

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 13      PUBLIC RECORDS**  
**PART 2            FEES**

**1.13.2.1            ISSUING AGENCY:** State Records Administrator.  
[7/1/95; 1.13.2.1 NMAC - Rn, 1 NMAC 3.100.1 & A, 3/14/01; A, 6/30/05; A, 9/15/14]

**1.13.2.2            SCOPE:** All state, federal, municipal and county agencies, historical records repositories, businesses and the general public.  
[7/1/95; 1.13.2.2 NMAC - Rn, 1 NMAC 3.100.2 & A, 3/14/01]

**1.13.2.3            STATUTORY AUTHORITY:** Statutory authority for 1.13.2 NMAC is found in Chapter 14, Article 3, NMSA 1978. Specifically, Section 14-3-6 NMSA 1978 authorizes the state records administrator to adopt regulations. Section 14-3-15.1 NMSA 1978 provides for the payment of reasonable fees for the service of providing information contained in information databases by the agency that inserted the information. It further mandates the assessment of a fee by the agency providing access or use where information contained in a database is "searched, manipulated, or retrieved or a copy of the database is made for any private nonpublic use." The section also authorizes the imposition of certain conditions on the use of such information or databases. Section 14-3-8.1 creates the records center revolving fund, in which money from the sale of "publications, services, equipment, supplies and materials" is deposited. Section 14-3-19 NMSA 1978 allows the state commission of public records to sell certain items and services at a cost plus five percent handling charge. All receipts from such sales go into the records center revolving fund.  
[7/1/95; 1.13.2.3 NMAC - Rn, 1 NMAC 3.100.3 & A, 3/14/01; A, 7/15/03; A, 6/30/05]

**1.13.2.4            DURATION:** Permanent.  
[7/1/95; 1.13.2.4 NMAC - Rn, 1 NMAC 3.100.4, 3/14/01]

**1.13.2.5            EFFECTIVE DATE:** September 15, 2014, unless a later date is cited at the end of a section.  
[7/1/95; 1.13.2.5 NMAC - Rn, 1 NMAC 3.100.5 & A, 3/14/01; A, 9/15/14]

**1.13.2.6            OBJECTIVE:** To set fees for goods and services provided by the state records center and archives.  
[7/1/95; 1.13.2.6 NMAC - Rn, 1 NMAC 3.100.6 & A, 3/14/01]

**1.13.2.7            DEFINITIONS:**

- A.            "Acid-free"** means having a pH of 7.0 or greater.
- B.            "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- C.            "Administrative law division"** means an organizational unit of the commission of public records and is under the control of the state records administrator.
- D.            "Archival"** means the material properties inherent in any medium permitting its preservation under controlled conditions.
- E.            "Archives and historical services division"** means an organizational unit of the commission of public records and is under the control of the state records administrator.
- F.            "Certified copy"** means a reproduction of a public record expressly verified by the custodial agency as a true and accurate representation of the official copy of the record.
- G.            "Clip"** means a selected part of a motion picture film.
- H.            "Commission"** means the state commission of public records (Section 14-3-2 NMSA 1978).
- I.            "Digital restoration"** means digitally improving the overall appearance of a scanned photograph by adjusting brightness or contrast or both, sharpening, adjusting overall color, cropping, etc.
- J.            "DVD"** means digital video disc, an optical disc storage medium.
- K.            "Enhancement"** means digitally repairing a scanned photograph to remove signs of deterioration and damage (spots, tears, red eye, fold lines, etc.).
- L.            "Electronic media"** means optical storage discs and magnetic tapes. Does not include hard drives.
- M.            "JPEG"** means a compressed image file format, commonly used for the compression of photographic images, developed by the joint photograph experts group.

**N.** “MiniDV” means a video digital storage format available in small cassettes with high storage capacity.

**O.** “Oversized material” means maps, architectural drawings, books and textual and other documents larger than 12 inches by 16 inches.

**P.** “Record” means all books, papers, maps, photographs, recordings, tapes or other documentary materials, regardless of physical form or characteristics.

**Q.** “Requester” means any individual who is not a commercial-use requester. This term does not include requests citing the Inspection of Public Records Act, which are handled in accordance with the law and agency policy.

**R.** “Records management division” means an organizational unit of the commission of public records and is under the control of the state records administrator.

**S.** “Rule” means any rule, regulation, order, standard or statement of policy, including amendments thereto or repeals thereof, issued or promulgated by an agency of state government and purporting to affect one or more agencies besides the agency issuing the rule or to affect persons not members or employees of the issuing agency, and as further defined in Subsection C of Section 14-4-2 NMSA 1978 and Attorney General Opinion No. 93-1, that is filed with the administrative law division.

**T.** “State records center” means the central records depository that is the principal state facility for the storage and disposition of inactive records of state agencies.

**U.** “TIFF” means tagged image file format, a bitmap image format used for storing images.  
[1.13.2.7 NMAC - N, 3/14/01; A, 7/15/03; A, 6/30/05; A, 6/1/06; A, 7/1/09; A, 7/31/12; A, 9/15/14; A, 07/11/2017]

**1.13.2.8 PRICING:** All fees cited in 1.13.2 NMAC are per item, unless otherwise specified.  
[9/15/98; 1.13.2.8 NMAC - Rn, 1 NMAC 3.100.9.5 & A, 3/14/01; A, 7/1/09]

**1.13.2.9 STORAGE BOXES:** Cubic foot records storage box - \$2.00  
[7/1/95, 1/1/98; 1.13.2.9 NMAC - Rn, 1 NMAC 3.100.8.1 & A, 3/14/01; A, 7/1/09; A, 7/15/10; A, 9/15/14]

**1.13.2.10 ARCHIVAL QUALITY SUPPLIES:**  
The archives and historic services division shall publish, in conjunction with an approved statewide price agreement, a listing of all archival supplies it may make available to all other governmental agencies and to the general public. Any supply listed may be available at state cost plus five percent. Contact the archives and historical services division at 505-476-7956 for pricing and availability.  
[1.13.2.10 NMAC - N, 3/14/01; A, 4/30/02; A, 6/30/04; A, 6/1/06; A, 7/1/09; A, 7/15/10; A, 7/31/12; A, 9/15/14]

**1.13.2.11 PHOTOCOPY FEES:**

- A.** Paper photocopies (made by staff).
  - (1) 8 ½ x 11 - \$0.25
  - (2) 8 ½ x 14 - \$0.30
  - (3) 11 x 17 - \$0.35
- B.** Certification of paper copies - \$0.50 per page.
- C.** Self-service photocopies (made by patron in archives and historic services division).
  - (1) 8 ½ x 11 - \$0.10.
  - (2) 8 ½ x 14 - \$0.10.
  - (3) 11 x 17 - \$0.15.

[7/1/95, 1/1/98, 9/15/98; 1.13.2.11 NMAC - Rn, 1 NMAC 3.100.9.1 through 1 NMAC 3.100.9.4 and 1 NMAC 3.100.13 & A, 3/14/01; A, 6/30/04; A, 7/1/09; A, 7/31/12; A, 9/15/14]

**1.13.2.12 MICROPHOTOGRAPHY FEES:**

- A.** Microfilm to paper or electronic media (made by archives staff).
  - (1) 8 ½ x 11 - \$0.50 per page.
  - (2) 8 ½ x 14 - \$0.60 per page.
- B.** Self-service microfilm to paper copies.
  - (1) 8 ½ x 11 - \$0.10.
  - (2) 8 ½ x 14 - \$0.10.
  - (3) 11 x 17 - \$0.15.

C. Self-service microfilm to electronic media. The use of outside electronic media/devices is prohibited.

- (1) \$0.25 - blank CD.
- (2) \$5.25 - thumb drive.

D. Microfilm duplication.

- (1) 16mm - \$12.00 per reel.
- (2) 35mm - \$16.00 per reel.

E. Microfilm processing. 16 mm and 35 mm - \$19.85 per reel.

[7/1/95, 9/15/98, 12/15/98; 1.13.2.12 NMAC - Rn, 1 NMAC 3.100.10 & A, 3/14/01; A, 4/30/02; A, 6/30/04; A, 6/30/05; A, 7/1/09; A, 7/31/12; A, 9/15/14]

### **1.13.2.13 DIGITAL REPRODUCTION OF PHOTOGRAPHS, DOCUMENTS, OVERSIZED RECORDS AND MOVING IMAGE MATERIAL:**

A. Requests for duplication and reproduction of public records that are covered under Section 14-3-15.1 NMSA 1978 or are copyrighted or otherwise contractually restricted shall be accompanied by a letter of intent describing the proposed use and SRCA form 96-18 "conditions for publication/reproduction."

B. Photographs and documents. Prices are assessed per individual image.

- (1) 8 x 10 print on photo quality paper from digital images file - \$17.00.
- (2) 8 x 10 print on photo quality paper from original source material - \$21.00.
- (3) Digital image file (JPEG) from digital image file delivered via e-mail or on CD/DVD -

\$14.00. Digital image files delivered via e-mail shall be limited to 8 x 10 images scanned at 300 dots per inch (dpi).

(4) Digital image file (JPEG) from original source material delivered via e-mail or on CD/DVD - \$19.00. Digital image files delivered via e-mail shall be limited to 8 x 10 images scanned at 300 dpi.

C. Moving image and audio material. Prices are assessed per moving image title and audio tape/reel.

- (1) Digital video/audio file on patron supplied drive from digital/video audio file - \$15.00.
- (2) Digital video/audio file on patron supplied drive from original source material - \$47.00.
- (3) MiniDV tape from digital video file or miniDV master - \$20.00.
- (4) MiniDV tape from original source material - \$47.00.
- (5) DVD/CD from digital video/audio file or miniDV master - \$15.00.
- (6) DVD/CD from original source material - \$47.00.

D. Oversized records (color or black and white). Prices are assessed per individual image.

- (1) Hard copy reproduction from a digital image file - \$17.00.
- (2) Hard copy reproduction from the original source material - \$21.00.
- (3) Digital image file (JPG) from a digital image file delivered via CD or DVD - \$14.00.
- (4) Digital image file (JPG) from the original source material delivered via CD or DVD -

\$19.00.

(5) Sizes greater than 35.5 x 48 add \$4.00 per each additional foot for hard copy reproductions. The width cannot exceed 35.5 inches.

- (6) E-mail delivery of digital image files for oversized material is not available.

E. Where items are fragile or require specialized handling, the SRCA may charge the costs of the additional labor.

F. Fees for digital restoration or enhancement or clip selection of digitized materials or motion picture films vary according to the extent of work required. The minimum fee for digital restoration or enhancement or clip selection shall be \$15.00 per reproduced item, in addition to the reproduction fee set forth in Subsection B of this section. For work requiring over one hour, \$15.00 per additional hour shall be charged.

G. Expedited orders can be requested for an additional fee of \$20.00. Waiting time will be reduced by one week.

[7/1/95, 4/30/96, 12/15/98; 1.13.2.13 NMAC - Rn, 1 NMAC 3.100.11 & A, 3/14/01; A, 4/30/02; A, 7/15/03; A, 6/30/05; A, 6/1/06; A, 06/30/07; A, 7/1/09; A, 7/31/12; A, 9/15/14]

### **1.13.2.14 SRCA PUBLICATIONS:**

- A. Calendar to the Spanish archives of New Mexico II - \$5.00.
- B. Calendar to the Mexican archives of New Mexico - \$3.00.
- C. Calendar to the territorial archives of New Mexico - \$3.00.
- D. Calendar to land records of New Mexico (Spanish archives of New Mexico I) - \$5.00.
- E. Calendar to the Sender collection - \$12.00.

- F. Guide to “lost” records of Zuni - \$7.00.
  - G. Microfilm manual - \$18.50.
  - H. Genealogy charts - \$8.00.
  - I. New Mexico administrative code training manual - extra copies (individuals attending training receive one copy of the manual without charge) - \$22.50.
  - J. Billy the Kid packet - \$49.00.
  - K. Guide to the archdiocese of Santa Fe: the AASF and LDS series - \$7.00.
  - L. New Mexico county marriage register inventory - \$7.00.
- [7/1/95, 9/15/98, 12/15/98; 1.13.2.14 NMAC - Rn, 1 NMAC 3.100.12 & A, 3/14/01; A, 4/30/02; A, 7/15/03; A, 6/30/04; A, 7/1/09; A, 9/15/14]

**1.13.2.15 REQUIREMENTS FOR SRCA FORM 96-18:**

- A. This form delineates conditions for publication and reproduction of images held by the SRCA as public records and shall be completed and submitted to the administrator as provided in 1.13.2 NMAC and as evidence of agreement by the requester to the terms and conditions prescribed therein and in 1.13.2 NMAC. Information contained on the form shall include, but not be limited to, the following:
    - (1) provision for reservation of rights by the administrator;
    - (2) formats for required credit line;
    - (3) requirements relating to method of payment; and
    - (4) description of respective rights and responsibilities of the administrator and the requester, including copyright restrictions, relating to reproduction and publication.
  - B. The form shall require of the requester:
    - (1) the description of the image to be published and the required credit line;
    - (2) the printed name and the signature of the requester;
    - (3) the address of the requester; and
    - (4) the date of the request.
  - C. The director of the archives and historical services division and the administrator shall approve the requested use by their signatures on the form.
- [7/1/95; 1.13.2.15 NMAC - Rn, 1 NMAC 3.100.14 & Rp, 3/14/01; A, 9/15/14]  
 [The original language, which was repealed and replaced by the 3/14/01 text relating to SRCA form 96-18, addressed fees for diskettes.]

**1.13.2.16 TRAINING PROGRAMS:** The SRCA offers without charge basic training in subjects integral to the performance of its statutory duties. Programs for which fees are imposed under this section provide advanced or other training beyond those basic requirements, and fees for these services are as set forth below.

- A. One-half-day session - \$25.00.
  - B. One-day session - \$40.00.
  - C. One-and-one-half-day session - \$55.00.
  - D. Two-day session - \$75.00.
  - E. Special workshops may be priced to cover costs plus five percent for expected participants.
- [1.13.2.16 NMAC - N, 3/14/01; A, 7/15/03; A, 6/1/06]

**1.13.2.17 ELECTRONIC COPIES OF RECORDS:**

- A. Portable document format file (PDF) from any source- \$0.25 per page.
  - B. PDF from digital image file - \$1.75 per page.
  - C. PDF from original source - \$3.25 per page.
  - D. PDF of rule in either electronic or original form - \$0.25 per page.
  - E. Certification of PDF copies - \$0.50 per page.
- [PDF file(s) can be sent electronically at no charge or can be transferred to CD. A CD can be provided by records center at a cost of \$0.25 per blank CD. The use of external drives is prohibited.]  
 [1.13.2.17 NMAC - N, 4/30/02; A, 7/1/09; A, 7/31/12; A, 9/15/14]

**1.13.2.18 CHARGES FOR PUBLISHING IN THE NEW MEXICO REGISTER:** There shall be a \$3.00 per column inch charge to agencies publishing material in the New Mexico register.

- [1.13.2.18 NMAC - N, 7/15/03; A, 7/1/09; A, 10/15/14; A, 1/1/2017]
- [Charges for publishing in the New Mexico register are also found in 1.24.15.12 NMAC.]

**1.13.2.19 COPIES OF THE NEW MEXICO REGISTER:**

- A. Individual copies of the New Mexico register - \$12.00.
- B. Annual paper subscription fees for the New Mexico register - \$270.00.

[1.13.2.19 NMAC - N, 7/15/03; A, 7/1/09]

[Fees for copies of the New Mexico register are also found in 1.24.15.13 NMAC.]

**1.13.2.20 RECORDS STORAGE SERVICES:**

Paper storage for state agencies:

(1) Records that have not met their legal retention - no charge.

(2) Records that have met their legal retention and for which the records management division has issued a disposition notice - \$0.50 per box, per month (see Section 1.13.10.11 NMAC).

B. Paper storage for municipalities, the judicial branch and counties - \$0.50 per box, per month, regardless of whether retention has been met.

C. Microfilm storage for state agencies:

(1) Records that have not met their legal retention - no charge.

(2) Records that have met their legal retention and for which the records management division has issued a disposition notice - \$0.25 per roll, per month (see Section 1.13.10.11 NMAC).

D. Microfilm storage for municipalities, the judicial branch and counties - \$0.25 per roll, per month, regardless of whether retention has been met.

[1.13.2.20 NMAC - N, 6/30/05; A, 7/1/09; A, 9/15/14; A, 07/11/2017]

**1.13.2.21 RECORDS DESTRUCTION SERVICES:**

A. Standard storage box equivalent (15" x 12" x 10") or smaller - \$0.50 per box.

B. Map box equivalent (10x10x38) or smaller - \$0.75 per box.

C. Microfilm - \$0.25 per roll.

D. Microfiche - \$14.00 per standard storage box equivalent (15" x 12" x 10") or smaller.

E. Electronic media - \$10.00 per standard storage box equivalent (15" x 12" x 10") or smaller.

[1.13.2.21 NMAC - N, 6/1/06; A, 7/1/09; Repealed, 7/31/12; N, 07/11/2017]

**1.13.2.22 STORAGE OF DISASTER RECOVERY BACKUP FILES:** There shall be a \$10.00 fee to obtain a new, replacement, or additional access card for the disaster recovery backup vault.

[1.13.2.22 - N, 9/15/14]

**HISTORY OF 1.13.2 NMAC: [RESERVED]**

**History of Repealed Material:**

1.13.2.16 NMAC text relating to fees for diskettes was repealed and replaced with provisions relating to SRCA form 96-18, 3/14/01.