be retained until any or all investigations have been concluded.

D. Retention: until superseded by new plan or information
[7/13/98; 1.15.3.146 NMAC - Rn, 1 NMAC 3.2.90.11.A146, 10/1/2000; A, 1/6/2002]

1.15.3.147 BUILDING EMERGENCY EVACUATION FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning the safe and orderly evacuation of a building. Records include evacuation plan, list of designated fire captains or coordination leaders, training information, etc.

D. Retention: until superseded by new plan or information
[7/13/98; 1.15.3.147 NMAC - Rn, 1 NMAC 3.2.90.11.A147, 10/1/2000; A, 1/6/2002]

1.15.3.148 INTERNAL AUDIT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: internal audits of agency programs, operations, and of external contractors and grantees. File may contain audit plan, entrance or exit conference documentation, procedure questionnaires, correspondence, memoranda, supporting documentation, and final audit report. This record series does not include agency's external audit report.

D. Retention: five years after close of fiscal year audited
[7/13/98; 1.15.3.148 NMAC - Rn, 1 NMAC 3.2.90.11.A148, 10/1/2000; A, 1/6/2002]

1.15.3.149 FINDING AIDS (INDEXES):

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: indexes, lists, registers, and other finding aids used to provide access to records.

D. Retention: until superseded or until related records are destroyed
[7/13/98; 1.15.3.149 NMAC - Rn, 1 NMAC 3.2.90.11.A149, 10/1/2000; A, 1/6/2002]

1.15.3.150 PROJECT CONTROL FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: memoranda, reports, and other records documenting assignments, progress, and completion of projects. Record series does not include construction project files.

D. Retention: one year after close of fiscal year in which project completed or canceled
[7/13/98; 1.15.3.150 NMAC - Rn, 1 NMAC 3.2.90.11.A150, 10/1/2000; A, 1/6/2002]

1.15.3.151 FEASIBILITY STUDIES:

A. Program: administrative records

B. Maintenance system: entity preference

C. **Description:** studies requested or conducted prior to the acquisition, installation, implementation, or purchase of new technologies, equipment, properties, projects, etc. Studies may be incorporated into other files (i.e., project files).

D. **Retention:**

- (1) **Studies requested or conducted by agency:** five years after completion or cancellation of study
- (2) **Courtesy copies received by agency:** until informational value ends

[7/13/98; 1.15.3.151 NMAC - Rn, 1 NMAC 3.2.90.11.A151, 10/1/2000; A, 1/6/2002]

1.15.3.152 CODE OF CONDUCT:

A. **Program:** administrative records

B. **Maintenance system:** entity preference

C. **Description:** prescribed standards which are peculiar and appropriate to the function and purpose for which the agency or institution was created and exists. "All codes approved by the governor shall be filed with the secretary of state and shall be open to public inspection" (Section 10-16-11 NMSA 1978).

D. **Retention:**

- (1) **Agency copy:** until superseded by new code
- (2) **Secretary of state:** permanent

[7/13/98; 1.15.3.152 NMAC - Rn, 1 NMAC 3.2.90.11.A152, 10/1/2000; A, 1/6/2002]

1.15.3.153 - 1.15.3.200 [RESERVED]

1.15.3.201 INSURANCE POLICY FILE:

A. **Program:** risk management records

B. **Maintenance system:** entity preference

C. **Description:** records concerning insurance coverage of agency property (buildings and contents, equipment, automobiles, etc.).

D. **Retention:**

- (1) **Insurance policy:** 10 years after expiration of policy, provided no claims or suits pending.
- (2) **Claim files:** three years after case close

[7/13/98; 1.15.3.201 NMAC - Rn, 1 NMAC 3.2.90.11A201, 10/1/2000; A, 1/6/2002]

1.15.3.202 GROUP INSURANCE POLICY FILE:

A. **Program:** risk management records

B. **Maintenance system:** entity preference

C. **Description:** records concerning insurance coverage of agency employees (health, life, accident, and long-term disability).

D. **Retention:**

(1) **Group insurance policy:** 10 years after expiration of policy, provided no claims or suits pending

(2) **Individual employee policy holders' records (waiver and enrollment forms applicable to group insurance in effect):** three years after employee terminated or retired, or three years after termination of effective period

- (3) **Claim file:** until informational value ends

E. **Confidentiality:** claim files containing health information are confidential. (14-6-1 NMSA 1978)

[7/13/98; 1.15.3.202 NMAC - Rn, 1 NMAC 3.2.90.11.A202, 10/1/2000; A, 1/6/2002]

1.15.3.203 LIABILITY CERTIFICATES OF COVERAGE FILE:

A. **Program:** risk management records

B. **Maintenance system:** entity preference

C. **Description:** records concerning insurance coverage of agency liability.

D. **Retention:**

- (1) **Certificate (policy):** 10 years after expiration of policy, provided no claims or suits pending
- (2) **Claim files:** three years after case closed

E. Confidentiality: claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)
[7/13/98; 1.15.3.203 NMAC - Rn, 1 NMAC 3.2.90.11.A203, 10/1/2000; A, 1/6/2002]

1.15.3.204 SURETY BOND FILE:

- A. Program:** risk management records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning surety bond coverage of agency employees and persons acting on behalf of or in service to the agency in any official capacity.
 - D. Retention:**
 - (1) **Certificate (policy):** 10 years after expiration of policy, provided no claims or suits pending.
 - (2) **Claim files:** three years after case closed
- [7/13/98; 1.15.3.204 NMAC - Rn, 1 NMAC 3.2.90.11.A204, 10/1/2000; A, 1/6/2002]

1.15.3.205 WORKER'S COMPENSATION FILE:

- A. Program:** risk management records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning workers' compensation claims against agency. File may include legal opinions and briefs, court documents, transcripts, affidavits, photographs, findings, recommendations, correspondence, related records, etc.
 - D. Retention:**
 - (1) **Policy:** 10 years after expiration of policy, provided no claims or suits pending
 - (2) **Claim files:** three years after case closed
 - E. Confidentiality:** claim files containing health information are confidential. (14-6-1 NMSA 1978)
- [7/13/98; 1.15.3.205 NMAC - Rn, 1 NMAC 3.2.90.11.A205, 10/1/2000; A, 1/6/2002]

1.15.3.206 TITLE INSURANCE POLICY:

- A. Program:** risk management records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning the insurance coverage of titles of agency owned property.
 - D. Retention:**
 - (1) **Policy:** until property sold or disposed of, provided no claims or suits pending
 - (2) **Claim files:** three years after case closed
- [7/13/98; 1.15.3.206 NMAC - Rn, 1 NMAC 3.2.90.11.A206, 10/1/2000; A, 1/6/2002]

1.15.3.207 INSURANCE APPRAISAL OR SURVEY FILE:

- A. Program:** risk management records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning insurance appraisal or surveys.
 - D. Retention:** until informational value ends
- [7/13/98; 1.15.3.207 NMAC - Rn, 1 NMAC 3.2.90.11.A207, 10/1/2000; A, 1/6/2002]

1.15.3.208 MATERIAL SAFETY DATA SHEETS:

- A. Program:** risk management records
 - B. Maintenance system:** alphabetical by chemical name
 - C. Description:** records concerning safety information on chemical products used by the staff. Material safety data sheet may contain information on chemical ingredients, hazards identification, first-aid measures, fire fighting measures, accidental release measures, handling and storage, exposure controls or personal protection, agency name or vendor name, physical and chemical properties, toxicological information, etc.
 - D. Retention:** 30 years after discontinuance of substance per 29 CFR 1910.1020(d) (1) (ii)(B)
- [1.15.3.208 NMAC - N, 1/10/2005]

1.15.3.209 - 1.15.3.299 [RESERVED]

1.15.3.300 ELECTRONIC INFORMATION SECURITY AUDIT FILES:

- A. Program:** information technology
- B. Maintenance system:** chronological by date
- C. Description:** records documenting security audits conducted on electronic information systems.

Files may include risk assessment report, business process analysis, final audit report and determinations, correspondence, etc.

- D. Retention:** five years from date of final report

E. Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to 44 U.S.C. 3544(a)(1)(A).

[1.15.3.300 NMAC - N, 9/24/2012]

1.15.3.301 DOCUMENTATION TAPE FILE:

- A. Program:** electronic records
- B. Maintenance system:** entity preference
- C. Description:** data processing tapes providing documentation for operation systems. Tapes

include data systems specifications, systems test documentation, file specifications, user guides, output specifications, reports, and information retrieval data. Proprietary software is confidential (copyright, protection of rights, 17 USC, section 102,106, and 117). System test documentation for approved systems may be destroyed one year after completion of testing.

- D. Retention:**

(1) **Approved systems:** one year after discontinuance of system, provided all magnetic data files are authorized for disposal or transferred to new or alternate system

(2) **Disapproved proposed systems:** one year after date of final action

[7/13/98; 1.15.3.301 NMAC - Rn, 1 NMAC 3.2.90.11.A301, 10/1/2000; A, 1/6/2002]

1.15.3.302 OPERATIONS SYSTEM BACKUP:

- A. Program:** electronic records
- B. Maintenance system:** entity preference
- C. Description:** operations system backups contain data concerning agency's fiscal operations and

transactions, legal investigations and proceedings, studies, supply management, personnel and payroll administration, etc.

- D. Retention:**

(1) **Annual system backup:** erase or dispose of when data contained has met its retention period provided approval to destroy data has been received from office or department to which data belongs

(2) **Quarterly system backup:** after five cycles

(3) **Monthly system backup:** after four cycles

(4) **Weekly system backup:** after six cycles

(5) **Daily system backup:** after eight cycles

(6) **Incremental system backup:** until completion of next full system backup

[7/13/98; 1.15.3.302 NMAC - Rn, 1 NMAC 3.2.90.11.A302, 10/1/2000; A, 1/6/2002]

1.15.3.303 [RESERVED]

[7-13-98; 1.15.3.303 NMAC - Rn, 1 NMAC 3.2.90.11.A303, 10/1/2000; A, 1/6/2002, Repealed, 07/23/2007]

[Refer to 1.13.4 NMAC, Records Management Requirements for Electronic Messaging for guidance on electronic mail.]

1.15.3.304 TEST FILES:

- A. Program:** electronic records
- B. Maintenance system:** entity preference
- C. Description:** records concerning test results for upgrades, migration or compliance. File may

contain system specifications, hardware specifications, computer printouts, notes, correspondence, e-mail, electronic logs, pre and post test results, bench mark results, operating system version, application version, testing personnel name, etc.

- D. Retention:** two years after system goes into production

[1.15.3.304 NMAC - N, 7/22/2002]

1.15.3.305 COMPUTER SYSTEM ACCESS REQUEST:

- A. Program:** electronic records
- B. Maintenance system:** entity preference
- C. Description:** hardcopy input document used to request or modify a users systems access. Record may contain user name, user number, request date, organization or unit identifier code, position title, justification, written approval, user social security number, requested login identity, system name, domain name, group name, restrictions, etc.
- D. Retention:**
 - (1) **Paper:** until entered and verified into system
 - (2) **Data:** three years after no longer employed with the agency.
- E. Confidentiality:** portions of record may contain confidential information per 20 CFR 401.

[1.15.3.305 NMAC - N, 7/22/2002]

1.15.3.306 WEBSITE:

- A. Program:** public relations
- B. Architecture:** The overall design of a website, which can encompass hardware and software, consisting of the how the components are designed, connected to, and operate with one another. The architectural design also contains information on the development and maintenance of informational or transactional websites that may contain documentation on the platform and associated software necessary to operate and maintain an internet or intranet presence.
 - (1) **informational website:** informational web sites contain information and do not support or conduct business transactions.
 - (2) **transactional website:** transactional web sites contain information and possess the ability to conduct business transactions.
- C. Description:** records and information hosted electronically and accessible through the internet or intranet. A website may contain information regarding the mission of an agency or the reason for the establishment of a web presence. The website may contain replicated information from an agency such as, names of staff, announcements of meetings, calendar of events, press releases, annual reports, strategic plans, surveys, images, multimedia, audio, transactional forms or pages (e-commerce), etc. The website may also contain unique information found only on the website.
- D. Retention:**
 - (1) **platform (software):** one year after discontinuance of the system.
 - (2) **web content:**
 - (a) **unique records or information:** see the general or agency program schedule for retention.
 - (b) **replicated information:** until superseded or no longer relevant.
 - (3) **web site structure:**
 - (a) **informational web site:** one year after site is updated or changed.
 - (b) **transactional web site:** three years after site is updated or changed. [Transactional web sites contain or support transactions such as registrations, purchases, etc.]
- E. Nota bene:**
 - (1) the use of contractors or another entity to host an entity's website does not release the entity from the custodial obligation for the maintenance, preservation, and disposition of the entity's records.
 - (2) entities may wish to include a statement to the effect that the information provided on the website is for informational purposes and that the official copy of record(s) can be found at the entity. See subsection K of 1.15.3.9 NMAC of this rule for further information.
 - (3) because applicable statutes or laws may vary, entities may wish to consult with legal counsel for applicable citations for websites conducting business transactions or containing confidential information.

[1.15.3.306 NMAC - N, 1/5/2004]

1.15.3.307 - 1.15.3.400 [RESERVED]

1.15.3.401 LEGAL CASE FILE:

- A. **Program:** legal office records
- B. **Maintenance system:** entity preference
- C. **Description:** records concerning litigation . Records may contain complaints, court order, motion, pleadings, notes, briefs, releases, investigative reports, investigative activity logs, transcripts, closing sheets, correspondence, memoranda, etc. Case files involving real property where the state has an interest shall be retained for 10 years after case closed or until state no longer has an interest, whichever is longer.
- D. **Retention:**
 - (1) **Legal casefiles:** 10 years after case closed
 - (2) **Legal case files involving minors:** 10 years after case closed or until any minor involved attains age 21, whichever is longer
 - (3) **Legal case files involving real property:** 10 years after case closed or until state no longer has an interest, whichever is longer
- E. **Confidentiality:** per Sections 14-2-1 NMSA 1978, 32A-1-3.B NMSA 1978, 32A-2-32 NMSA 1978, 32A-3B-22 NMSA 1978, 32A-4-33 NMSA 1978, 32A-5-8 NMSA 1978, and 32A-6-15 NMSA 1978 [7/13/98; 1.15.3.401 NMAC - Rn, 1 NMAC 3.2.90.11.A401, 10/1/2000; A, 1/6/2002; A, 1/6/2002]

1.15.3.402 LEGAL BRIEF FILE (BRIEF BANK):

- A. **Program:** legal office records
- B. **Maintenance system:** entity preference
- C. **Description:** contains duplicate copies of legal briefs from legal case file.
- D. **Retention:** until no longer needed for reference
[7/13/98; 1.15.3.402 NMAC - Rn, 1 NMAC 3.2.90.11.A402, 10/1/2000; A, 1/6/2002]

1.15.3.403 LEGAL CASE LOG:

- A. **Program:** legal office records
- B. **Maintenance system:** entity preference
- C. **Description:** listing of cases. Log may be destroyed when information transferred to or is available on electronic media.
- D. **Retention:** 10 years after all cases listed are closed
[7/13/98; 1.15.3.403 NMAC - Rn, 1 NMAC 3.2.90.11.A403, 10/1/2000; A, 1/6/2002]

1.15.3.404 LEGAL CASE INDEX:

- A. **Program:** legal office records
- B. **Maintenance system:** entity preference
- C. **Description:** includes notations on activities related to case indexed.
- D. **Retention:** 10 years after case closed
[7/13/98; 1.15.3.404 NMAC - Rn, 1 NMAC 3.2.90.11.A404, 10/1/2000; A, 1/6/2002]

1.15.3.405 LEGAL OPINIONS AND REQUESTS FOR OPINION FILE:

- A. **Program:** legal office records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records requesting legal office to render or issue an opinion. May contain request, opinion, relating documentation, correspondence, memoranda, etc. File includes attorney general opinions and requests for opinions.
 - D. **Retention:**
 - (1) **Legal office (issuing entity):** permanent
 - (2) **Office or department (requesting entity):** until no longer needed for reference
- [7/13/98; 1.15.3.405 NMAC - Rn, 1 NMAC 3.2.90.11.A405, 10/1/2000; A, 1/6/2002]

1.15.3.406 - 1.15.3.500 [RESERVED]

1.15.3.501 OFFENSE OR INCIDENT REPORTS:

- A. **Program:** security records
- B. **Maintenance system:** entity preference

C. Description: shows offender's name, offender information, date and time and location of occurrence, information on incident, reporting witness name, name of investigating officer, narrative, etc. Includes bomb threat reports. Includes reports concerning victims of alleged criminal offenses occurring on agency property.

D. Retention: five years after date of occurrence
[7/13/98; 1.15.3.501 NMAC - Rn, 1 NMAC 3.2.90.11.A501, 10/1/2000; A, 1/6/2002]

1.15.3.502 DISPATCH RECORDS:

A. Program: security records

B. Maintenance system: entity preference

C. Description: records concerning the dispatch of agency security. Record may show offense or incident reports, complainant's name, place of occurrence, address, date and time complaint received, dispatcher's name, name of officer dispatched, etc.

D. Retention: 18 months from date of call
[7/13/98; 1.15.3.502 NMAC - Rn, 1 NMAC 3.2.90.11.A502, 10/1/2000; A, 1/6/2002]

1.15.3.503 RADIO LOGS:

A. Program: security records.

B. Maintenance system: entity preference

C. Description: shows unit number, time and date of call, location of call, nature of call, etc.

D. Retention: one year after date created
[7/13/98; 1.15.3.503 NMAC - Rn, 1 NMAC 3.2.90.11.A503, 10/1/2000; A, 1/6/2002]

1.15.3.504 BUILDING ENTRANCE LOG:

A. Program: security records

B. Maintenance system: entity preference

C. Description: shows agency name, building, employee identification, time in, time out, time alarm reset, etc.

D. Retention: one year after date created
[7/13/98; 1.15.3.504 NMAC - Rn, 1 NMAC 3.2.90.11.A504, 10/1/2000; A, 1/6/2002]

1.15.3.505 SECURITY GATE LOG:

A. Program: security records

B. Maintenance system: entity preference

C. Description: record documenting the vehicles entering and leaving monitored or secured area. Shows date, vehicle identification, driver identification, time in, time out, etc.

D. Retention: one year after date created
[7/13/98; 1.15.3.505 NMAC - Rn, 1 NMAC 3.2.90.11.A505, 10/1/2000; A, 1/6/2002]

1.15.3.506 ALARM DATA RECORDS:

A. Program: security records

B. Maintenance system: entity preference

C. Description: shows date and time of alarm, alarm number, etc.

D. Retention: one year after date created
[7/13/98; 1.15.3.506 NMAC - Rn, 1 NMAC 3.2.90.11.A506, 10/1/2000; A, 1/6/2002]

1.15.3.507 PARKING ASSIGNMENTS FILE:

A. Program: security records

B. Maintenance system: entity preference

C. Description: records concerning staff parking assignments.

D. Retention: until superseded or obsolete
[7/13/98; 1.15.3.507 NMAC - Rn, 1 NMAC 3.2.90.11.A507, 10/1/2000; A, 1/6/2002]

1.15.3.508 PARKING SERVICES CASHIER'S RECEIPT:

A. Program: security records

- B. Maintenance system:** entity preference
 - C. Description:** copy of receipt issued for monies received for parking on agency property
 - D. Retention:** three years after close of fiscal year in which created
- [7/13/98; 1.15.3.508 NMAC - Rn, 1 NMAC 3.2.90.11.A508, 10/1/2000; A, 1/6/2002]

1.15.3.509 VEHICLE ACCIDENT REPORT FILE:

- A. Program:** security records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning each vehicle accident reported on agency property. File may include medical records, offense or incident reports, affidavits, photographs, diagrams, related documentation, correspondence, memoranda, etc.
 - D. Retention:**
 - (1) **Fatal accidents:** 25 years after date of accident
 - (2) **Non-fatal accidents:** 10 years after date of accident
 - E. Confidentiality:** (Sections 66-7-213, 66-7-215 and 14-6-1 NMSA 1978)
- [7/13/98; 1.15.3.509 NMAC - Rn, 1 NMAC 3.2.90.11.A509, 10/1/2000; A, 1/6/2002]

1.15.3.510 WRECKER LOG:

- A. Program:** security records
 - B. Maintenance system:** entity preference
 - C. Description:** record of vehicles towed away. Record may show date and time, name of wrecking company, operator, make of vehicle, license number, owner, location, reason for towing vehicle, etc.
 - D. Retention:** one year after close of fiscal year in which created
- [7/13/98; 1.15.3.510 NMAC - Rn, 1 NMAC 3.2.90.11.A510, 10/1/2000; A, 1/6/2002]

1.15.3.511 VISITOR CONTROL FILE:

- A. Program:** security records
 - B. Maintenance system:** entity preference
 - C. Description:** registers or logs used to record names of outside contractors, service personnel, visitors, employees admitted to areas.
 - D. Retention:** one year after date created
- [7/13/98; 1.15.3.511 NMAC - Rn, 1 NMAC 3.2.90.11.A511, 10/1/2000; A, 1/6/2002]

1.15.3.512 KEY ACCOUNTABILITY RECORDS:

- A. Program:** security records
 - B. Maintenance system:** entity preference
 - C. Description:** records relating to accountability for keys issued.
 - D. Retention:**
 - (1) **For security areas:** three years after keys turned in
 - (2) **All other areas:** six months after keys turned in
- [7/13/98; 1.15.3.512 NMAC - Rn, 1 NMAC 3.2.90.11.A512, 10/1/2000; A, 1/6/2002]

1.15.3.513 - 1.15.3.600 [RESERVED]

1.15.3.601 ACCESSION RECORDS:

- A. Program:** library records
 - B. Maintenance system:** entity preference
 - C. Description:** records concerning the acquisition of library monographs, films, photographs, collections, etc. Record may show accession number, author, title, publisher, date of publication, cost of acquisition, etc.
 - D. Retention:** permanent
- [7/13/98; 1.15.3.601 NMAC - Rn, 1 NMAC 3.2.90.11.A601, 10/1/2000; A, 1/6/2002]

1.15.3.602 CATALOG OF HOLDINGS:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** record of library holdings in manuscript, printed catalog, or continuously updated catalog forms.

D. **Retention:** until superseded
[7/13/98; 1.15.3.602 NMAC -Rn, 1 NMAC 3.2.90.11.A602, 10/1/2000; A, 1/6/2002]

1.15.3.603 BORROWER FILE:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** records that authorize patrons to borrow library materials (includes interlibrary loans). May show borrower name, borrower number, expiration date, etc.

D. **Retention:** until obsolete
E. **Confidentiality:** Section 18-9-4 NMSA 1978
[7/13/98; 1.15.3.603 NMAC - Rn, 1 NMAC 3.2.90.11.A603, 10/1/2000; A, 1/6/2002]

1.15.3.604 BORROWING OR LOANING RECORDS:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** records concerning the borrowing or loaning of library materials (includes interlibrary materials).

D. **Retention:** until all borrowing or loaning transactions completed
E. **Confidentiality:** Section 18-9-4 NMSA 1978
[7/13/98; 1.15.3.604 NMAC - Rn, 1 NMAC 3.2.90.11.A604, 10/1/2000; A, 1/6/2002]

1.15.3.605 PATRON'S REGISTRATION FOR USE OF SPECIAL LIBRARY MATERIALS:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** records concerning the use of rare, valuable, or other restricted library materials. Records may show patron name, patron address, patron signature, etc.

D. **Retention:** five years after date materials used.
E. **Confidentiality:** Section 18-9-4 NMSA 1978
[7/13/98; 1.15.3.605 NMAC - Rn, 1 NMAC 3.2.90.11.A605, 10/1/2000; A, 1/6/2002]

1.15.3.606 SELECTION RECORDS:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** records documenting the selection of books and other library materials (monographs, periodicals, films, etc.).

D. **Retention:** one year after date created
[7/13/98; 1.15.3.606 NMAC - Rn, 1 NMAC 3.2.90.11.A606, 10/1/2000; A, 1/6/2002]

1.15.3.607 CENSORSHIP OR COMPLAINT FILES:

- A. **Program:** library records
- B. **Maintenance system:** entity preference
- C. **Description:** records concerning library material censorship and complaints. File may include evaluations by staff, patron's complaints, final decision documentation, etc.

D. **Retention:** five years after date of last entry
[7/13/98; 1.15.3.607 NMAC - Rn, 1 NMAC 3.2.90.11.A607, 10/1/2000; A, 1/6/2002]

1.15.3.608 GIFT DONORS FILE:

- A. **Program:** library records
- B. **Maintenance system:** entity preference

C. Description: records concerning the donation of publications and manuscripts to the library. Comply with applicable provisions of legal agreement regarding confidentiality of records concerning each gift.

D. Retention: five years after date created
[7/13/98; 1.15.3.608 NMAC - Rn, 1 NMAC 3.2.90.11.A608, 10/1/2000; A, 1/6/2002]

1.15.3.609 REQUESTS FOR REPRODUCTION OF COPYRIGHTED WORKS:

A. Program: library records
B. Maintenance system: entity preference
C. Description: records concerning requests for copyrighted materials. Records may contain files or logs, records of requests made for copies or phonorecords of copyrighted materials, records of the fulfillment of such requests, etc. (includes interlibrary loans).

D. Retention: three years after the calendar year in which created per United States Copyright Office Circular 21, p. 19

E. Confidentiality: Section 18-9-4 NMSA 1978
[1.15.3.609 NMAC - N, 1/6/2002]

1.15.3.610 - 1.15.3.699 [RESERVED]

1.15.3.700 [RESERVED]

[7/13/98; 1.15.3.700 NMAC - Rn, 1 NMAC 3.2.90.11.A700.1, 10/1/2000; Repealed, 1/6/2002]

1.15.3.701 RECORDS RETENTION AND DISPOSITION SCHEDULE:

A. Program: records management records
B. Maintenance system: entity preference
C. Description: schedules shows record name, filing system, record frequency, description, retention, confidentiality, and rule filing date.

D. Retention: until superseded by new schedule
[7/13/98; 1.15.3.701 NMAC - Rn, 1 NMAC 3.2.90.11.A701, 10/1/2000; A, 1/6/2002]

1.15.3.702 STORAGE TICKET (SRC-1):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: shows agency code, shipment box number, shipment date, agency, authorizing signature and title, records description, inclusive date, schedule item number, destruction date, location, analyst signature, etc.

D. Retention: three years after close of calendar year in which records destroyed
[7/13/98; 1.15.3.702 NMAC - Rn, 1 NMAC 3.2.90.11.A702, 10/1/2000; A, 1/6/2002]

1.15.3.703 REQUEST FOR PICK-UP AND DESTRUCTION (SRC-2):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: approval request for destruction of agency records. Shows agency name and location, date, record description, inclusive dates, quantity of boxes or sacks to be destroyed, schedule item number, authorizing signatures, etc.

D. Retention: three years after close of calendar year in which records destroyed
[7/13/98; 1.15.3.703 NMAC - Rn, 1 NMAC 3.2.90.11 A703, 10/1/2000; A, 1/6/2002]

1.15.3.704 WITHDRAWAL TICKET (SRC-5):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: record of withdrawals of documents from boxes held in storage with state records center. Shows record description, shipment box number, location, approximate date of return requested by and date, received by and date, return date, etc.

D. Retention:

- (1) **Temporary withdrawal:** three years close of calendar year in which records returned
 - (2) **Permanent withdrawal:** three years close of calendar year in which records withdrawn
- [7/13/98; 1.15.3.704 NMAC - Rn, 1 NMAC 3.2.90.11.A704, 10/1/2000; A, 1/6/2002]

1.15.3.705 CORRECTIONAL INDUSTRIES MICROFILM SERVICES JOB SPECIFICATION (SRC-73):

- A. **Program:** records management records
 - B. **Maintenance system:** entity preference
 - C. **Description:** shows agency or division, address, SRC control number, agency billing code.
 - D. **Retention:** three years after close of fiscal year in which created
- [7/13/98; 1.15.3.705 NMAC - Rn, 1 NMAC 3.2.90.11.A705, 10/1/2000; A, 1/6/2002]

1.15.3.706 MICROFILM JOB TICKET (SRC 23):

- A. **Program:** records management records
 - B. **Maintenance system:** entity preference
 - C. **Description:** shows records sent for microfilming by agency, record description, received by, delivered to, etc.
 - D. **Retention:** one year after close of fiscal year in which created
- [7/13/98; 1.15.3.706 NMAC - Rn, 1 NMAC 3.2.90.11.A706, 10/1/2000; A, 1/6/2002]

1.15.3.707 MICROFILM INSPECTION SHEETS (SRC 23):

- A. **Program:** records management records
 - B. **Maintenance system:** entity preference
 - C. **Description:** record shows report date, agency name, roll number, inspection date, density, resolution, remarks or comments, inspector signature, etc.
 - D. **Retention:** one year after inspection date
- [7/13/98; 1.15.3.707 NMAC - Rn, 1 NMAC 3.2.90.11.A707, 10/1/2000; A, 1/6/2002]

1.15.3.708 CUSTODIAN OF RECORD FILE:

- A. **Program:** records management records
 - B. **Maintenance system:** entity preference
 - C. **Description:** records documenting the inspection of public records. File may include procedures, custodian of record appointment, requests to review or copy documents, copies of denial to review or copy documents, copies of memoranda extending time to respond to request, copies of memoranda stating that agency is not responsible for maintaining record requested and is forwarding request to appropriate agency, etc.
 - D. **Retention:**
 - (1) **Procedures and custodian of record appointment:** until superseded
 - (2) **Records of requests filed:** until request filled
 - (3) **Records of requests denied:** one year after date denied
- [7/13/98; 1.15.3.708 NMAC - Rn, 1 NMAC 3.2.90.11.A708, 10/1/2000; A, 1/6/2002]

1.15.3.709 METHYLENE BLUE TEST FORMS:

- A. **Program:** records management records
 - B. **Maintenance system:** chronological by month and date
 - C. **Description:** records concerning the verification that the microfilm media meet the standards for 1.14.2 NMAC. Form may contain agency or vendor name, address, contact person, telephone number, test readings, test dates, agencies or offices processed for, inclusive microfilm numbers, record series name and NMAC section number, address of New Mexico records center and archives, correspondence, etc.
 - D. **Retention:** until retention of the original records has been met or until microfilm is regenerated per Subsection F of 1.14.2.10 NMAC
- [1.15.3.709 NMAC - N, 1/10/2005]
[The test documents the amount of residual thiosulfate existing in master microfilm produced by or for agencies.]

1.15.3.710 - 1.15.3.800 [RESERVED]

1.15.3.801 INFORMATION TECHNOLOGY SERVICE REQUESTS:

- A. Program:** information technology
- B. Maintenance system:** chronological by date
- C. Description:** records documenting requests for technical service assistance. Files may include service request form, response to request, information on the use of computer equipment for program delivery, security authorization form, etc.
- D. Retention:** three years after date request completed

[1.15.3.801 NMAC - N, 12/19/2011]

HISTORY OF 1.15.3 NMAC:

Pre-NMAC Filing History: The material in this part was derived from that previously filed with the State Records Center under:

SRC Rule No. 93-09A, Records Retention and Disposition Schedule for General Administrative Records (For Use by Local Government and Educational Institutions, 7/29/94.