

**This is an amendment to Section 11 and adding a new section 17 to 1.13.11 NMAC, effective July 1, 2019.**

**1.13.11.11 ACCESS:**

A. Under the Inspection of Public Records Act, Section 14-2-1 NMSA 1978, access to certain records is restricted.

~~[(1) medical records;  
(2) personnel files;  
(3) law enforcement records that reveal confidential sources, methods, or information on individuals accused but not charged with a crime;  
(4) confidential material, which would invade the privacy of an individual.]~~ For certain law enforcement records, see 1.13.11.17 NMAC for inspection or duplication.

B. The use of donated materials shall be subject to restrictions placed by the donor.  
C. Access to materials which are not arranged or are being processed may also be restricted.  
D. Access to fragile or very valuable materials may also be restricted.  
E. Access to permanent agency records in the custody of the NMSRCA, but not yet accessioned into the archives shall be requested by the state records administrator.

[07/01/96; 1.13.11.11 NMAC - Rn, 1 NMAC 3.2.10.2.11, 07/15/03; A, 06/01/06; A, 07/01/2019]

**1.13.11.17 REQUIREMENTS FOR CONFIDENTIAL RECORDS**

A. The inspection and reproduction of certain confidential records shall only be made with full agreement of the requestor to the terms and conditions prescribed within this rule and 1.13.2 NMAC.

B. The requestor shall provide, but not be limited to, the following information:  
(1) a valid form of photographic government identification card for the person or a valid government-issued badge, commission, or identification card for government staff making records request;  
(2) the printed name of the requestor;  
(3) a valid physical and email address of the requestor;  
(4) a statement of intended use of records by the requestor; and  
(5) the date of the request.

C. If SRCA staff determines that there may be protected personal identifier information in any request for archival records, staff may request that the originating agency or court of originating jurisdiction (“originating agency”) conduct a review of records prior to release.

D. For any records request made, an originating agency has an obligation to review any records sent to it by SRCA and provide a response as soon as possible and in conformance with time limits set out in IPRA.

E. SRCA may delay access to any requestor due to a failure of originating agency to respond to SRCA request.

F. If photocopy/duplication request is made by requestor, costs shall be paid prior to release of documents.

[N, 07/01/2019]