

430 – Public Regulation Commission File Plan

This file plan was developed to be a guide for Public Regulation Commission employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Public Regulation Commission. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

430-001 COMMISSION DOCKET LEGAL CASE FILES:

Division/unit: Administration

Maintenance system: Chrono-numerical by year and docket number

Record series content: Records concerning regulatory matters that come before the public regulation commission. File may include hearing officer's notes, initial docket log, transcript of proceedings, pleadings, warrants, permits, economic analysis, accounting procedures, engineering studies, certificates, orders, etc.

Classification: 1.21.2.633 NMAC, Hearings and Appeals - Historical

File closure: Date of final order

Confidentiality: Portions may contain confidential information per Section 59A-2-11 NMSA 1978, Enforcement and Section 60-2-17 Office, books and records; sanction; penalty.

[New - 03/31/2021]

430-002 to 430-010

430-011 INVESTIGATIONS FILES:

Division/unit: Investigations

Maintenance system:

Record series content: Records concerning investigations conducted by the commission regarding a complaint filed or an accident involving a motor carrier or business entity regulated by the commission. File may contain investigation reports, exhibits, audit worksheets, copies of invoices, types of complaints, inspection form, correspondence, etc.

Classification: 1.21.2.634 NMAC, Investigations - Legal Matter Management

File closure: Close of investigation

Confidentiality: Portions of record may be confidential per Section 14-2-1 NMSA 1978 (i.e., "law enforcement records that reveal confidential sources, methods, information or individuals accused but not charged with a crime"), 18 U.S.C. Section 2721 (i.e., Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records), Section 66-2-7.1 NMSA 1978, Motor vehicle-related records; confidential and Section 7-1-8 NMSA 1978, Confidentiality of Returns and Other Information.

[New - 03/31/2021]

430-012 to 430-020

430-021 UTILITY ENFORCEMENT COMPLIANCE REPORT FILES:

Division/unit: Utility regulation

Maintenance system: Numerical by docket number

Record series content: Records concerning utility companies demonstrating compliance as a result of a commission hearing or final order. File may include company name, financial information, compliance reports, etc.

Classification: 1.21.2.411 NMAC, Corporations

File closure: Date of compliant

Confidentiality: Portions of record may be confidential per Section 60-2-17 NMSA 1978, Office, books and records; sanction; penalty.

[New - 03/31/2021]

430-022 UTILITY AND MOTOR CARRIER CONSUMER COMPLAINT DATABASE:

Division/unit: Utility regulation

Maintenance system: Numerical by primary key

Record series content: Database tracks all utility and transportation consumer complaints for companies regulated by the PRC. Data may include complaint number, date opened, date of loss, specialist assigned, date assigned, attorney assigned, date referenced, date closed, notes, social security number, date of birth, phone, address, complaint name, etc.

Classification: 1.21.2.634 NMAC, Investigations - Legal Matter Management

File closure: Date of close of investigation

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number).

[New - 03/31/2021]

430-023 to 430-030

430-031 APPLICATION OF LEASING AND INTERCHANGE OF EQUIPMENT FILES:

Division/unit: Transportation

Maintenance system: Numerical by PRC number, then chronological by date

Record series content: Records concerning the approved applications of all commercial motor carrier leasing and interchange equipment. Files may include applications for approval of equipment leases (i.e., SSN, check or money order number, federal identification number, etc.), proof of vehicle safety inspection, motor vehicle equipment information, lessee contact information, correspondence, etc.

Classification: 1.21.2.605 NMAC, Leases

File closure: Date of lease termination

Confidentiality: Portions of this record may be confidential per SSN 18 U.S.C. Section 2721 (i.e., Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records), Section 66-2-7.1 NMSA 1978, Motor vehicle-related records; confidential and Section 7-1-8 NMSA 1978, Confidentiality of Returns and Other Information.

[New - 03/31/2021]

430-032 UNIFORM CARRIER REGISTRATION PROGRAM FILES:

Division/unit: Transportation

Maintenance system: Chronological by calendar year, then numerical by federal motor carrier number

Record series content: Records concerning the approved application for single state motor carrier operating authority. Files may contain application (i.e., motor carrier identification numbers, applicant's business address, mailing address, registration type, motor carrier type, motor carrier operation type, type of authority registered, SSN, federal identification number, etc.), registration receipt order form, etc.

Classification: 1.21.2.663 NMAC, Motor Vehicles - Registration

File closure: Close of calendar year after registration expires

Confidentiality: Portions of this record may be confidential per 18 U.S.C. Section 2721 (i.e., Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records), Section 66-2-7.1

NMSA 1978, Motor vehicle-related records; confidential and Section 7-1-8 NMSA 1978, Confidentiality of Returns and Other Information.

[New - 03/31/2021]

430-033 INSPECTION REPORT FILES:

Division/unit: Transportation

Maintenance system: Chronological by calendar year, then numerical by federal motor carrier number

Record series content: Records concerning annual inspection of motor carrier operations in compliance with the Motor Carrier Act. File may include motor carrier inspection form (i.e., tariff requirements, motor carrier document requirements, requirements for commercial and non-commercial licensed drivers, motor carrier inspection results, comments, federal identification number, SSN, etc.) correspondence, etc.

Classification: 1.21.2.471 NMAC, Equipment and Vehicles

File closure: Close of calendar year after inspection completion

Confidentiality: Portions of this record may be confidential per 18 U.S.C. Section 2721 (i.e., Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records), Section 66-2-7.1 NMSA 1978, Motor vehicle-related records; confidential and Section 7-1-8 NMSA 1978, Confidentiality of Returns and Other Information.

[New - 03/31/2021]

430-034 MOTOR CARRIER CERTIFICATE OF INSURANCE FILE:

Division/unit: Transportation

Maintenance system: Numerical by PRC number, then chronological by calendar year

Record series content: Records concerning verification of motor carrier insurance. File may include uniform motor carrier bodily injury and property damage liability certificate of insurance, uniform notification of cancellation of motor carrier insurance policies, motor carrier annual report, etc.

Classification: 1.21.2.163 NMAC, Insurance Certificates and Bonds

File closure: Date of certificate expiration

Confidentiality: Portions of this record may be confidential per 18 U.S.C. Section 2721 (i.e., Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records) and Section 66-2-7.1 NMSA 1978, Motor vehicle-related records; confidential.

[New - 03/31/2021]

430-035 to 430-040

430-041 PIPELINE SAFETY COMPLIANCE FILES:

Division/unit: Pipeline safety

Maintenance system: Chronological by calendar year, then alphabetical by company name

Record series content: Records concerning the enforcement of minimum safety standards for the transportation of oil, hazardous liquids and gas. File may include field inspection form, copy of contractor plans and designs, inspection report, compliance reports, citations, correspondence, etc.

Classification: 1.21.2.415 NMAC, General - Audits and Compliance

File closure: Close of calendar year after date of a compliant inspection

[New - 03/31/2021]

430-042 THIRD PARTY DAMAGE REPORT FILES:

Division/unit: Pipeline safety

Maintenance system: Chronological by calendar year, then alphabetical by violation type

Record series content: Records concerning damages caused by third party operations. File may include damage report form, field inspection, notice of compliance conference, field citations, correspondence, etc.

Classification: 1.21.2.415 NMAC, General - Audits and Compliance

File closure: Close of calendar year after violation date
[New - 03/31/2021]

430-043 to 430-050

430-051 FIRE DEPARTMENT FILES:

Division/unit: Fire marshal

Maintenance system: Chronological by calendar year then, alphabetical by municipality and county name

Record series content: Records concerning the creation of fire districts in New Mexico. Files may include copy of county commission resolution, district boundary map, adequate water supply, application for annual distribution, fire fighting equipment inventory, on-site inspection form, inspection request, pro-rata distribution voucher to accounting, pro-rata distribution check to county, correspondence, etc.

Classification: 1.21.2.111 NMAC, Planning and Development

File closure: Close of calendar year in which created
[New - 03/31/2021]

430-052 DISTRIBUTION OF FIRE PROTECTION FUND FILES:

Division/unit: Fire marshal

Maintenance system: Chronological by fiscal year

Record series content: Records concerning the distribution of fire protection fund monies to all certified fire departments in New Mexico. Files may include application for fire fund, fund distribution formula, receipt for packet, copy of distribution law, worksheet, finance authority interceptions, list of annual distribution, voucher copies, distribution form, correspondence, etc.

Classification: 1.21.2.122 NMAC, Grant Administration

File closure: Close of fiscal year in which created
[New - 03/31/2021]

430-053 BUILDING AND EQUIPMENT INSPECTION REPORT FILES:

Division/unit: Fire marshal

Maintenance system: Chronological by calendar year, then alphabetical by county, then by occupancy classification

Record series content: Records concerning public occupancy building, equipment and above ground storage tank systems safety inspections. File may include inspection report, cease and desist orders, building plan copies, photographs, maps, correspondence, etc.

Classification: 1.21.2.473 NMAC, Fire and Electrical

File closure: Close of calendar year after inspection completion
[New - 03/31/2021]

430-054 FIREWORKS LICENSE FILES:

Division/unit: Fire marshal

Maintenance system: Chronological by calendar year, then alphabetical by county, then by applicant's surname

Record series content: Records concerning license or permit issued by the fire marshal's office to vendors to sell fireworks on a yearly or seasonal basis in New Mexico. File may include license or permit application for handling and sale of fireworks, copy of license, correspondence, etc.

Classification: 1.21.2.652 NMAC, Business Licenses

File closure: Date license or permit issued
[New - 03/31/2021]

430-055 to 430-060

430-061 FIRE ACADEMY TRAINING COURSE FILES:

Division/unit: Fire academy

Maintenance system: Chrono-numeric by year and month, then course number

Record series content: Records concerning courses offered and conducted by the academy. Files may contain student applications, course roster, acceptance letter, certificate copies, course information print-outs, class attendance sheet, course completion forms, instructor and course evaluations, SCBA inspection log copy, personal protective clothing inspection, on-site training course files, adjunct instructor field course files, etc.

Classification: 1.21.2.941 NMAC, Fire Fighters

File closure: Date course completion

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information) and 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

430-062 STUDENT TRAINING FILES:

Division/unit: Fire academy

Maintenance system: Chronological by course date, then alphabetical by student's surname

Record series content: Records concerning student grades and academic standing. File may include student application, transcripts, course completion form, correspondence, etc.

Classification: 1.21.2.941 NMAC, Fire Fighters

File closure: Date of certification

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information) and 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

430-063 INTERNATIONAL FIRE SERVICE ACCREDITATION CONGRESS FILES:

Division/unit: Fire academy

Maintenance system: Chronological by calendar year, then alphabetical by course number

Record series content: Records concerning courses accredited by the IFSAC. Files may include academy IFSAC code, seal code, purchase voucher copy, copy of accreditation, correspondence, etc.

Classification: 1.21.2.402 NMAC, Courses and Programs

File closure: Close of calendar year after course accredited

[New - 03/31/2021]

430-064 BREATHING AIR COMPRESSOR LOG:

Division/unit: Fire academy

Maintenance system: Numerical by serial number, then chronological by inspection date

Record series content: Log concerning the use and condition of the breathing apparatus air compressor. Log may show date of use, start time, end time, time in service, oil level, oil pressure, end pressure, purpose of operation, units filled, operator name, comments, compressor number, type, serial number, etc.

Classification: 1.21.2.151 NMAC, Equipment Files

File closure: Date compressor is no longer in use

[New - 03/31/2021]

430-065 SELF-CONTAINED BREATHING APPARATUS LOG BOOK:

Division/unit: Fire academy

Maintenance system: Numerical by SCBA serial number, then chronological by date put into service

Record series content: Log concerning SCBA maintenance and condition. Log shows date of inspection and narrative.

Classification: 1.21.2.151 NMAC, Equipment Files

File closure: Date SCBA and components are no longer in use

[New - 03/31/2021]

430-066 ADJUNCT INSTRUCTOR APPLICATION FILES:

Division/unit: Fire academy

Maintenance system: Chronological by calendar year, then alphabetical by instructor's surname

Record series content: Records concerning adjunct instructors teaching fire academy courses off campus. File may include application to teach, certificates, correspondence, etc.

Classification: 1.21.2.404 NMAC, Individual Certification

File closure: Date of certification

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978, (i.e., health information) and 20 USC, Section 9573

Confidentiality.

[New - 03/31/2021]