North Central Regional Transit District (NCRTD)

Resolution No. 2018-36

ADOPTION OF AN AMENDED NCRTD PUBLIC RECORDS REQUEST POLICY

WHEREAS, the New Mexico Inspection of Public Records Act (The Act) requires access to Public Records and recognizes such access as a fundamental right afforded in a democracy; and

WHEREAS, compliance with requests to inspect Public Records is an integral part of the routine duties of the officers and employees of the NCRTD; and

WHEREAS, the NCRTD Public Records Request Policy (Exhibit A) is intended to assist NCRTD personnel in dealing with requests for documents and information in a timely manner; and

WHEREAS, NCRTD wishes to address changes to The Act regarding requests for copies in electronic format; and

WHEREAS, the NCRTD desires to implement and move forward with an updated and amended policy.

NOW THEREFORE BE IT RESOLVED THAT THE NCRTD PUBLIC RECORDS REQUEST POLICY IS APPROVED AND ADOPTED AS AMENDED AND ATTACHED HERETO AS EXHIBITS "A" THROUGH "D" ON THIS 7TH DAY OF DECEMBER, 2018.

Approved as to form:

Daniel Barrone, Chair

Peter Dwyer, Counsel
EXHIBIT A

NCRTD RECORDS REQUEST POLICY

1.0 PURPOSE:

1.1 The purpose of this policy is to ensure that all persons are entitled to the greatest possible information regarding the affairs of the NCRTD and the official acts of its officers and employees. Providing persons with such information is an essential function of a representative government and an integral part of the routine duties of officers and employees. The NCRTD shall be responsible for making available public record records for inspection. The Purpose of this Policy is also to assist NCRTD personnel in dealing with requests for documents and information in a timely manner.

2.0 APPLICABLE TO:

2.1 All NCRTD Departments, officers and employees.

3.0 REFERENCES:

3.1 The New Mexico Inspection of Public Record Records Act (hereinafter the "Act"); NMSA 1978, Sections 14-2-1 et seq., Chapter 14, Article 2-NMSA 1978.

4.0 DEFINITIONS:

4.1 "Custodian" means any person the Executive Director or his/her designee who is responsible for the maintenance, care or keeping of the District's public record records, regardless of whether the record records are in that person's actual physical custody and control;

4.2 "File format" means the internal structure of an electronic file that defines the way it is stored and used;

4.3 "Inspect" means to review all public record records that are not excluded under the Act in Section 14-2-1 NMSA 1978, as listed below;

4.4 Right to inspect public record records: 
(a) Records pertaining to physical or mental examinations and medical treatment of persons confined to an institution;
(b) letters of reference concerning employment, licensing or permits;
(c) letters or memoranda that are matters of opinion in personnel files or students' cumulative files;
(d) law enforcement Records that reveal confidential sources, methods, information or individuals accused but not charged with a crime. Law enforcement Records include evidence in any form received or compiled in connection with a criminal investigation or prosecution by a law enforcement or prosecuting agency, including inactive matters or closed investigations to the extent that they contain the information listed in this paragraph:

(e) as provided by the Confidential Materials Act [14-3A-1 and 14-3A-2 NMSA 1978];

(f) trade secrets, attorney-client privileged information and long-range or strategic business plans of Public hospitals discussed in a properly closed meeting;

(g) tactical response plans or procedures prepared for or by the state or a political subdivision of the state, the Publication of which could reveal specific vulnerabilities, risk assessments or tactical emergency security procedures that could be used to facilitate the planning or execution of a terrorist attack; and

(h) as otherwise provided by law

(i) redacted portions of Public Records to the extent redaction is permitted or required by the Act or by law including but not limited to the redaction of Protected Personal Identifier Information.

d) Records pertaining to physical or mental examinations and medical treatment of persons employed by the NCRTD;

d) Letters of reference concerning employment;

d) Letters or memorandums which are matters of opinion in personnel files;

d) As provided by the Confidential Materials Act

d) As otherwise provided by law

4.5 "Person" means any individual, corporation, partnership, firm, association or entity.

4.6 "Protected Personal Identifier Information" means:

(a) all but the last four digits of a;

(b) taxpayer identification number;

(c) financial account number; or

(d) driver’s license number;

(e) all but the year of a person’s date of birth; and

(f) a social security number;

4.10

4.11 "Public Body" means the executive, legislative and judicial branches of state and local governments and all advisory boards, commissions, committees, agencies or entities created by the constitution or any branch of government that receives any public funding, including political subdivisions, special taxing districts, school districts and institutions of higher education; and

4.124.7 "Public Records" or "Records" means all documents, papers, letters, books, maps, tapes, photographs, recordings and other materials, regardless of
physical form or characteristics, that are used, created, received, maintained or held by or on behalf of the NCRTD and relate to public Public record Records are required by law to be created or maintained that are not Exempt.

5.0 POLICY

5.1 It is the NCRTD's policy to comply with the New Mexico Inspection of Public Public record Records Act regarding written requests to inspect and/or copy public Public record Records. The NCRTD shall strive to achieve openness and transparency of all NCRTD functions to the maximum extent permissible and consistent with all state and federal laws.

6.0 PROCEDURES:

6.1 All written requests for inspection of public Public record Records shall be filed in the Record Records Custodian's office. The Record Records Custodian shall serve as the Custodian of public Public record Records for the NCRTD. Written requests may be entered on a "Request for Public Public Information" form available at the NCRTD Office(s) or on the NCRTD website at www.nertd.org (Exhibit A.1).

6.2 A written request may be submitted on paper or electronically and the Custodian shall respond in the same medium in which the request was received. In addition Custodians may also choose to respond in any other medium they deem appropriate, but must also respond to the initial request in the same medium in which it was received. (See, The Act's Section 14-2-7 (B).

6.3 Each written request shall provide the name, address and telephone number of the person seeking record Records and shall identify the record Records sought with reasonable particularity. Electronic requestors shall be responded to via either an e-mail or dropbox. The requestor is responsible for providing electronic contact information.

6.36.4 No person requesting record Records shall be required to state the reason for inspecting the record Records.

6.46.5 The NCRTD Custodian will notify the originating department-appropriate staff of any record Record request and provide them with a copy to ensure they produce the responsive information in a timely fashion and are informed regarding the request for information.

6.56.6 The originating department staff contacted by the Custodian shall provide the public Public record Records to the Custodian immediately or as soon as is practicable under circumstances, but not later that fifteen-twelve days after the date the written request was filed with the Custodian. If the record Records requested are too voluminous to provide to the Custodian, the Custodian will be informed of the location where they may be inspected. If the inspection is not permitted within three business days, the originating department staff contacted shall explain in writing to the Custodian when the record Records will be available for inspection or when the
NCRTD will respond to the request. (The three-day period shall not begin until the written request is delivered to the office of the Custodian). The written explanation shall be filed with the Custodian by noon (12:00 p.m.) on the third business day after the request for the inspection of Public record Records was filed with the Custodian. The Custodian shall release the explanation to the requester.

6.66.7 If the Custodian determines that a written request is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request. The Custodian shall provide written notification to the requester within fifteen days of receipt of the request that additional time will be needed to respond to the written request. The requester may deem the request denied and may pursue the remedies available pursuant to the Inspection of Public record Records Act if the Custodian does not permit the record Records to be inspected in a reasonable period of time.

6.76.8 Requested Public record Records containing information that is exempt and nonexempt from disclosure shall be separated by the Custodian prior to inspection, and the nonexempt information shall be made available for inspection. If necessary to preserve the integrity of computer data or the confidentiality of exempt information contained in a database, a partial printout of data containing Public record Records or information may be furnished in lieu of an entire database. Exempt information in an electronic document shall be removed along with the corresponding metadata prior to disclosure by utilizing methods or redaction tools that prevent the recovery of exempt information from a redacted electronic document.

6.86.9 The NCRTD may redact Protected Personal Information before providing a Public record Record. The Custodian may seek the advice and counsel of the District’s attorney as necessary for redactions. Personal identifier information is defined as: (1) a social security number; (2) all but the year of a person’s birthdate; (3) all but the last four digits of a taxpayer identification number, financial account number or driver’s license number.

6.96.10 A Custodian shall provide a copy of a Public record Record in electronic format if the Public record Record is available in electronic format and an electronic copy is specifically requested. However, a Custodian is only required to provide the electronic record Record in the file format in which it exists at the time of the request.

6.106.11 Unless a written request has been determined to be excessively burdensome or broad, a written request for inspection of Public record Records that has not been permitted within fifteen days of receipt by the office of the Custodian may be deemed denied. The person requesting the Public record Records may pursue the remedies provided in the Inspection of Public record Records Act.

6.10.16.11.1 If a written request has been denied, the Custodian shall provide requester with a written explanation of the denial. The written denial shall:
a) Describe the recordRecord sought;
b) Set forth the names and titles or positions of each person responsible for the denial; and
c) Be delivered or mailed to the person requesting the recordRecord within fifteen days after the request for inspection was received.

6.146.12 If the publiePublic recordRecord is located at an offsite location, the recordRecord Custodian for the NCRTD shall request and locate the recordRecord from the offsite storage location as soon as possible, following existing procedures for withdrawal of recordRecords.

6.126.13 NCRTD originals or best copy documents shall not be physically released to anyone outside the NCRTD. The NCRTD recordRecords Custodian shall issue verified, certified copies of any and all documents in the NCRTD's custody upon written request for recordRecords or subpoenas.

6.136.14 The Custodian shall provide copies of publiePublic recordRecords upon request with a reasonable cost charged for reproduction. The copy fees are listed in Exhibit A.2

6.146.15 When producing documents in electronic format the Custodian can charge a requester the actual costs associated with downloading copies of publiePublic recordRecords to a storage device and the actual cost of the storage device, including the actual cost of the computer disk or storage device. Standard per-side copy fees include up to 15 minutes of staff time to retrieve the recordRecords and all photocopying/scanning. If the request requires additional staff time, research, or attorney review, additional labor fees will be charged. Labor fees are based on the actual cost of the employee performing the work, which includes hourly-payroll rate, benefits, and overhead. Work to which the standard per-side copy fees cannot be applied will be charged on the basis of actual cost.

6.156.16 Any document to be provided in electronic format shall may be converted into a PDF file format by the Custodian prior to release and may be stamped or marked to indicate the authenticity or status of the document including whether the document is a draft and whether the document is current or outdated.

6.166.17 Nothing in this section regarding the provision of publiePublic data in electronic format shall limit the ability of the Custodian to engage in the sale of data as authorized by NMSA 1978, Section 14-3-15.1—NMSA 1978, including imposing reasonable restrictions on the use of the database and the payment of a royalty or other consideration.

6.176.18 All responses to requests for electronic copies in draft stage shall carry the following disclaimer: "Documents produced in response to publiePublic recordRecords request may be altered subsequent to production particularly when in electronic format. Draft documents may be inaccurate, may have incorrect or misleading information, may not state the policies, positions or conclusions of
senior management or the NCRTD board and are subject to change subsequent to inspection or production. Draft documents should not be relied-upon as representations by the NCRTD or its agents as to any fact or conclusion and are not reliable sources of accurate information."
EXHIBIT B

NCRTD REQUEST FOR PUBLIC RECORDS

In accordance with NMSA 1978, Section 14-2-1, as amended, I would like to inspect and/or copy the following documents: (please list with reasonable particularity)

I promise to pay copying charges as listed in the attached Copy Fee Schedule. If the copying charges will exceed $ please call me to discuss. I understand that payment is due at, or before, the time of receipt of any the copies requested. A receipt shall be provided upon request.

Public records will be available from 8:00 a.m. to 5:00 p.m. on normal business days. Original records may not be removed from the NCRTD offices.

Name of Requester Date

Signature Telephone Number

Address E-mail Address

FOR DEPARTMENT USE ONLY

The request to inspect public records is:

Approved

Disapproved for the following reason(s):

3 Day Deadline

15 Day Deadline

Date Completed

No. of Copies

Cost

Receipt No.
## COPY FEE SCHEDULE FOR PUBLIC RECORDS

### PHYSICAL RECORDS

<table>
<thead>
<tr>
<th>Size</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>11&quot; x 17&quot; copies or smaller</td>
<td>Color or b&amp;w, one side only, two-sided copies</td>
<td>$4.00 \text{ per page} \quad $1.50 \text{ per page}</td>
</tr>
<tr>
<td>11&quot; x 17&quot; or larger</td>
<td>Maps, drawings, documents</td>
<td>$4.50 \text{ per page} \quad $4.25 \text{ per page}</td>
</tr>
</tbody>
</table>

**Free Copies**

Each request is entitled to fifteen copies at no charge per calendar year for documents 11" x 17" in size or smaller.

**Faxes**

$1.00 \text{ per page}$

**Scan Fee**

$1.00 \text{ per page}$

**US Postal Services**

Actual costs incurred

**Documents on CD/DVD**

$6.75 \text{ per CD/DVD}$

**Audio Tapes**

$2.75 \text{ per tape}$

### ELECTRONIC RECORDS TRANSMITTAL

<table>
<thead>
<tr>
<th>Format</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Documents NOT in electronic format</td>
<td>$1.00 \text{ per page}</td>
</tr>
<tr>
<td>Documents already saved in electronic format</td>
<td>No charge for documents that can be sent in a single email (currently about 20MB)</td>
</tr>
</tbody>
</table>

**Dropbox Charges**

Documents that cannot be sent in a single email will be delivered to a Dropbox for pickup by the requestor. The fee for these requests shall be any fee incurred by the District for the Dropbox.
Access to, and use of District data and databases may be restricted pursuant to NMSA 1978, Section 14-3-15.1. In the event that a requester seeks access to or use of District data the Executive Director is authorized to establish and impose such restrictions on use, fees and charges as the Executive Director deems reasonable and proper based upon the nature and extent of the request. Standard per-side copy fees include up to 15 minutes of staff time to retrieve the records and all photocopying/scanning. If the request requires additional staff time, research, or attorney review, additional labor fees will be charged. Labor fees are based on the actual cost of the employee performing the work, which includes hourly payroll rate, benefits, and overhead. Work to which the standard per-side copy fees cannot be applied will be charged on the basis of actual cost (NCRTD Public Records Request Policy Section 6.14).
EXHIBIT D

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the New Mexico Inspection of Public Records Act (Act), every person has the right to inspect public records of the North Central Regional Transit District (NCRTD). The Act also makes compliance with requests to inspect public records an integral part of the routine duties of the officers and employees of the NCRTD.

Procedures for Requesting Inspection. Requests to inspect public records should be submitted to the record Custodian (Public Information Officer) located at 1327 N. Riverside Drive, Espanola, NM 87532, 3600 Rodeo Lane, Suite B-6, Santa Fe, New Mexico, 87507, by calling 505-438-3257 or faxing request to 505-438-0354 or by email to jimn@ncrtd.org.

A person desiring to inspect public records may submit a request to the record Custodian orally or in writing. However, the procedures and penalties prescribed in the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. Written requests may be submitted in person or sent via US mail, email or facsimile. The request must describe the record sought in sufficient detail to enable the record Custodian to identify and locate the requested record.

The record Custodian must permit inspection immediately or as soon as practicable; but no later than 15 calendar days after the record Custodian receives the inspection request. If inspection is not permitted within three business days, the person making the request will receive a response, in the format by which it was received, explaining when the record will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a response from the record Custodian explaining why the request for inspection has been denied. Generally, the written denial shall be delivered in the format by which it was originally received and/or mailed within 15 calendar days after the record Custodian received the request for inspection. Some burdensome requests may take additional time and the Custodian will provide notice if the request is deemed burdensome pursuant to the District’s then current Public Records Request Policy.

Procedures for Requesting Copies and Fees. If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for documents eleven inches by 17 inches or smaller is up to $1.00 per page per NCRTD fee schedule. Fees to print larger documents as well as other fees for copies are set forth in the NCRTD Public Records Request Policy (Exhibit C). Payment is due at, or before, the time of receipt of the copies requested. A receipt indicating that the fees have been paid for making copies of public records will be provided upon request to the person requesting the copies.
EXHIBIT A

NCRTD PUBLIC RECORDS REQUEST POLICY

1.0 PURPOSE:

1.1 The purpose of this policy is to ensure that all persons are entitled to the greatest possible information regarding the affairs of the NCRTD and the official acts of its Public officers and employees. Providing persons with such information is an essential function of a representative government and an integral part of the routine duties of Public officers and employees. The NCRTD shall be responsible for making available Public Records for inspection. The Purpose of this Policy is also to assist NCRTD personnel in dealing with requests for documents and information in a timely manner.

2.0 APPLICABLE TO:

2.1 All NCRTD Departments, officers and employees.

3.0 REFERENCES:

3.1 The New Mexico Inspection of Public Records Act (hereinafter the "Act"); NMSA 1978, Sections 14-2-1 et seq.

4.0 DEFINITIONS:

4.1 "Custodian" means the Executive Director or his/her designee who is responsible for the maintenance, care or keeping of Public the District's Public Records, regardless of whether the Records are in that person's actual physical custody and control;

4.2 "File format" means the internal structure of an electronic file that defines the way it is stored and used;

4.3 "Inspect" means to review Public Records that are not excluded under the Act as listed below:

4.4 PublicRecord"Exempt" Records or information means those Records or portions of Records exempted from the inspection requirements of the Act such as:
   PublicRecord(a) Records pertaining to physical or mental examinations and medical treatment of persons confined to an institution;
   (b) letters of reference concerning employment, licensing or permits;
   (c) letters or memoranda that are matters of opinion in personnel files or students' cumulative files;
   (d) law enforcement Records that reveal confidential sources, methods, information or individuals accused but not charged with a crime. Law enforcement Records include evidence in any form received or compiled in connection with a criminal investigation or prosecution by a law enforcement or prosecuting agency, including inactive matters or closed investigations to the extent that they contain the information listed in this paragraph;
(e) as provided by the Confidential Materials Act [14-3A-1 and 14-3A-2 NMSA 1978];
(f) trade secrets, attorney-client privileged information and long-range or strategic business plans of Public hospitals discussed in a properly closed meeting;
(g) tactical response plans or procedures prepared for or by the state or a political subdivision of the state, the Publication of which could reveal specific vulnerabilities, risk assessments or tactical emergency security procedures that could be used to facilitate the planning or execution of a terrorist attack; and
(h) as otherwise provided by law
(i) redacted portions of Public Records to the extent redaction is permitted or required by the Act or by law including but not limited to the redaction of Protected Personal Identifier Information.

4.5 "Record"Person" means any individual, corporation, partnership, firm, association or entity.

4.6 "Protected Personal Identifier Information" means:
(a) all but the last four digits of a:
(b) taxpayer identification number;
(c) financial account number; or
(d) driver's license number;
(e) all but the year of a person's date of birth; and
(f) a social security number;

4.7 Public"Public Records" or "Records" means all documents, papers, letters, books, maps, tapes, photographs, Recordings and other materials, regardless of physical form or characteristics, that are used, created, received, maintained or held by or on behalf of the NCRTD and relate to Public business, whether or not the Records are required by law to be created or maintained that are not Exempt.

5.0 POLICY

5.1 It is the NCRTD's policy to comply with the New Mexico Inspection of Public Records Act regarding written requests to inspect and/or copy Public Records. The NCRTD shall strive to achieve openness and transparency of all NCRTD functions to the maximum extent permissible and consistent with all state and federal laws.

6.0 PROCEDURES:

6.1 All written requests for inspection of Public Records shall be filed in the Records Custodian's office. The Records Custodian shall serve as the Custodian of Public Records for the NCRTD. Written requests may be entered on a "Request for Public Information" form available at the NCRTD Office(s) or on the NCRTD website at [www.n.crtd.org](http://www.n.crtd.org) (Exhibit A.1)
6.2 A written request may be submitted on paper or electronically and the Custodian shall respond in the same medium in which the request was received. In addition Custodians may respond in any other medium they deem appropriate, but must also respond in the same medium in which it was received. (See, The Act's Section 14-2-7 (B)).

6.3 Each written request shall provide the name, address and telephone number of the person seeking Records and shall identify the Records sought with reasonable particularity. Electronic requestors shall be responded to via either an e-mail or dropbox. The requestor is responsible for providing electronic contact information.

6.4 No person requesting Records shall be required to state the reason for inspecting the Records.

6.5 The NCRTD Custodian will notify appropriate staff of any Record request and provide them with a copy to ensure they produce the responsive information in a timely fashion and are informed regarding the request for information.

6.6 The staff contacted by the Custodian shall provide the Public Records to the Custodian immediately or as soon as is practicable under circumstances, but not later that twelve days after the date the written request was filed with the Custodian. If the Records requested are too voluminous to provide to the Custodian, the Custodian will be informed of the location where they may be inspected. If the inspection is not permitted within three business days, the staff contacted shall explain in writing to the Custodian when the Records will be available for inspection or when the NCRTD will respond to the request. (The three-day period shall not begin until the written request is delivered to the office of the Custodian). The written explanation shall be filed with the Custodian by noon (12:00 p.m.) on the third business day after the request for the inspection of Public Records was filed with the Custodian. The Custodian shall release the explanation to the requester.

6.7 If the Custodian determines that a written request is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request. The Custodian shall provide written notification to the requester within fifteen days of receipt of the request that additional time will be needed to respond to the written request. The requester may deem the request denied and may pursue the remedies available pursuant to the Inspection of Public Records Act if the Custodian does not permit the Records to be inspected in a reasonable period of time.

6.8 Requested Public Records containing information that is exempt and nonexempt from disclosure shall be separated by the Custodian prior to inspection, and the nonexempt information shall be made available for inspection. If necessary to preserve the integrity of computer data or the confidentiality of exempt information contained in a database, a partial printout of data containing Public Records or information may be furnished in lieu of an entire database. Exempt information in
an electronic document shall be removed along with the corresponding metadata prior to disclosure by utilizing methods or redaction tools that prevent the recovery of exempt information from a redacted electronic document.

6.9 The Custodian shall redact Protected Personal Identifier Information before providing a Public Record. The Custodian may seek the advise and counsel of the District's attorney as necessary for redactions.

6.10 A Custodian shall provide a copy of a Public Record in electronic format if the Public Record is available in electronic format and an electronic copy is specifically requested. However, a Custodian is only required to provide the electronic Record in the file format in which it exists at the time of the request.

6.11 Unless a written request has been determined to be excessively burdensome or broad, a written request for inspection of Public Records that has not been permitted within fifteen days of receipt by the office of the Custodian may be deemed denied. The person requesting the Public Records may pursue the remedies provided in the Inspection of Public Records Act.

6.11.1 If a written request has been denied, the Custodian shall provide requester with a written explanation of the denial. The written denial shall:
   a) Describe the Records sought;
   b) Set forth the names and titles or positions of each person responsible for the denial; and
   c) Be delivered or mailed to the person requesting the Records within fifteen days after the request for inspection was received.

6.12 If the Public Record is located at an offsite location, the Records Custodian for the NCRTD shall request and locate the Record from the offsite storage location as soon as possible, following existing procedures for withdrawal of Records.

6.13 NCRTD originals or best copy documents shall not be physically released to anyone outside the NCRTD. The NCRTD Records Custodian shall issue verified, certified copies of any and all documents in the NCRTD's custody upon written request for Records or subpoenas.

6.14 The Custodian shall provide copies of Public Records upon request with a reasonable cost charged for reproduction. The copy fees are listed in Exhibit A.2

6.15 When producing documents in electronic format the Custodian can charge a requester the actual costs PublicRecordof the storage device, including the actual cost of the computer disk or storage device. Record

6.16 Any document to be provided in electronic format may be converted into a PDF file format by the Custodian prior to release and may be stamped or marked to indicate the authenticity or status of the document including whether the document is a draft and whether the document is current or outdated.
6.17 Nothing in this section regarding the provision of Public data in electronic format shall limit the ability of the Custodian to engage in the sale of data as authorized by NMSA 1978, Section 14-3-15.1, including imposing reasonable restrictions on the use of the database and the payment of a royalty or other consideration.

6.18 All responses to requests for electronic copies in draft stage shall carry the following disclaimer: "Documents produced in response to Public Records request may be altered subsequent to production particularly when in electronic format. Draft documents may be inaccurate, may have incorrect or misleading information, may not state the policies, positions or conclusions of senior management or the NCRTD board and are subject to change subsequent to inspection or production. Draft documents should not be relied upon as representations by the NCRTD or its agents as to any fact or conclusion and are not reliable sources of accurate information."
EXHIBIT B

NCRTD REQUEST FOR PUBLIC RECORDS

In accordance with NMSA 1978, Section 14-2-1, as amended, I would like to inspect and/or copy the following documents: (please list Records with reasonable particularity)

I promise to pay charges as listed in the attached Fee Schedule. If the charges will exceed $________ please call me to discuss. I understand that payment is due at, or before, the time of receipt of any copies requested. A receipt shall be provided upon request.

Public Records will be available from 8:00 a.m. to 5:00 p.m. on normal business days. Original Records may not be removed from the NCRTD offices.

Name of Requester __________________________ Date ____________

Signature __________________________ Telephone Number ____________

Address __________________________ E-mail Address __________________________

FOR DEPARTMENT USE ONLY

The request to inspect Public Records is: 3 Day Deadline __________________________
Approved __________________________ 15 Day Deadline __________________________
Disapproved for the following reason(s): Date Completed __________________________
________________________________________ No. of Copies __________________________
________________________________________ Cost __________________________
________________________________________ Receipt No. __________________________
EXHIBIT C

FEE SCHEDULE FOR PUBLIC RECORDS

PHYSICAL RECORDS

<table>
<thead>
<tr>
<th>Size</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>11” x 17” copies or smaller</td>
<td>Color or b&amp;w, one side only</td>
<td>$0.10 per page</td>
</tr>
<tr>
<td>11” x 17” or larger</td>
<td>Maps, drawings, documents</td>
<td>$0.25 per page</td>
</tr>
</tbody>
</table>

Free Copies

Each request is entitled to fifteen copies at no charge per calendar year for documents 11” x 17” in size of smaller.

US Postal Services

Actual costs incurred

Documents on CD/DVD

$6.75 per CD/DVD

Audio Tapes

$2.75 per tape

ELECTRONIC RECORDS

Documents in electronic format

No charge for documents that can be sent in a single e-mail (currently about 20MB)

Dropbox Charges

Documents that cannot be sent in a single e-mail will be delivered to a dropbox for pickup by the requestor. The fee for these requests shall be any fee incurred by the District for the Dropbox.

Access to, and use of District data and databases may be restricted pursuant to NMSA 1978, Section 14-3-15.1. In the event that a requester seeks access to or use of District data the Executive Director is authorized to establish and impose such restrictions on use, fees and charges as the Executive Director deems reasonable and proper based upon the nature and extent of the request.
EXHIBIT D

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the New Mexico Inspection of Public Records Act (Act), every person has the right to inspect Public Records of the North Central Regional Transit District (NCRTD). The Act also makes compliance with requests to inspect Public Records an integral part of the routine duties of the officers and employees of the NCRTD.

Procedures for Requesting Inspection. Requests to inspect Public Records should be submitted to the Records Custodian (Public Information Officer) located at 1327 N. Riverside Drive, Espanola, NM 87532, , or by email to jimn@ncrtd.org

A person desiring to inspect Public Records may submit a request to the Records Custodian orally or in writing. However, the procedures and penalties prescribed in the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. Written requests may be submitted in person or sent via US mail, email or facsimile. The request must describe the Records sought in sufficient detail to enable the Records Custodian to identify and locate the requested Records.

The Records Custodian must permit inspection immediately or as soon as practicable; but no later than 15 calendar days after the Records Custodian receives the inspection request. If inspection is not permitted within three business days, the person making the request will receive a response, in the format by which it was received, explaining when the Records will be available for inspection or when the Public body will respond to the request. If any of the Records sought are not available for Public inspection, the person making the request is entitled to a response from the Records Custodian explaining why. Generally, the written denial shall be delivered in the format by which it was originally received and/or mailed within 15 calendar days after the Records Custodian received the request for inspection. Some burdensome requests may take additional time and the Custodian will provide notice if the request is deemed burdensome pursuant to the District's then current Public Records Request Policy.