

790 – Department of Public Safety File Plan

This file plan was developed to be a guide for Department of Public Safety 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 Department of Public Safety. 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.

790-001 DIRECTIVE FILES:

Division/unit: Administration

Maintenance system: Chronological by calendar year, then numerical by directive number

Record series content: Records concerning formal orders to all affiliated personnel. Record may include date of order, subject, effective date, informal content, directive number, etc.

Classification: 1.21.2.104 NMAC, Correspondence - Executive Level

File closure: Date issued, revoked or superseded

[New - 03/31/2021]

790-002 STATE POLICE OFFICER PERSONNEL FILE:

Division/unit: Administration

Maintenance system: Alphabetical by surname

Record series content: Records concerning the employment history of state police officers. File may include application (i.e., name, SSN, address, home telephone, DOB, business telephone, list of minimum qualifications, applicant signature, date, personal history statement, residence, employment history, social status, education and training, subversive affiliations, relatives, references, controlled substance section, financial status section, arrest information, military service, waiver, release authorization for release of records for a background investigation, etc.), personnel action forms, benefit forms, authorization forms, tax authorization forms, deduction worksheets, commendations, disciplinary actions, certificates, etc.

Classification: 1.21.2.233 NMAC, Personnel Files - Contributing

File closure: Date officer separated from department

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 per 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

790-003 to 790-010

790-011 SKILLS AND TRAINING MANAGER DATABASE:

Division/unit: Training and recruiting

Maintenance system: Numerical by primary key

Record series content: Database that creates, scores tests and tracks the employment and certification history for law enforcement officers and telecommunicators. Data may include applicant's name, address, DOB, SSN, employment verification, medical report information, transcript information, test scores, evaluations etc.

Classification:

(A) **Student data:** 1.21.2.252 NMAC, Employee Training Files

(B) **Training data:** 1.21.2.943 NMAC, Law Enforcement

File closure:

(A) **Student data:** Date employee separated from law enforcement

(B) **Training data:** Date of training

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 per 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

790-012 STUDENT FILES:

Division/unit: Training and recruiting

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

Record series content: Records of application for admissions to the department's law enforcement academy for basic, telecommunicator and certification by waiver training. File may include application (i.e., name of applicant, address, SSN, etc.), employment verification, medical report, transcripts, affidavit of United State citizenship, copy of high school diploma, copies of certifications, copy of driver's license, background check, certification by waiver, etc.

Classification:

(A) **Accepted:** 1.21.2.183 NMAC, Enrollment - Education

(B) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

(A) **Accepted:** Date of certification

(B) **Denied:** Date of rejection

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 per 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

790-013 STATEWIDE TRAINING FILES:

Division/unit: Training and recruiting

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

Record series content: Records concerning law enforcement and telecommunicator academic and certification history. File may include transcripts, attendance reports, certificates of completion, instructors' certifications, advance critical response applications (i.e., name, address, DOB, SSN, etc.), student certifications, correspondence, etc.

Classification: 1.21.2.943 NMAC, Law Enforcement

File closure: Date employee separated from law enforcement

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 per 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

790-014 CIVILIAN INSTRUCTOR CERTIFICATION RECORD FILES:

Division/unit: Training and recruiting

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

Record series content: Records concerning certification of law enforcement instructors for the state of New Mexico. File may include instructor application (i.e., name, address, SSN, DOB, etc.), copies of training certificates, copy of instructor certification, etc.

Classification: 1.21.2.404 NMAC, Individual Certification

File closure: Date of expiration of last 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 per 20 USC, Section 9573 Confidentiality.
[New - 03/31/2021]

790-015 NON-CERTIFIED FILES:

Division/unit: Training and recruiting
Maintenance system: Chronological by calendar year, then alphabetical by student's surname
Record series content: Records of law enforcement and civilians that attended basic or advanced training but failed to complete or pass the required course work. File may include application (i.e., name, SSN, DOB, address number, etc.), transcripts, medical reports, background checks, etc.
Classification: 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records
File closure: Date of course closure
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 per 20 USC, Section 9573 Confidentiality.
[New - 03/31/2021]

790-016 COURSE ACCREDITATION ROSTER:

Division/unit: Training and recruiting
Maintenance system: Chronological by date of course, then alphabetically by course name
Record series content: Records documenting student attendance of accredited courses offered by the department's law enforcement academy and regional facilities. File may include course roster (i.e., student's name, DOB, SSN, course score, record of attendance, etc.).
Classification: 1.21.2.943 NMAC, Law Enforcement
File closure: Date of accreditation of course
Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number).
[New - 03/31/2021]

790-017 COURSE ACCREDITATION FILES:

Division/unit: Training and recruiting
Maintenance system: Chronological by date of course, then alphabetical by course name
Record series content: Records concerning all approved requests for accreditation of specialized courses offered to law enforcement and telecommunicators by the department's law enforcement academy and regional facilities. File may include course rosters (i.e., instructors name, address, telephone number, etc.), instructors resume (i.e., name, address, certification history, etc.), course curriculum, course syllabus, instructor and course evaluation instruments, copies of certificates, etc.
Classification: 1.21.2.402 NMAC, Courses and Programs
File closure: Date of course accreditation
Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number).
[New - 03/31/2021]

790-018 CERTIFICATION BY WAIVER COURSE FILES:

Division/unit: Training and recruiting
Maintenance system: Chronological by date of course, then numerical by course number
Record series content: Records concerning course curriculum and general information of alternative course offered to law enforcement and other personnel eligible to waive basic training due to prior training and service. File may include course curriculum, course roster, applications (i.e., student name, address, SSN, DOB, etc.), physical fitness, class scores, report, employment verification, etc.

Classification: 1.21.2.943 NMAC, Law Enforcement

File closure: Date of course

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

[New - 03/31/2021]

790-019 ADVANCED COURSE FILES:

Division/unit: Training and recruiting

Maintenance system: Chronological by date of course, then numerical by course number

Record series content: Records concerning accredited advanced courses that are provided by the law enforcement academy and regional facilities for law enforcement personnel. File may include course application (i.e., student name, address, DOB, SSN, etc.), course evaluations, course curriculum, course master test and grades, instructor credentials (i.e., name, address, DOB, SSN, certifications, etc.), etc.

Classification: 1.21.2.402 NMAC, Courses and Programs

File closure: Date of course

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

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790-020 CRITICAL INCIDENT RESPONSE TRAINING COURSE FILES:

Division/unit: Training and recruiting

Maintenance system: Chronological by date of course, then alphabetical by course location

Record series content: Records concerning accredited critical response courses that are provided by the law enforcement academy and regional facilities for law enforcement personnel. File may include course roster, course evaluations, course application (i.e., students name, address, DOB, etc.), student transcripts, etc.

Classification: 1.21.2.943 NMAC, Law Enforcement

File closure: Date of course

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

[New - 03/31/2021]

790-021 ADVANCED AND CRITICAL INCIDENT RESPONSE TRAINING BILLING DATABASE:

Division/unit: Training and recruiting

Maintenance system: Numerical by primary key

Record series content: Database that tracks payments for critical incident response course training for civilians. Data may include student name, address, DOB, SSN, name of agency responsible for payment, etc.

Classification: 1.21.2.303 NMAC, Accounts Receivable

File closure: Date annual audit report is released and cleared for year in which payment was received

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

[New - 03/31/2021]

790-022 STATE POLICE PROMOTIONAL FILES:

Division/unit: Training and recruiting

Maintenance system: Chronological by calendar year

Record series content: Records concerning the testing, evaluation and promotion of officers to the rank of sergeant or lieutenant. Files may include test preparation materials, list of qualified applicants, test, test scores, evaluation, final ranking list, list of candidates, final determination list, etc.

Classification: 1.21.2.246 NMAC, Recruitment
File closure: Date final determination list expires
[New - 03/31/2021]

790-023 to 790-030

790-031 REJECTED STATE POLICE PRELIMINARY APPLICATION FORM FILES:

Division/unit: Law enforcement

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

Record series content: Records concerning rejected applicants for employment as an officer with the state police. File may include application (i.e., name, SSN, address, home telephone, DOB, business telephone, list of minimum qualifications, applicant signature, date, personal history statement, residence, employment history, social status, education and training, subversive affiliations, relatives, references, controlled substance section, financial status section, arrest information, military service, waiver, release authorization for release of records for a background investigation, etc.), criminal history report, physical agility and written tests, polygraph examination results, psychological profile sheet, medical history, etc.

Classification: 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure: Date of rejection

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 per 20 USC, Section 9573 Confidentiality.

[New - 03/31/2021]

790-032 DAILY ACTIVITY FORMS:

Division/unit: Law enforcement

Maintenance system: Chronological by federal fiscal year, then numerical by district number, then alphabetical by officer's surname

Record series content: Record of state law enforcement officers daily activities. Form may include officer name, date, unit number, speedometer start, total miles, SSN, officer number, district number, work periods, activity code, time arrived, time finished, location, nature of contacts, time, officer signature, station and title, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date form created

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

[New - 03/31/2021]

790-033 NEW MEXICO TOWING AUTHORIZATION FORMS:

Division/unit: Law enforcement

Maintenance system: Chronological by date vehicle towed, then numerical by district

Record series content: Records concerning authorization for state police to have a vehicle towed that was involved in an accident or other offenses. Form may include registered vehicle owners name, address, inventory of contents of vehicle prior to towing and while in the custody of New Mexico state police, date, time, wrecker name, telephone number, address, location of vehicle, reason for towing, owner or agent release, etc.

Classification: 1.21.2.101 NMAC, Authorization

File closure: Close of calendar year in which vehicle towed

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-034 WRECKER TOWING LOGS:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by district

Record series content: Log of wrecker companies dispatched to the scene of an accident or vehicle offense. Log may include drivers name, description of offense, company name, hold (yes or no), time, date, location, reason, officer name, vehicle license, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Close of calendar year in which log created

[New - 03/31/2021]

790-035 DRIVING UNDER THE INFLUENCE CITATION FILES:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by district number, then alphabetical by defendant's surname

Record series content: Records concerning individuals cited for driving while intoxicated. File may include copy of citation, alcohol analyzer results, copy of notice of revocation, alcohol influence report form, arrest booking report, correspondence, etc.

Classification: 1.21.2.930 NMAC, Citation Management

File closure: Close of calendar year in which citation issued

Confidentiality: Portions of this record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-036 BREATHALYZER LOG BOOKS:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by serial number

Record series content: Records concerning the usage, testing and maintenance of breathalyzer units. Log may include unit serial number, officer name, suspect name, DOB, SSN, alcohol level readings, maintenance dates, unit testing dates and results, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of entry at completion of log book

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records), 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").

[New - 03/31/2021]

790-037 STATE OF NEW MEXICO CITATIONS (AGENCY COPY):

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by district, then alphabetical by officer's surname

Record series content: citations issued for violations of traffic laws and non-traffic misdemeanors. Citation may include agency code, offender's name, address, drivers license number, DOB, SSN, license plate number, offense, statute and ordinance, location, officer's signature, essential facts, penalty assessment, remit amount and signature of offender, etc.

Classification: 1.21.2.930 NMAC, Citation Management

File closure: Dated issued

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

[New - 03/31/2021]

790-038 COMPUTER AIDED DISPATCH DATABASE:

Division/unit: Law enforcement

Maintenance system: Numerical by primary key

Record series content: Database which tracks and dispatches emergency information to law enforcement officers regarding a service calls. Data may include name, address, DOB, SSN, descriptions, general information regarding emergency call, etc.

Classification: 1.21.2.918 NMAC, Response

File closure: Date of call for service

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-039 PUBLIC RADIO LOGS:

Division/unit: Law enforcement

Maintenance system: chronological by date created, then numerical by district,

Record series content: Records of dispatched calls created for public and media viewing. Hardcover output from the *computer aided dispatch database*. Logs may include suspect name, brief description of incident, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of call for service

[New - 03/31/2021]

790-040 DISTRICT ARREST LOGS:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by district

Record series content: Log of arrests and booking information. Log may include name of suspect, DOB, address, vehicle-towed (yes or no), offense(s), bond, court jurisdiction, officer name and unit number.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of arrest

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-041 DEPARTMENT OF PUBLIC SAFETY DATABASE:

Division/unit: Law enforcement

Maintenance system: Numerical by primary key

Record series content: Database that maintains data on state police daily activities and vehicular accident information. Data may include officer's name, driver's name, address, SSN, DOB, driving history, brief summary of accident, etc.

Classification:

(A) **Accident report data:**

(1) **Fatal accident data:** 1.21.2.927 NMAC, Accidents and Incidents - Fatality

(2) **Non-fatal accident data:** 1.21.2.926 NMAC, Accidents and Incidents

(B) **State police activity data:** 1.21.2.110 NMAC, Logs

File closure:

(A) Accident report data:

(1) Fatal accident data: Date of accident

(2) Non-fatal accident data: Date of accident

(B) State police activity data: Close of federal fiscal year in which form was created

Confidentiality: Portions of this record may be confidential per 5 USC, Section 552a (i.e., social security number) and Section 66-7-508 NMSA 1978 Confidentiality of records.

[New - 03/31/2021]

790-042 VEHICLE FLEET DATABASE:

Division/unit: Law enforcement

Maintenance system: Numerical by primary key

Record series content: Database that maintains data on law enforcement vehicle history and maintenance.

Classification: 1.21.2.153 NMAC, Vehicle Files

File closure: Date vehicle is removed from fleet

[New - 03/31/2021]

790-043 VEHICLE FLEET SAFETY FILES:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then numerical by vehicle number

Record series content: Records concerning the automobile maintenance and accidents involving department of public safety vehicles. File may include accident report, photographs, teletypes, repair estimates and maintenance forms, correspondence.

Classification: 1.21.2.153 NMAC, Vehicle Files

File closure: Date vehicle is removed from fleet

[New - 03/31/2021]

790-044 FLIGHT SAFETY LOG:

Division/unit: Law enforcement

Maintenance system: Chronological by date of flight

Record series content: Log concerning aircraft flight plan and passenger list. Log may include date of flight, pilots name, passenger names, purpose of flight, flight hours, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of flight

[New - 03/31/2021]

790-045 FLIGHT SAFETY FILES:

Division/unit: Law enforcement

Maintenance system: Chronological by date of flight

Record series content: Records concerning aircraft maintained by the department. File may include statistical reports, maintenance records, etc.

Classification: 1.21.2.153 NMAC, Vehicle Files

File closure: Date aircraft is removed from fleet

[New - 03/31/2021]

790-046 CITATION BOOK ISSUANCE LOG:

Division/unit: Law enforcement

Maintenance system: Chronological by date issued, then numerical by citation book, then numerical by district number

Record series content: Records concerning a log that tracks the issuance of citation books to officers. Log may include district, officer name, address, phone number, date of issuance and number of citation issued per book.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date annual audit report is released and cleared
[New - 03/31/2021]

790-047 to 790-060

790-061 CONTINGENCY FUND FILES:

Division/unit: Narcotics

Maintenance system: Chronological by date of receipt, then alphabetical by agent's surname

Record series content: Records of monies issued to an agent involved in undercover investigations. File may include contingency fund form (i.e., name of agent, agent signature, supervisor signature, date, purchases, informant number, account balance, etc.), receipts, contingency reports, etc.

Classification: 1.21.2.929 NMAC, Case Files - Law Enforcement

File closure: Date of contingency report

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-062 AGENT INTELLIGENCE REPORT FILES:

Division/unit: Narcotics

Maintenance system: Numerical by case number

Record series content: Records concerning the surveillance and investigations of drug operations and suspects. File may include reports (i.e., subjects name, address, DOB, SSN, brief description, physical traits, money spent on each purchase, etc.), criminal history, agents notes, copy of crime lab analysis reports, etc.

Classification: 1.21.2.929 NMAC, Case Files - Law Enforcement

File closure: Date of final activity

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-063 to 790-070

790-071 HEADQUARTERS EVIDENCE DATABASE:

Division/unit: Evidence

Maintenance system: Numerical by primary key

Record series content: Database that tracks evidence received by the department's headquarters. Data may include offender's name, victims name, SSN, DOB, case number, type of evidence seized, date, time, chain of custody information, etc.

Classification: 1.21.2.933 NMAC, Evidence

File closure: Date of disposition of case; release or destruction of evidence

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-072 DISTRICT EVIDENCE LOG BOOK:

Division/unit: Evidence

Maintenance system: Chronological by date seized, then numerical by case number

Record series content: Log tracking of evidence seized by commissioned officers. Log may include name of suspect, criminal case number, commissioned officer name, station, inventory number, date of purchase or confiscation, evidence seized or purchased and quantity, contingency funds used, receipt number, location where stored, case status, date destroyed, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of final disposition of evidence listed in log

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-073 HEADQUARTERS EVIDENCE FILES:

Division/unit: Evidence

Maintenance system: Numerical by case number

Record series content: Records concerning information on evidence received at the department's headquarters. File may include record of seizure, chain of custody, correspondence from legal department with case number and court order, receipts for autos and monies involving the evidence, release form, certificate of destruction, etc.

Classification: 1.21.2.933 NMAC, Evidence

File closure: Date of disposition of case; release or destruction of evidence

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-074 HEADQUARTERS EVIDENCE VAULT ENTRY LOGS:

Division/unit: Evidence

Maintenance system: Chronological by date, then by hour

Record series content: Log monitoring evidence room activity. Log may include date, hour, supervisor's name, officer's name, reason for being in the evidence room, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Close of calendar year in which log created

[New - 03/31/2021]

790-075 to 790-080

790-081 CONCEALED HANDGUN AND INSTRUCTOR APPROVAL DATABASE:

Division/unit: Concealed weapons

Maintenance system: Numerical by primary key

Record series content: Database that maintains information on approvals issued to citizens to obtain a license to carry a concealed weapon. The system also tracks the approval of firearms safety training instructors. Data may include name of applicant, address, SSN, comments, DOB, criminal history information, driving history, training and qualifying scores. Data may also include name of instructor applying for approval and qualifying credentials, criminal history information, driving history, etc.

Classification:

(A) **Concealed handgun data:**

(1) **Approved:** 1.21.2.654 NMAC, Concealed Firearms

- (2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records
- (B) **Firearms safety training instructor data:**
 - (1) **Approved:** 1.21.2.404 NMAC, Individual Certification
 - (2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

- (A) **Concealed handgun data:**
 - (1) **Approved:** Date of expiration of license if not renewed
 - (2) **Denied:** Date of denial
- (B) **Firearms safety training instructor data:**
 - (1) **Approved:** Date of approval
 - (2) **Denied:** Date of denial

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number) and Section 29-10-4 NMSA 1978 (i.e., arrest records).

[New - 03/31/2021]

790-082 CONCEALED HANDGUN FILES:

Division/unit: Concealed weapons

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

Record series content: Records concerning applications made by New Mexico citizens to carry a concealed weapon and the approval of firearms safety training instructors. File may include application, (i.e., name of applicant, SSN, DOB, etc.), copy of birth certificate, fingerprint card, copy of passport, photo, criminal history printout, driving inquiry printout, proof of training and qualifying scores, list weapons licensed, release forms, copy of instructor certifications, etc.

Classification:

- (A) **Concealed handgun data:**
 - (1) **Approved:** 1.21.2.654 NMAC, Concealed Firearms
 - (2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records
- (B) **Firearms safety training instructor data:**
 - (1) **Approved:** 1.21.2.404 NMAC, Individual Certification
 - (2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

- (A) **Concealed handgun data:**
 - (1) **Approved:** Date of expiration of license if not renewed
 - (2) **Denied:** Date of denial
- (B) **Firearms safety training instructor data:**
 - (1) **Approved:** Date of approval
 - (2) **Denied:** Date of denial

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records).

[New - 03/31/2021]

790-083 to 790-090

790-091 GENERAL PREMISE INSPECTION FILES:

Division/unit: Special investigations

Maintenance system: Numerical by case number

Record series content: Records of inspections and investigations for warrants served. File may include inspection report (i.e., suspect name, business name, license number, license type, location, residential address, county code, etc.), correspondence, copy of chain of evidence (i.e., evidence type and location, etc.), copy of citations, search warrants, etc.

Classification: 1.21.2.929 NMAC, Case Files - Law Enforcement

File closure: Date of inspection

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records), and 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").

[New - 03/31/2021]

790-092 CRIMINAL INVESTIGATIVE FILES:

Division/unit: Special investigations

Maintenance system: Numerical by case number

Record series content: Records concerning investigations of criminal activity. File may include investigation report (i.e., subject name, SSN, address, DOB, personal identifiers, etc.), criminal history, photos, correspondence, etc.

Classification: 1.21.2.929 NMAC, Case Files - Law Enforcement

File closure: Date investigation closed

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-093 to 790-100

790-101 INTERNAL AFFAIRS DATABASE:

Division/unit: Internal affairs

Maintenance system: Numerical by primary key

Record series content: Database that tracks investigations on department personnel. Data may include employee name, DOB, SSN, date of incident, complainant's name, address, allegations, findings, discipline assessed, etc.

Classification: 1.21.2.230 NMAC, Grievances and Investigations

File closure: Date employee leaves agency

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-102 INTERNAL AFFAIRS PRELIMINARY AND INVESTIGATIVE FILES:

Division/unit: Internal affairs

Maintenance system: Numerical by case number

Record series content: Records concerning preliminary and administrative investigations on alleged employee misconduct. File may include letter of complaint, inquiry form (i.e., complaint's name, employee name, address, SSN of employee, complainant's name, address, and allegations, etc.), daily activities, transcribed interview statements, taped interviews, correspondence, biweekly investigative reports, findings, discipline assessed, etc.

Classification: 1.21.2.230 NMAC, Grievances and Investigations

File closure: Date employee leaves agency

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-103 INTERNAL AFFAIRS MONTHLY CASE UPDATE REPORT:

Division/unit: Internal affairs

Maintenance system: Chronological by report date

Record series content: Records concerning status of active cases involving employees. Hardcover output record from the *internal affairs database*. Report may include case number, employee name, address, SSN, DOB, incident and assignment dates, allegations, findings and discipline.

Classification: 1.21.2.116 NMAC, Reports - General

File closure: Close of calendar year in which report was created

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-104 to 790-110

790-111 HAZARDOUS MATERIALS LOGS:

Division/unit: Hazardous materials

Maintenance system: Chronological by date of incident

Record series content: Records concerning the description and tracking of hazardous material incidents or scenes. Log may include date, time, type of hazardous material, case number, narrative, location and type of hazardous material, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Close of calendar year in which created

[New - 03/31/2021]

790-112 HAZARDOUS MATERIALS INCIDENT REPORTS:

Division/unit: Hazardous materials

Maintenance system: Chronological by date of incident

Record series content: Reports concerning abandoned hazardous materials incidents and response. Reports may include date and time of incident, type of material, location, type of response, response officer, reported by, name of company or individual contacted for removal, etc.

Classification: 1.21.2.926 NMAC, Accidents and Incidents

File closure: Close of calendar year in which created

[New - 03/31/2021]

790-113 to 790-120

790-121 RESOURCE GROUP AND FIELD COORDINATOR DATABASE:

Division/unit: Search and rescue

Maintenance system: Numerical by primary key

Record series content: Database that maintains and tracks information on resource groups and field coordinators (volunteers) certified to lead a volunteer search and rescue mission. Data may include name of group, address, specialties, special call out, pager number, work and home phone numbers, special communications, training information, demographics, work history, contact numbers, start and end date, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date of resource group and field coordinator's application

[New - 03/31/2021]

790-122 INCIDENT MISSION REPORT FILES:

Division/unit: Search and rescue

Maintenance system: Chronological by calendar year, then numerical by district number, then by mission number

Record series content: Records concerning search and rescue missions coordinated by the department. File may include mission action form (i.e., date of incident, subject's names, address, DOB, etc.), search and rescue report, questionnaire report, volunteer sign-in sheet, communication logs, etc.

Classification: 1.21.2.926 NMAC, Accidents and Incidents

File closure: Date of incident

Confidentiality: Portions of record may contain confidential information under 29-15-11, NMSA 1978 (i.e. missing person information).

[New - 03/31/2021]

790-123 FIELD COORDINATOR FILES:

Division/unit: Search and rescue

Maintenance system: Chronological by calendar year, then alphabetically by coordinator's surname

Record series content: Records concerning volunteers certified to coordinate a search and rescue operation. File may include application (i.e., name, address, DOB, SSN, employment history, training history, etc.), copies of certifications, correspondence, etc.

Classification:

(A) **Approved:** 1.21.2.236 NMAC, Volunteer Files

(B) **Rejected:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

(A) **Approved:** Date of approval

(B) **Rejected:** Date of application

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

[New - 03/31/2021]

790-124 VOLUNTEER RESOURCE FILES:

Division/unit: Search and rescue

Maintenance system: Chronological by calendar year, then alphabetically by resource group name

Record series content: Records concerning applications of citizens certified in specialized fields volunteering services to the state of New Mexico for search and rescue missions. File may include application (i.e., name, SSN, address, list of specialty training, employment history, etc.), copies of certifications, copy of driver's license, etc.

Classification:

(A) **Approved:** 1.21.2.236 NMAC, Volunteer Files

(B) **Rejected:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure: Date of application

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

[New - 03/31/2021]

790-125 RESOURCE ON CALL ROSTER:

Division/unit: Search and rescue

Maintenance system: Chrononumeric by date created, then by district number

Record series content: Roster of available field coordinators for search and rescue missions listed by district. Hardcover output from the *resource group and field coordinator database*. Roster may include name of field coordinator, resource group names, address, phone number, pager number, resource specialty, etc.

Classification: 1.21.2.108 NMAC, Distribution, Mailing and Contact Lists

File closure: Date superseded by new roster

[New - 03/31/2021]

790-126 RESOURCE AND COORDINATOR DIRECTORY:

Division/unit: Search and rescue

Maintenance system: Alphabetically by specialty, then by group name

Record series content: Directory and records of all resource groups approved by the state of New Mexico, that are available for search and rescue missions. Directory may include name of resource group, specialty, names of volunteers, address, phone numbers, pager numbers, mapping systems used, special communications, etc.

Classification: 1.21.2.108 NMAC, Distribution, Mailing and Contact Lists

File closure: Date superseded by new directory

[New - 03/31/2021]

790-127 to 790-130

790-131 STATE POLICE EQUIPMENT INVENTORY DATABASE:

Division/unit: Special operations

Maintenance system: Numerical by primary key

Record series content: Database that tracks weapons and equipment issued to and returned from the state police officers. Data may include officer's surname, address, SSN, weapon and equipment description, weapon serial number, quantity, location, etc.

Classification: 1.21.2.317 NMAC, Inventories

File closure: Date equipment is located and returned or officer leaves the department

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

[New - 03/31/2021]

790-132 STATE POLICE EQUIPMENT FORMS (SP-6):

Division/unit: Special operations

Maintenance system: Numerical by district number, then alphabetical by employee's surname

Record series content: Records concerning weapons and equipment assigned to district employees. Form may include name, address, SSN, weapons issued, equipment issued, serial numbers, date issued, date returned, etc.

Classification: 1.21.2.317 NMAC, Inventories

File closure: Date employee leaves the department

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

[New - 03/31/2021]

790-133 to 790-140

790-141 NEW MEXICO CRIMINAL JUSTICE INFORMATION SYSTEM:

Division/unit: Law enforcement

Maintenance system: Numerical by primary key

Record series content: System containing the following databases:

(A) **Arrest database:** Database that tracks information on arrests, booking information and fingerprint matching of suspect information. Data may include name, DOB, SSN, charges, bond, court jurisdiction, officer name and unit number, etc.

(B) Investigative and agent intelligence reports database: Database tracks information on narcotic operations and special investigations resulting from an incident or offense report. Data may include subjects name, address, DOB, SSN, brief description, physical traits, money spent on each purchase, criminal history, agents notes, summary of crime lab analysis reports, etc.

(C) Missing person database: Database tracks information on persons reported missing in New Mexico. Data may include case number, caller identification number, summary of report, name of officer assigned to case, date, time, caller information, missing category, national crime information center classification, missing person information, vehicle information, etc.

(D) Sex offender registry database: Database tracks the registration and whereabouts of individual sex offenders that reside in New Mexico. Data may include registration date, offender name, DOB, SSN, sex, race, height, weight, eyes, state identification number, federal bureau of investigation number, current address, county, telephone number, photo, employment information, personal identifiers (i.e., scars, marks, tattoos, etc.), and offense information (i.e., sex offense description, statute, date convicted and conviction location), etc.

(E) Incident report database: Database tracks all state police incident and offense reports. Data may include a summary of the incident or offense report, suspect and victim information, demographics (i.e., name, DOB, SSN, height, weight, etc.), vehicle information (i.e., license number, vehicle identification number, owner information, etc.), stolen property information, narrative of incident, arrest information, image of finger prints, disposition, etc.

Classification:

(A) Arrest data: 1.21.2.932 NMAC, Crime Reporting

(B) Investigative and agent intelligence data: 1.21.2.929 NMAC, Case Files - Law Enforcement

(C) Missing person data: 1.21.2.638 NMAC, Missing Person Files

(D) Sex offender registry data: 1.21.2.936 NMAC, Sex Offender Registration

(E) Offense report data: 1.21.2.926 NMAC, Accidents and Incidents

File closure:

(A) Arrest data: Date of birth of the offender or at time approved petition to expunge record

(B) Investigative and agent intelligence data: Date of final activity

(C) Missing person data: Date case closed

(D) Sex offender registry data: Date of birth of the sex offender

(E) Offense report data: Date of incident

Confidentiality: Portions of record may be confidential per Section 29-15-11 NMSA 1978 (i.e., missing person information), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-142 NEW MEXICO AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS):

Division/unit: Law enforcement

Maintenance system: Numerical by primary key

Record series content: System that captures, stores and provides fingerprint identification. Data may include fingerprint images, name, SSN, address, DOB, criminal history data, personal identifiers, etc.

Classification: 1.21.2.934 NMAC, Fingerprint Identification - Criminal

File closure: Date fingerprints captured by system

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-143 STATE IDENTIFICATION JACKET FILES:

Division/unit: Law enforcement

Maintenance system: Numerical by state identification number

Record series content: Records concerning an offender's complete arrest record information. File may include fingerprint cards, suspect information, demographics (i.e., name, DOB, SSN, height, weight, etc.), disposition report forms, criminal history, photographs, dissemination log, etc.

Classification: 1.21.2.934 NMAC, Fingerprint Identification - Criminal

File closure: Date of birth of the offender

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-144 OFFENSE REPORT FILES:

Division/unit: Records bureau

Maintenance system: Chronological by offense date, then numerical by offense report number

Record series content: Records concerning summary reports of incidents responded by the state police which an offense was committed and an arrest was made. These records also concerning summary reports of incidents responded to by the state police which did not result in an arrest. File may include offense report form with suspect and victim information, demographics (i.e., name, DOB, SSN, height, weight, offense code, etc.), vehicle information (i.e., license number, vehicle identification number, owner information, etc.), stolen property, narrative of incident, arrest information, copy of finger print cards, disposition form, supplemental report, etc.

Classification: 1.21.2.926 NMAC, Accidents and Incidents

File closure: Date of incident

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-145 ACCIDENT REPORT FORMS:

Division/unit: Law enforcement

Maintenance system:

(A) **Fatal accidents:** Alphabetically by county, then chronological by date of accident

(B) **Non-fatal accidents:** Alphabetically by county, then chronological by date of accident

Record series content: Records concerning the vehicular accidents investigated by New Mexico state police. File may include date and time of accident, location, district, mile marker, driver and vehicle information, seat belt information, road conditions, accident diagram, citation information, weather conditions, passenger information, accident classification, etc.

Classification:

(A) **Fatal accidents:** 1.21.2.927 NMAC, Accidents and Incidents - Fatality

(B) **Non-fatal accidents:** 1.21.2.926 NMAC, Accidents and Incidents

File closure: Date of accident

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-146 UNCLAIMED STORED VEHICLE REPORT FILES:

Division/unit: Law enforcement academy

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

Record series content: Records concerning the storage of unclaimed vehicles including the identification and notification to the vehicles registered owner. File may include a report form (i.e., name of registered owner, year and make of vehicle, vehicle identification number, license plate number, year of license, body type, address and state of owner, date towed in, name of towing company, requesting agency, reason for tow, etc.), motor vehicle division inquiry, copy of notification sent, correspondence, etc.

Classification: 1.21.2.361 NMAC, Unclaimed Property

File closure: Date report created

[New - 03/31/2021]

790-147 SEX OFFENDER REGISTRATION FILES:

Division/unit: Law enforcement

Maintenance system: Chronological by unique state identification number

Record series content: Records concerning the registration of individual sex offenders that reside in New Mexico. File may include registration form, (i.e., date, offender name, DOB, SSN, sex, race, height, weight, eyes, state identification number, federal bureau of investigation number, current address, county, and telephone number, etc.), employment information, photos, personal identifiers, (i.e., scars, marks, tattoos, etc.), and offense information (i.e., sex offense description, statute, date convicted and conviction location), etc.

Classification: 1.21.2.936 NMAC, Sex Offender Registration

File closure: Date of birth of the sex offender

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number) and 42 USC Section 140.14616 (National Crimes Prevention and Privacy Compact).

[New - 03/31/2021]

790-148 MISSING PERSONS CLEARINGHOUSE FORMS:

Division/unit: Law enforcement

Maintenance system: Chronological by calendar year, then alphabetical by surname

Record series content: Records concerning the demographics and specific personal information on missing persons. Form may include case number, caller identification number, report taken by, date, time, caller information, missing category, national crime information center classification, missing person information, vehicle information, etc.

Classification: 1.21.2.638 NMAC, Missing Person Files

File closure: Date case closed

Confidentiality: Portions of record may be confidential per Section 29-15-11 NMSA 1978 (i.e., missing person information).

[New - 03/31/2021]

790-149 NATIONAL CRIME INFORMATION CENTER AUDIT REPORT FILES:

Division/unit: Law enforcement

Maintenance system: Alphabetical by agency name

Record series content: Records concerning triennial compliance audits conducted by the national crime information center operators. File may include audit report (i.e., agency name, agency address, agency head, terminal agency coordinator, listing of records audited, question section, audit findings, etc.), serious error listings for period of audit, correspondence, etc.

Classification: 1.21.2.415 NMAC, General - Audits and Compliance

File closure: Close of calendar year in which audit was completed

[New - 03/31/2021]

790-150 TELETYPE (ADMINISTRATIVE MESSAGES):

Division/unit: Law enforcement

Maintenance system: Chronological by date received

Record series content: Communications between law enforcement organizations. Teletype may include who it is from, whom it is being sent to, date and time sent, operator, text of message, etc.

Classification: 1.21.2.105 NMAC, Correspondence - General

File closure: Date received or sent

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records) and 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").

[New - 03/31/2021]

790-151 to 790-170

790-171 BAR CODED EVIDENCE ANALYSIS STATISTICS AND TRACKING

DATABASE:

Division/unit: Forensics

Maintenance system: Numerical by primary key

Record series content: System which tracks laboratory evidence, analysis and statistics. Data may include suspect and victim information, demographics (i.e., DOB, SSN, height, weight, etc.), listing of evidence received for analysis, crime lab report data, name of analyst, etc.

Classification: 1.21.2.844 NMAC, Forensic Analysis

File closure: Date of analysis

Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number), Section 29-10-4 NMSA 1978 (i.e., arrest records), 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") and Section 29-16-8 NMSA 1978 Confidentiality (i.e., disclosure and dissemination of DNA records).

[New - 03/31/2021]

790-172 FORENSIC LAB FILES:

Division/unit: Forensics

Maintenance system: Chronological by calendar year, then numerical by lab issued case number

Record series content: Records concerning the analysis of evidence. File may include lab notes, evidence receipts, officer's report, crime lab reports, copies of photographs, subpoenas, etc.

Classification: 1.21.2.844 NMAC, Forensic Analysis

File closure: Date of analysis

Confidentiality: Portions of record may be confidential per Section 29-10-4 NMSA 1978 (i.e., arrest records), 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") and Section 29-16-8 NMSA 1978 Confidentiality (i.e., disclosure and dissemination of DNA records).

[New - 03/31/2021]

790-173 FORENSIC INSTRUMENT MAINTENANCE LOGS:

Division/unit: Forensics

Maintenance system: Chronological by date, then alphabetical by analysis unit

Record series content: Records of maintenance of instruments used for evidence analysis. Log may include instrument name, serial number, type of maintenance, lab cases tested, random testing dates, record or calibration maintenance dates, routine maintenance, etc.

Classification: 1.21.2.841 NMAC, Calibration

File closure: Date of audit for accreditation
[New - 03/31/2021]

790-174 to 790-180

790-181 SANTA FE HEADQUARTERS PERMITTING SYSTEM:

Division/unit: Motor transportation

Maintenance system: Numerical by primary key

Record series content: System used to record information on oversized and overweight carriers and to issue permits. Data may include carriers name, address, driver's license number, SSN, federal identification number, proof of insurance, route of travel, description of load, etc.

Classification: 1.21.2.507 NMAC, Transportation and Trip Permits

File closure:

(A) **Excessive size and weight permit data:** Date of permit expiration

(B) **Trip permit data:** Date annual audit report is released and cleared

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

[New - 03/31/2021]

790-182 CITIZEN COMPLAINT FILES:

Division/unit: Motor transportation

Maintenance system: Chronological by date of complaint

Record series content: Records concerning complaints from citizens and private companies about port of entry officers or employees. File may include letter of complaint (i.e., date of complaint, name of person filing complaint, officer's surname, employee's name, address, allegations, etc.), findings and discipline, correspondence, disposition of complaint, etc.

Classification: 1.21.2.142 NMAC, Complaints

File closure: Date of final disposition of complaint

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").

[New - 03/31/2021]

790-183 DRIVER AND VEHICLE INSPECTION REPORT FILES:

Division/unit: Motor transportation

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

Record series content: Records concerning driver and vehicle inspections conducted by port of entry inspectors. File may include driver and vehicle inspection form (i.e., driver name and license number, name of company, address, vehicle make, name of company, address, vehicle make, vehicle identification number, trip tax charges, proof of registration, license number, tax identification card, etc.), inspection results, violations, copy of proof of insurance, etc.

Classification: 1.21.2.471 NMAC, Equipment and Vehicles

File closure: Close of state fiscal year in which created

[New - 03/31/2021]

790-184 ESCORT CERTIFICATION FILES:

Division/unit: Motor transportation

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

Record series content: Records concerning documentation of annual inspection and certification of all port of entry escort vehicles. File may include escort vehicle inspection form (i.e., carrier name, address,

driver's license number, SSN, federal identification number, etc.), proof of insurance, general memoranda from port of entry officer, certification of inspection, etc.

Classification: 1.21.2.471 NMAC, Equipment and Vehicles

File closure: Date of certification

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

[New - 03/31/2021]

790-185 OVER SIZE AND OVER WEIGHT PERMIT FILES:

Division/unit: Motor transportation

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

Record series content: Records concerning permits issued for vehicles that are transporting loads that are over the size and weight limitations. File may include proof of insurance, over size and over weight permit applications (i.e., carriers name, address, driver's license number, SSN, federal identification number, route of travel, description of load, etc.), internal revenue service highway use tax paid (form 2290), copy of vehicle registration, etc.

Classification: 1.21.2.507 NMAC, Transportation and Trip Permits

File closure: Date of permit expiration

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

[New - 03/31/2021]

790-186 PERMIT CASH REPORT:

Division/unit: Motor transportation

Maintenance system: Chronological by permit cash report date, then numerical by district

Record series content: Records concerning cash fees collected for all port of entry permits. Report may include driver name, license number, name of carrier, name of companies permits issued to, address, federal identification number, SSN, cash totals for each port of entry, date permits issued, permit numbers, fees collected and reconciled, etc.

Classification: 1.21.2.310 NMAC, Reports - Accounting

File closure: Date annual audit report is released and cleared

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

[New - 03/31/2021]

790-187 MOTOR CARRIER SAFETY COMPLIANCE REVIEW FILES:

Division/unit: Motor transportation

Maintenance system: Chronological by date, then alphabetical by motor carrier or company name

Record series content: Records concerning motor carrier safety inspections initiated as a result of complaints received by DPS. Files may include complaint, motor carrier inspection forms (i.e., motor carrier document requirements, requirements for commercial and non-commercial licensed drivers, inspection results, comments, federal identification number, SSN, etc), driver log reports, out of service order, correspondence, etc.

Classification: 1.21.2.471 NMAC, Equipment and Vehicles

File closure: Date compliance is established

Confidentiality: Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), 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]

790-188 VEHICLE CONSENT TO SEARCH FORMS:

Division/unit: Motor transportation

Maintenance system: Chronological by fiscal year

Record series content: Forms used to obtain consent to search a motor vehicle by a law enforcement officer. Form contains name of individual giving consent, vehicle information (i.e., year, make, model, registration number, color, etc.), consent date and time, signature of individual giving consent, etc.

Classification: 1.21.2.642 NMAC, Waivers and Releases - Legal Matter Management

File closure: Date consent form signed

[New - 03/31/2021]