

**CHAPTER 3  
RECORDS RETENTION**

**Authority**

N.J.S.A. 47:3-15 et seq.

**Source and Effective Date**

R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 3, Records Retention, expires on December 16, 2001.

**Chapter Historical Note**

The rules in Chapter 3, Records Management, were formerly codified at N.J.A.C. 6:66. Pursuant to N.J.S.A. 52:146-2, the Bureau of Records Management Services in the Division of the State Library in the Department of State and the Archives Section in the Bureau of Law, Archives and Reference Services in the Division of the State Library, Archives and History in the Department of Education, were transferred to the Division of Archives and Records Management in the Department of State, effective June 24, 1983. See: 15 N.J.R. 818(a). Pursuant to Executive Order No. 66(1978), Chapter 3 expired on May 20, 1986 and was adopted as new rules by R.1986 d.238, effective July 7, 1986. See: 18 N.J.R. 820(b), 18 N.J.R. 1401(b). Pursuant to Executive Order No. 66(1978), Chapter 3 expired on July 7, 1991. In accordance with N.J.A.C. 1:30-4.4(f), the rules proposed for reoption with amendments were adopted as new rules by R.1991 d.452, effective August 19, 1991. See: 23 N.J.R. 1912(b), 23 N.J.R. 2519(a). Pursuant to Executive Order No. 66(1978), Chapter 3, Records Management, expired on August 19, 1996.

Chapter 3, Records Retention, was adopted as new rules by R.1996 d.590, effective December 16, 1996. See: Source and Effective Date.

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## SUBCHAPTER 1. GENERAL PROVISIONS

**15:3-1.1 Purpose and scope**

The Division of Archives and Records Management is charged with the responsibility for establishing the framework for the management of public records in a systematic and comprehensive fashion. This chapter encompasses all public entities at the State, county and local government levels, including subdivisions thereof.

**15:3-1.2 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Agency” means any unit of State, county, or municipal government whether known as a department, division, board, commission or otherwise.

“Archival records” means permanent records which are noncurrent and are not required to be retained in the office in which they originate.

“Current year” means year prior to date on which a record had been filed.

“Disposable records” means records which have a temporary value and, in consequence, may be destroyed after the lapse of a specified time, or after the occurrence of some Act which renders them valueless.

“Division” means Division of Archives and Records Management in the Department of State.

“Permanent records” means records which have a permanent or enduring administrative, legal, fiscal, research or historical value, and, in consequence thereof should be retained and preserved indefinitely.

“Public records” means any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, sound-recording or similar device, or any copy thereof which has been made or is required by law to be received for filing, indexing, or reproducing by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received by any such officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

“Records center” means an intermediate area where agencies send inactive material which is maintained in an accessible manner until the agency obtains authority for its disposal.

“Records series” means any groups of related records which are normally used and filed as a unit and which permit evaluation as a unit for disposition purposes.

“Retention period” means the period of time that must elapse before the records are disposed.

“Retention schedule” means a list indicating the length of time records must be retained.

“Semicurrent records” means any records that are needed infrequently for the conduct of current operations and are not required to be retained in the office in which they accumulate.

“State records committee” means a committee established under N.J.S.A. 47:3-20 to approve retention schedules and review requests for disposal of public records. The committee consists of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services, and the Director of the Division of Archives and Records Management, or their designated representatives.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

## SUBCHAPTER 2. STATE RECORDS MANUAL

**15:3-2.1 Destruction of State public records**

No State agency shall destroy, sell or otherwise dispose of any public records, archives or printed public documents which are under its control or in its care or custody, whether or not they are in current use, without having first secured from the Division authorization to do so in accordance with the provisions of Destruction of Public Records law.

**15:3-2.2 Authorization for destruction of State public records**

Each State agency shall secure from the Division in the manner and form prescribed by it, authorization to destroy or otherwise dispose of those records in its possession which are considered by it to have no further administrative, legal, fiscal or historical value sufficient to warrant their continued retention.

**15:3-2.3 Records retention schedule**

No destruction authorization shall be issued by the Division to a State agency unless a records retention schedule has been prepared and approved for the particular agency or department.

**15:3-2.4 Secretary to State Records Committee**

The Director of the Division of Archives and Records Management shall act as secretary to the State Records Committee and shall be responsible for the proper recording or its proceedings.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.5 Procedure for establishing records retention schedules for State agencies**

(a) Record retention schedules provide a uniform, effective and systematic control on records keeping and destruc-

tion. Through the use of such schedules, agencies can insure that valuable records are preserved and that records of temporary nature are disposed of when no longer needed. This, of course, will reduce the need for expensive filing equipment and, in general, provide a more efficient filing system. The installation of systematic controls on records keeping and the establishment of approved retention and disposal schedules within State departments shall include the following steps:

1. The Division will assist the various departments in preparing the inventory and drafting the records retention schedule.

2. When the inventory and appraisal are completed, a Records Retention and Disposition Schedule, as set forth in N.J.A.C. 15:3-2.3, is to be prepared.

3. Clearance for the recommended records retention schedule are obtained on the Records Retention and Disposition Schedule. Initial clearances are made by the officials primarily concerned with the record. These officials indicate their approval by initiating the form. The department or division heads or the chief executive officer of any autonomous agency gives approval by signing the schedule in the designated space.

4. Proposed record retention schedules shall be reviewed by the State Records Committee and either approved, disapproved or amended. If approved, the record retention schedule is signed by the Director of the Division as Secretary to the State Records Committee and the agency shall be notified.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

#### **15:3-2.6 Procedures for requesting authorization for disposal of records**

(a) Any State agency desiring authorization to destroy records in its possession shall, at least 30 days prior to the date proposed for the destruction of the records, submit to the Division a request for such authorization in the manner and form prescribed by the Division. The following procedure will be followed by the appropriate parties in sequence in processing requests for authorization:

1. The agency shall prepare a Request and Authorization for Records Disposal form as set forth in N.J.A.C. 15:3-2.26, in quadruplicate. The agency shall send the completed form to the Division of Archives and Records Management.

2. The Division of Archives and Records Management reviews the disposal request for completeness, and enters the date of authorization and the authorization number. The Division of Archives and Records Management will approve, disapprove or amend the request for authorization as based upon the adopted schedule. If approved, authorization is signed by the Director of the Division, or his or her designee, as Secretary to the State Records Committee and, if not approved, the request is returned to the originating agency with an explanation of errors to be corrected.

3. The State Records Committee approves, disapproves or amends request for authorization if the item is not based upon the adopted schedule.

4. The Division of Archives and Records Management files the original; returns signed copy to the agency; and forwards Auditor's copy to the Office of the State Auditor.

5. The requesting agency shall examine the returned copy for any changes or omissions. When destruction has

been completed, returns follow-up copy to the Division with the necessary disposition information.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Amended form and Division references and N.J.A.C. cites; and modified procedure in (a)4.

#### **Cross References**

Disposal of original state records after microfilming, see 15:3-2.22.

Local records on microfilm, destruction of originals, see 15:3-3.12.

#### **15:3-2.7 Audit of fiscal records of State agencies**

Fiscal records may not be disposed of until they have been audited and the audit approved, or upon approval by the Office of the State Auditor, that they are not required for future audit.

#### **15:3-2.8 Physical destruction of State records**

When disposal is authorized, records must be destroyed in fact and not be allowed to fall into unauthorized hands. Non-confidential records may be sold for waste, providing that they will eventually be processed to destroy their identity. Confidential records must be destroyed by burning, shredding or pulping, and a responsible official shall supervise such disposal or accompany the records, if they have to be transported, to see that they are in fact totally destroyed.

#### **15:3-2.9 Wastepaper revenue**

All revenues obtained from the sale of wastepaper shall be made payable to the General Fund of the State Treasurer.

#### **15:3-2.10 Records center**

(a) A records center is a low cost, centralized area for housing and servicing semicurrent records whose reference rate does not warrant their storage in expensive office space and equipment. Records are transferred to the center when they become sufficiently inactive to permit their removal from the offices having custody of them. The records center will furnish the necessary reference service to the files in its custody and will dispose of them after their retention period has expired.

(b) The Division may designate a records center for the storage of semicurrent State records.

#### **15:3-2.11 Permanent preservation in the State Archives**

Archival records must be transferred to the Division of Archives and Records Management for permanent preservation. The Director, Division of Archives and Records Management, or his or her representative, shall designate which records are archival.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.12 Time and manner of transfer to State Archives**

The transfer of archival records from the office of their origin to the State Archives shall be made at such times and in the manner and form prescribed by the Division.

**15:3-2.13 Standards for microfilming public records:  
Purpose**

(a) These microfilm standards have been designed to promote uniformity and quality in the production of microfilm for State, county and municipal governments in New Jersey. All agencies engaged in microfilming government records must meet these standards to insure the following:

1. That microfilm copies contain all significant detail shown on the original record;
2. That microfilm copies are usable and legible reproductions of the original record;
3. That the microfilm reproduction will have the same acceptability and legal status as the original record; and
4. That the microfilm reproduction will meet standards of archival quality.

**15:3-2.14 Authority to establish microfilm standards**

Concerning the photographic reproduction of public records, N.J.S.A. 47:3-26 provides that: "The Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee established by section six hereof, shall formulate standards and procedures for the photographing, microphotographing and microfilming of public records and for the preservation, examination and use of such records, including the indexing and arrangement thereof, for convenient reference purposes."

Amended by R.1996 d.590 effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.15 Microfilm standards**

(a) The following standards must be met before permission to destroy the originals is granted:

1. Since many factors are involved in the use of microphotography for records management, a careful analysis of each record group should be made before microfilming. Following are some of the most important factors in determining which records are to be filmed.

- i. Retention period and volume are perhaps the most important aspects to consider. Since microfilming is not inexpensive, only records in large volume with retention periods of seven years or longer should be considered. Records of shorter retention periods but of such volume or use that storage becomes a problem would be an exception to this rule.

- ii. Rate and reference to records: records with high reference rates or unusual methods of indexing may be poor subjects for microfilming.

- iii. All roll film will have the following targets at the end of each reel: density targets; National Bureau of Standards' resolution target; and operator's certificate. Should any reel(s) lack an operator's certificate, an agency may upon prior notification and approval of the supervisor of microfilm services, splice a certificate on the end of the reel(s). This will be permitted only in those cases where the operator who actually filmed the documents on the reel(s) signs the certificate. Splicing must also be done in accordance with the standards set forth in 3vii below.

2. When converting documents to microfilm, certain measures must be followed to insure quality, legality and access to information contained on the microfilm.

- i. The records to be filmed must be arranged, identified and indexed to insure reasonable ease in locating individual documents.

- ii. All roll film must have the following targets at the beginning of the reel: density targets; National Bureau of Standards' resolution target; certificate of authenticity; title target containing title of records filmed, start file and end file (if known), reduction ratio, camera type, film type, department or agency having custody of the records.

- iii. All roll film will have the following targets at the end of each reel: density targets; National Bureau of Standards' resolution target; and operator's certificate. Should any reel(s) lack an operator's certificate, an agency may upon prior notification and approval of the supervisor of microfilm services, splice a certificate on the end of the reel(s). This will be permitted only in those cases where the operator who actually filmed the documents on the reel(s) signs the certificate. Splicing must also be done in accordance with the standards set forth in 3vii below.

- iv. Where applicable, roll film should contain retake and correction targets.

- v. Examples of the targets given in (a)2ii through iv above are available from the Division of Archives and Records Management.

3. The master negative is the original reel of film produced.

- i. Only a safety-base, permanent record film with a gelatin-silver halide emulsion, developed to a black and white image and meeting the standards of the American National Standards Institute: PH 1.28, PH 1.29, and PH 1.41, will be used for copies of such records.

ii. For most documents, optimum density should read 1.0 to 1.20 for original first generation camera film. Acceptable standards will fall between a minimum of 0.80 and a maximum of 1.35. The supervisor must use judgment to determine the most suitable density within this range for the documents being filmed. To permit a more accurate reproduction of the original roll, each image should maintain, as far as possible, a specific density throughout the roll. Since the color of the original documents will effect the density of the image, and not all documents in a particular record series may have the same color, an average density aim point should be chosen.

iii. A density minimum reading taken from the non-image or clear area of the film will not exceed a reading of 0.12 or manufacturer's specifications using automatic retrieval systems. Readings should be made close to the center of the film strip to avoid edge fog interference. (Note: Both background density and D-min density must be taken with a transmission densitometer.)

iv. A microscope having a magnification of 50X to 150X with achromatic objectives must be used to read the resolution from the National Bureau of Standards' microcopy resolution test chart. The line direction method will be used in making the determination of resolution. A minimum resolution of 80 lines per millimeter on rotary cameras and 110 lines per millimeter on planetary cameras must be obtained on first generation camera film.

v. Thiosulfate residual content should be tested at least once a month. Only the methylene blue test method will be considered sufficiently reliable to determine archival quality. American National Standards Institute PH 1.28, as amended and supplemented, states the levels of thiosulfate concentration that must be observed.

vi. A target indicating the beginning and end of retakes must be used. Retakes may be placed at the beginning or end of a roll of film and, when possible, in sequence. When computer-assisted or random retrieval methods are used, retakes may be placed on the following roll with retake targets. Placement of retakes should be decided before the start of filming and remain consistent.

vii. Splices should be kept to a minimum: no more than four splices per roll will be accepted. When splicing images in proper sequence within duplicate rolls, only heat-weld splicing will be considered archival.

viii. All film will be processed to meet National Bureau of Standards' PH 4.8. Dry chemical processing will not be acceptable. Film failing to meet the specified limits for thiosulfate concentration will not be acceptable.

ix. All film must be inspected for proper indexing, density, resolution and, for residual thiosulfate. Film should be free of scratches, abrasions, blemishes or other defects.

4. The original roll of film must be maintained in archival storage when the records contain information essential to the continuity of governmental operations and the protection of the rights of individuals. Any irreplaceable records having a retention period classified as permanent should be included in this category. When film is to be cut for jackets or aperture cards, the original roll may be used provided an uncut duplicate roll of silver halide film has been prepared for storage. American National Standards Institute requires film specifications for archival storage PH 1.28, PH 1.25 and PH 1.41. The following specifications must be followed for archival storage:

i. The relative humidity of the storage vault or room must not exceed 40 percent.

ii. Temperatures must not exceed 70 degrees Fahrenheit.

iii. Rapid and wide-range cycling of humidity or temperature must be avoided and in no instance exceed plus and/or minus five percent in a 24 hour period.

iv. No rubber bands, tape or other foreign objects may be used to hold film on the reels.

v. The materials used for storage should not ignite, decompose, or develop reactive fumes or vapors.

vi. Film must be stored in a closed container of such inert material as plastic.

vii. At two year intervals, a one percent random sample must be inspected. For each biennial inspection, a different lot sample should be chosen with some samples of the previous lot reinspected. Any signs of deterioration noted must be reported to the Division of Archives and Records Management. Look for signs of peeling emulsion, brittleness, molding and blemishes.

5. Methods of duplication include the use of silver halide, diazo and vesicular film.

i. Silver halide duplication film is the only duplicating film considered suitable for producing microfilm of archival quality. Silver halide film must be used when producing copies of the original master negative intended for archival storage. Although the cost is high compared to other types of duplicating film, both negative and positive copies can be produced.

ii. Diazo duplication film is not considered archival in quality and must not be used to produce master-negative copies of originals. A diazo copy will maintain the same polarity as the original master (negative to negative; positive to positive). Unexposed diazo film has a very short shelf life unless refrigerated. After exposure and processing, diazo film has an estimated usability of 100 years under ideal storage conditions. Diazo film is less expensive than silver halide film and very durable.

iii. Vesicular duplication film is not archival in quality and must not be used to produce master-negative film. Vesicular film is a reversing process film—the polarity of the copy will be reversed to that of the original master (positive to negative, negative to positive) through exposure and processing by heat. Vesicular film should be only used for short term storage applications. However, when not fully exposed, vesicular film may develop eligible, cosmetic blemishes. Vesicular duplication film may also be considered suitable for distribution or working copies when archival quality is not a factor.

As amended, R.1983 d.241, effective June 20, 1983.

See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

In (a)2iii, added operator's certificate requirement.

Correction: Added missing text to (a)2iii "Should any reel(s) . . . in 3vii below."

See: 18 N.J.R. 1623(b).

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

In (a)2ii, deleted reel number target requirement; in (a)2v and (a)4vii, changed Division name; in (a)3v, updated PH reference; in (a)5ii, usability estimate increased from 20 years; and made nonsubstantive changes throughout.

### **15:3-2.16 Notice to Division of Archives and Records Management of intention to microfilm State records**

If, after considering all of the above factors, a particular record series is selected to be microfilmed, notice shall be given to the Division of Archives and Records Management of such intention specifying the record series involved. Such notification will give the Division's technical staff an opportunity to make constructive recommendations shall such be necessary. This will also insure proper conformance with the statute.

Amended by R.1996 d.590, effective December 12, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### **15:3-2.17 Microfilm projects**

(a) The Division of Archives and Records Management shall provide agencies with expert assistance and advise in the establishment and operation of all approved microfilm projects.

(b) All projects that need to be microfilmed shall be undertaken by the Microfilm Unit located in the Division of Archives and Records Management. These projects shall be provided with equipment and supplies on a debit and credit basis, debiting the user expendable items supplied to them, that is, microfilm machine use, film, and so on. The debit and credit for personnel will be based on actual days expended in preparation, filming, and checking film for the project, in addition to which the Division shall append a 15 percent fee, based on a percentage of those charges, to meet related administrative and document transport costs. Projects of permanent or lengthy duration, including service contracts with private vendors may, on approval, be conducted by the Department under whose custody the records remain; provided the following conditions are adhered to:

1. Standard operating procedures for the project shall be instituted and supervised by the Division of Archives and Records Management to insure the accuracy and quality of the work.

2. Full responsibility for maintaining these specifications and standards shall be assumed by the agency conducting the project.

3. Within the limits of time available, the State Microfilm Supervisor shall make periodic inspections to insure that the microfilm standards of the State of New Jersey are being implemented.

As amended, R.1983 d.241, effective June 20, 1983.

See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

In (b), added "including service contracts with private vendors."

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Amended by R.2001 d.389, effective October 15, 2001.

See: 33 N.J.R. 2253(a), 33 N.J.R. 3651(a).

In (b), rewrote the third sentence.

### **15:3-2.18 Monthly microfilm activities report**

The supervisor of every microfilm unit shall submit to the Supervisor of Microfilm Services in the Division of Archives and Records Management, Department of State, a monthly activities report. Such report, to be submitted within five working days of the end of the month, shall detail the work accomplished by the unit during the preceding month.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### **15:3-2.19 Filming, inspection, destruction of records**

Records to be microfilmed by the Microfilm Unit shall be transferred to the Division of Archives and Records Management. When records have been filmed and the film properly inspected, the Division will notify the agency that the original records are eligible for destruction. A Request and Authorization for Records Disposal form shall be used for this purpose.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### **15:3-2.20 Notice to Division of Archives and Records Management of installation of a permanent microfilm project**

State agencies considering the installation of a permanent microfilm project shall notify the Division of Archives and Records Management in order to obtain approval as to the feasibility of purchasing microfilm equipment or instituting such a project. Additional purchases of equipment will also require the approval of the Division. This includes purchase of computer output microfilm (COM) and computer assisted retrieval (CAR) systems/services and the purchases of all computer-related microfilm technology.

As amended, R.1983 d.241, effective June 20, 1983.

See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

Added last sentence.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.21 Expert assistance from Division of Archives and Records Management concerning microfilm projects**

The Division of Archives and Records Management shall provide agencies with expert assistance and advice in establishment and operations of all approved microfilming projects. This included the establishment and operation of computer output microfilm (COM) and computer assisted retrieval (CAR) systems services and all computer-related microfilm technology.

As amended, R.1983 d.241, effective June 20, 1983.  
See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

Added last sentence.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.22 Disposal of original State records after microfilming**

(a) No original records may be destroyed after microfilming unless the agency obtains permission to do so from the Division. A Request and Authorization for Records Disposal form, as set forth in N.J.A.C. 15:3-2.26, may be used for this purpose. Signed certification shall accompany the form stating that the listed records have been microfilmed in accordance with the rules and regulations of the subchapter and that with the creation of these microfilm copies, the original records have ceased to have sufficient value to warrant their retention.

(b) Authority to destroy the paper records may be withheld when inspection reveals improper photographic exposure, distorted or unreadable microfilm images, or evidence of loss of the integrity of the original files through inadequate identification, lack of proper indexing, or rearrangement of papers in such a manner that their original identity and usability is lost.

(c) See N.J.A.C. 15:3-2.7 (Audit of fiscal records) and 2.8 (Physical destruction of State records) for disposing of paper records.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.23 Records retention and disposition schedule**

The records retention and disposition schedule is available from the following address: Department of State, Division of Archives and Records Management, 2300 Stuyvesant Avenue, CN 307, Trenton, New Jersey 08625.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.24 Instructions for preparing Records Retention and Disposition Schedule**

Each records retention and disposition schedule shall be prepared by the Division of Archives and Records Management. Information for the preparation of the schedule shall

be taken directly from the State Records Inventory and Appraisal Worksheet. Only active and continuing records shall be scheduled. Nonrecurring or discontinued records shall not be listed on this schedule. Supplemental schedule pages shall be used to continue items after the first sheet has been filled. Upon completion by the Division, the schedule shall then be presented to the bureau, division, or department head of the agency concerned for approval and signature, prior to submission to the State Records Committee for adoption.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).  
Rewrote section.

**15:3-2.25 General records retention schedule**

The State Records Committee will issue a general records retention schedule covering records common to all State agencies. The chairman of the State Records Committee will sign the retention schedule as the requestor.

**15:3-2.26 Request and Authorization for Records Disposal form**

Request and Authorization for Records Disposal forms are available from the following address:

Department of State  
Division of Archives and Records Management  
CN 307, 2300 Stuyvesant Avenue  
Trenton, New Jersey 08625

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

**15:3-2.27 Instructions for preparing Request and Authorization for Records Disposal forms**

(a) These instructions are issued for your guidance in the preparation of disposal request forms. Before preparing a form, please read the instructions carefully.

1. Purpose. The disposal request form provides a procedure, approved by the State Records Committee, by which State officials may:

i. Request authorization for destruction of records in accordance with N.J.S.A. 47:3-17;

ii. Obtain permission from the Division of Archives and Records Management for the destruction of records listed on an approved records retention schedule.

2. Preparation. This form is to be prepared in quadruplicate. The form is to be forwarded to the Division of Archives and Records Management. Upon approval, the agency copy will be returned to the requesting agency, along with the follow-up copy. When destruction has been completed, destruction information shall be inserted on both the original and the follow-up copy then returned to the Division of Archives and Records Management.

3. Detailed instructions:

i. Item No. 1, Requesting Agency Name: When filling out this block, each agency shall identify itself and indicate the name of the organization unit responsible for the records. For example, this entry may read:

Health Benefits  
Pensions  
Department of Treasury  
Trenton, New Jersey

ii. Item No. 2, Request Date: Each agency shall indicate the date upon which the form is submitted.

iii. Item No. 3, Request By: Signature and title of the official primarily concerned with the record.

iv. Item No. 4, Request Approved By: Signature and title of officer approving the request, which shall be the head of the agency or one officially designated by him or her. Such person shall not be the same person affixing his or her signature in (a)3iii above.

v. Item No. 5, Series Number: In this column, numbers appearing on established records retention schedules shall be inserted. In cases where records have no established schedule number, contact the Division of Archives and Records Management for guidance.

vi. Item No. 6, Record Series Title: In this column, the titles and descriptions appearing on established records retention schedules shall be inserted. In cases where items are not on an established schedule, the entry shall explain in some detail the title and function of the record so that no misunderstanding may arise regarding the record itself or its use.

vii. Item No. 7, Inclusive Dates: This column shall include the date span for each series of records listed, by year.

viii. Item No. 8, Retention Period: The retention period shall be the same as that contained in an established records retention schedule. In cases where items are not on a schedule, the requesting official shall contact the Division of Archives and Records Management for assistance in establishing a schedule.

ix. Item No. 9, Volume: Volume shall be measured in cubic feet bearing in mind that one file drawer, either letter or legal size is equal to two cubic feet. Fractions shall be rounded-off. Do not use a measurement of less than one cubic foot.

x. Item No. 10, Audit Verification: The Office of the State Auditor shall complete this section.

xi. Item No. 11, Authorization: Formal approval by the Division of Archives and Records Management. No entry shall be made in this section except by the Division, which shall assign an authorization number and date of approval.

xii. Item No. 12, Disposition: The disposition action shall state the date, method of disposal, and signature of the approving officer.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).  
Rewrote (a)3.

### 15:3-2.28 Updatable microfiche systems

(a) An updatable microfiche system is to be used only in special applications. Any agency considering using such a system should first contact the Supervisor of Microfilm Services to review the proposed applications. The updatable microfiche must meet the microfilm specifications as outlined in N.J.A.C. 15:3-2.15 with the following additions:

1. Each microfiche must have the specified targets at the beginning and ending of each microfiche.
2. Each time a microfiche is updated a certificate of authenticity must be inserted at the end of the added documents.
3. If permanent records are to be microfilmed and the hard copy records destroyed the microfiche security copy must be on silver halide film and stored under archival conditions.
4. The expunging equipment on the updatable microfiche camera must be rendered inoperable or the hard copy of the microfilmed records may not be destroyed.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

## SUBCHAPTER 3. LOCAL RECORDS MANUAL

### 15:3-3.1 Destruction of local public records

No county or municipal agency shall destroy, sell or otherwise dispose of any public records, archives or printed public documents which are under its control or in its care or custody, whether or not they are in current use, without having first secured from the Division authorization to do so in accordance with the provision of the Destruction of Public Records Law.

### 15:3-3.2 Authorization for destruction of local public records

Each county or municipal agency shall secure from the Division, in the manner and form prescribed by it, in N.J.A.C. 15:3-3.16, authorization to destroy or otherwise dispose of public records in its possession which are considered by it to have no further administrative, legal, fiscal or historical value sufficient to warrant their continued retention. Records with no further administrative, legal or fiscal value, but that are considered to have historical significance can be deposited in an archival repository with the approval of the Division. The request for deposit must stipulate that any subsequent destruction must be in conformance with the provisions of the Destruction of Public Records Law. All applications for destruction or other disposition will be considered on an individual basis.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.3 Secretary to State Records Committee

The Director of the Division of Archives and Records Management shall act as secretary to the State Records Committee and shall be responsible for the proper recording of its proceedings.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.4 Types of destruction authorized for local agencies

(a) Authorizations issued by the Division to agencies to destroy public records in their possession shall be of two major types:

1. Listed authorizations. Authorization to destroy a specific record series. Does not include any authorization to destroy a part or parts of the record series in the future.
2. Scheduled authorization. Authorization to destroy a specific record series for which a minimum retention period has been set. Such period must elapse before the record may be destroyed.

### 15:3-3.5 Procedure for requesting authorization for disposal of records

(a) Any county or municipal agency desiring authorization to destroy records in its possession shall, at least 30 days prior to the date proposed for the destruction of the records, submit to the Division a request for such authorization in the manner and form prescribed by the Division. The following procedure will be followed by the form prescribed by the Division. The following procedure will be followed by the appropriate parties in sequence in processing such authorizations:

1. The agency shall prepare a Request and Authorization for Records Disposal form, as set forth in N.J.A.C. 15:3-3.15 and 3.16 in quadruplicate; the agency shall send the completed form to the Division of Archives and Records Management.
2. The Division of Archives and Records Management reviews the disposal request form for completeness; and enters the date of authorization and the authorization number. The Division of Archives and Records Management will approve, disapprove or amend the request for authorization as based upon the adopted schedule. If approved, authorization is signed by the Director of the Division or his or her designee, as Secretary to the State Records Committee and if not approved, the request will be returned to the originating agency with an explanation of errors to be corrected.
3. The State Records Committee approves, disapproves or amends request for authorization if the item is not based upon the adopted schedules.

4. The Division of Archives and Records Management files the original and returns the signed copy to the agency.

5. The requesting agency examines the returned copy for any changes or omissions. When destruction has been completed, agency enters disposition action on requesting agency copy and follow-up copy, and returns follow-up copy to the Division.

Amended by R.1996 d.590, effective December 16, 1996.  
See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Amended form and Division references and N.J.A.C. cites; and in (a)4 and (a)5, modified procedures.

### 15:3-3.6 Audit of fiscal records of local agencies

No fiscal records may be disposed of until either they have been audited and the audit approved, or they are not required for future audit.

### 15:3-3.7 Physical destruction of local public records

When disposal is authorized, records must be destroyed in fact and should not be allowed to fall into unauthorized hands. Nonconfidential records may be sold for waste providing that they will eventually be processed to destroy their identity. Confidential records must be destroyed by burning, shredding or pulping, and a responsible official shall supervise such disposal or accompany the records, if they have, to be transported, to see that they are in fact totally destroyed.

### 15:3-3.8 Use of record retention schedules for local public records

(a) Record retention schedules provide a uniform, effective and systematic control on records keeping and destruction. Through the use of such schedules agencies can insure that valuable records are preserved and that records of a temporary nature are disposed of when no longer needed. This, of course, will reduce the need for expensive filing equipment, and, in general, provide a more efficient filing system.

(b) In cooperation with county and municipal agencies, the Division has prepared a general Records Retention Schedule for Municipal and County Officers which has been approved by the State Records Committee as well as records retention schedules for specific county and municipal agencies. For copies contact the Division.

(c) The retention periods indicated are recommendations based upon experience, legal requirements in some instances, and the best information available as to the length of time various record series should be kept.

(d) The Request and Authorization for Records Disposal form, as set forth in N.J.A.C. 15:3-3.15 and 3.16, must be submitted to the Division prior to the disposition of items listed on approved schedules.

(e) Any municipality having numerous records not included on retention and disposition schedules should contact the Division for guidance.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

In (d), amended N.J.A.C. cites; in (e), amended procedures.

### 15:3-3.9 General records retention schedule

The State Records Committee will issue a general records retention schedule covering records common to all local governments. The chairman of the State Records Committee will sign the schedule as the requestor.

### 15:3-3.10 Standards for microfilming local public records: Purpose

(a) These microfilm standards have been designed to promote uniformity and quality in the production of microfilm for State, county and municipal governments in New Jersey. All agencies engaged in microfilming government records must meet these standards to insure the following:

1. That microfilm copies contain all significant detail shown on the original record;
2. That microfilm copies are usable and legible reproductions of the original record;
3. That the microfilm reproduction will have the same acceptability and legal status as the original;
4. That the microfilm reproduction will meet standards of archival quality.

(b) Authority to establish microfilm standards: Concerning the photographic reproduction of public records, N.J.S.A. 47:3-26 provides that: "The Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee established by N.J.A.C. 15:3-3.6, shall formulate standards and procedures for the photographing, microphotographing and microfilming of public records and for the preservation, examination and use of such records, including the indexing and arrangement thereof, for convenient reference purposes."

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.11 Notice to Division of Archives and Records Management of intention to microfilm local public records

If, after considering all of the above factors, a particular record series is selected to be microfilmed, notice should be given to the Division of Archives and Records Management of such intention specifying the record series involved. Such notification will give the Division's technical staff an opportunity to make constructive recommendation should such be necessary. This will also insure proper conformance with the statute.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.12 Microfilm standards

(a) The following standards must be met before permission to destroy the originals is granted:

1. Since many factors are involved in the use of microphotography for records management, a careful analysis of each record group should be made before microfilming. Following are some of the most important factors in determining which records are to be filmed.

i. Retention period and volume are perhaps the most important aspects to consider. Since microfilming is not inexpensive, only records in large volume with retention periods of seven years or longer should be considered. Records of shorter retention but of such volume or use that storage becomes a problem would be an exception to this rule.

ii. Rate and reference to records: Records with high reference rates or unusual methods of indexing may be poor subjects for microfilming.

iii. Physical make-up of the records series: Size, color, legibility and condition can affect the cost and quality of the microfilm.

2. When converting documents to microfilm, certain measures must be followed to insure quality, legality and access to information contained on the microfilm.

i. The records to be filmed must be arranged, identified and indexed to insure reasonable ease in locating individual documents.

ii. All roll film must have the following targets at the beginning of the reel: density targets; National Bureau of Standards' resolution target; certificate of authenticity; title target containing title of records filmed, filmed start file and end file (if known), reduction ratio, camera type, film type, department or agency having custody of the records.

iii. All roll film will have the following targets at the end of each reel: density targets; National Bureau of Standards' resolution target; and operator's certificate. Should any reel(s) lack an operator's certificate an agency may, upon prior notification and approval of the supervisor of microfilm services, splice a certificate on the end of the reel(s). This will be permitted only in those cases where the operator who actually filmed the documents on the reel(s) signs the certificate. Splicing must be done in accordance with standards set forth in 4vii below.

iv. Where applicable, roll film should contain retake and correction targets.

3. Examples of the above targets are available from the Division of Archives and Records Management.

4. The master negative is the original reel of film produced.

i. Only a safe-base, permanent record film with a gelatin-silver halide emulsion, developed to a black and white image and meeting the standards of the American National Standards Institute: PH 1.28, PH 1.29, and PH 1.41, will be used for copies of records.

ii. For most documents, optimum density should read 1.0 to 1.20 for original first generation camera film. Acceptable standards will fall between a minimum of 0.80 and a maximum of 1.35. The supervisor must use judgment to determine the most suitable density within this range for the documents being filmed. To permit a more accurate reproduction of the original roll, each image should maintain, as far as possible, a specific density throughout the roll. Since the color of the original documents will affect the density of the image, and not all documents in a particular record series may have the same color, an average density aim point should be chosen.

iii. A density minimum reading taken from the non-image or clear area of the film will not exceed a reading of 0.12 or manufacturer's specifications using automatic retrieval systems. Readings should be made close to the center of the film strip to avoid edge fog interference. (Note: Both background density and D-min density must be taken with a transmission densitometer.)

iv. A microscope having a magnification of 50X to 150X with achromatic objectives must be used to read the resolution from the National Bureau of Standards' microcopy resolution test chart. The line direction method will be used in making the determination of resolution. A minimum resolution of 80 lines per millimeter on rotary cameras and 110 lines per millimeter on planetary cameras must be obtained on first generation camera film.

v. Thiosulfate residual content should be tested at least once a month. Only the methylene blue test method will be considered sufficiently reliable to determine archival quality. American National Standards Institute: PH 1.28, as amended and supplemented, states the levels of thiosulfate concentration that must be observed.

vi. A target indicating the beginning and end of retakes must be used. Retakes may be placed at the beginning or end of a roll of film and, when possible, in sequence. When computer-assisted or random retrieval methods are used, retakes may be placed on the following roll with retake targets. Placement of retakes should be decided before the start of filming and remain consistent.

vii. Splices should be kept to a minimum: no more than four splices per roll will be accepted. When

splicing images in proper sequence with duplicate rolls, only heat-weld splicing will be considered archival.

viii. All film will be processed to meet National Bureau of Standards' PH 4.8. Dry chemical processing will not be acceptable. Film failing to meet the specified limits for thiosulfate concentration will not be acceptable.

ix. All film must be inspected for proper indexing, density, resolution and for residual thiosulfate. Film should be free of scratches, abrasions, blemishes or other defects.

5. The original roll of film must be maintained in archival storage when the records contain information essential to the continuity of governmental operations and the protection of the rights of individuals. Any irreplaceable records having a retention period classified as permanent should be included in this category. When film is to be cut for jackets or aperture cards, the original roll may be used provided an uncut duplicate roll of silver halide film has been prepared for storage. American National Standards Institute requires film specifications for archival storage PH 1.28, PH 1.25 and PH 1.41. The following specifications must be followed for archival storage:

i. The relative humidity of the storage vault or room must not exceed 40 percent.

ii. Temperatures must not exceed 70 degrees Fahrenheit.

iii. Rapid and wide-range cycling of humidity or temperature must be avoided and in no instance exceed plus and/or minus five percent in a 24 hour period.

iv. No rubber bands, tape or other foreign objects may be used to hold film on the reels.

v. The materials used for storage should not ignite, decompose, or develop reactive fumes or vapors.

vi. Film must be stored in a closed container of such inert material as plastic.

vii. At every two year intervals, a one percent random sample must be inspected. For each biennial inspection, a different lot sample should be chosen with some samples of the previous lot reinspected. Any sign of deterioration noted must be reported to the Division of Archives and Records Management. Look for signs of peeling, emulsion, brittleness, molding and blemishes.

6. Methods of duplication include the use of silver halide, diazo and vesicular film.

i. Silver halide duplication film is the only duplicating film considered suitable for producing microfilm of archival quality. Silver halide film must be used when producing copies of the original master negative intended for archival storage. Although the cost is high

compared to other types of duplicating film, both negative and positive copies can be produced.

ii. Diazo duplication film is not considered archival in quality and must be used to produce master-negative copies of originals. A diazo copy will maintain the same polarity as the original master (negative to negative; positive to positive). Unexposed diazo film has a very short shelf life unless refrigerated. After exposure and processing, diazo film has an estimated usability of 100 years under ideal storage conditions. Diazo film is less expensive than silver halide film and very durable.

iii. Vesicular duplication film is not archival in quality and must not be used to produce master-negative film. Vesicular film is a reversing process film—the polarity of the copy will be reversed to that of the original master (positive to negative, negative to positive) through exposure and processing by heat. The shelf life of vesicular film is considerably longer than diazo film and the image is potentially more permanent. However, when not fully exposed, vesicular film may develop eye-legible, cosmetic blemishes. Vesicular duplication film may also be considered suitable for distribution or working copies when archival quality is not a factor.

As amended, R.1983 d.241, effective June 20, 1983.

See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

In (a)2iii, added operator's certificate requirement.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Amended Division references throughout; in (a)4v, updated PH reference; in (a)5vi, deleted metal as inert material; and in (a)6ii, usability estimate increased from 20 years.

### 15:3-3.13 Service contract specifications and technical assistance

(a) A county or municipality may wish to have its microfilming done by a private company on a service contract basis. In considering any such arrangements, the contracting agency should be cognizant of the following points:

1. All contracts must meet the microfilm specifications established by the State Records Committee. This includes microfilm/fiche produced or utilized in computer-related microfilm technology.

2. The State Microfilm Supervisor will serve as a consultant to any county or municipality requesting such consultation, and/or will, upon request, review the microfilm service contracts prepared by local agencies.

As amended, R.1983 d.241, effective June 20, 1983.

See: 15 N.J.R. 590(a), 15 N.J.R. 1019(b).

Added last sentence to (a)1.

### 15:3-3.14 Disposal of original local public records after microfilming

(a) No original records may be destroyed after microfilming unless the agency obtains permission to do so from the Bureau.

(b) The Request and Authorization for Records Disposal form, as set forth in N.J.A.C. 15:3-3.15, may be used for this purpose. Signed certification shall accompany the form stating that the listed records have been microfilmed in accordance with the rules and regulations of this subchapter and that with the creation of these microfilm copies, the original records have ceased to have sufficient value to warrant their retention.

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.15 Request and Authorization for Records Disposal form

Request and Authorization for Records Disposal forms are available from the following address:

Department of State  
Division of Archives and Records Management  
PO Box 307, 2300 Stuyvesant Avenue  
Trenton, New Jersey 08625-0307

Amended by R.1996 d.590, effective December 16, 1996.

See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.16 Instructions for preparing Request and Authorization for Records Disposal forms

(a) These instructions are issued for your guidance in the preparation of disposal request forms. Before preparing a form, please read the instructions carefully.

1. Purpose. The disposal request form provides a procedure, approved by the State Records Committee, by which State, county and municipal officials may:

i. Request authorization for the destruction of records in accordance with N.J.S.A. 47:3-17;

ii. Obtain permission from the Division of Archives and Records Management for the destruction of records listed on an approved records retention schedule.

2. Preparation. This form is to be prepared in quadruplicate. The form is to be forwarded to the Division of Archives and Records Management. Upon approval the agency copy will be returned to the requesting agency, along with the follow-up copy. When destruction has been completed, destruction information shall be inserted on both the original and the follow-up copy and the follow-up copy then returned to the Division of Archives and Records Management.

3. Detailed instructions:

i. Item No. 1, Requesting Agency Name: When filling out this block, each agency shall identify itself and indicate the name of the organization unit responsible for the records. For example, this entry may read:

(1) Surrogate's Office  
Camden County  
Market and Federal 6th Streets

Camden, New Jersey  
 (2) City Clerk's Office  
 City of Newark  
 City Hall  
 Newark, New Jersey

ii. Item No. 2, Request Date: Each agency shall indicate the date upon which the form is submitted.

iii. Item No. 3, Requested By: Signature and title of the official primarily concerned with the record.

iv. Item No. 4, Request Approved By: Signature and title of officer approving the request, which shall be the head of the agency or one officially designated by him or her. Such person shall not be the same person affixing his or her signature in (a)3iii above.

v. Item No. 5, Series Number: In this column, numbers appearing on established records retention schedules shall be inserted. In cases where records have no established schedule number, contact the Division of Archives and Records Management for guidance.

vi. Item No. 6, Record Series Title: In this column, the titles and descriptions appearing on established records retention schedules shall be inserted. In cases where items are not on an established schedule, the entry shall explain in some detail the title and function of the record so that no misunderstanding may arise regarding the record itself or its use.

vii. Item No. 7, Inclusive Dates: This column shall include the date span for each series of records listed, by year.

viii. Item No. 8, Retention Period: The retention period shall be the same as that contained in an established records retention schedule. In cases where items are not on a schedule, the requesting official shall contact the Division of Archives and Records Management for assistance in establishing a schedule.

ix. Item No. 9, Volume: Volume shall be measured in cubic feet bearing in mind that one file drawer, either letter or legal size is equal to two cubic feet. Fractions shall be rounded-off. Do not use a measurement of less than one cubic foot.

x. Item 10, Audit Verification: Date records requested were audited and signature of auditor.

xi. Item No. 11, Authorization: Formal approval by the Division of Archives and Records Management. No entry shall be made in this section except by the Division, which shall assign an authorization number and date of approval.

xii. Item No. 12, Disposition: The disposition action shall state the date, method of disposal, and signature of the approving officer.

Amended by R.1996 d.590, effective December 16, 1996.  
 See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Amended form and Division references and N.J.A.C. cites throughout; and rewrote (a)3.  
 Administrative correction.  
 See: 29 N.J.R. 374(a).

In (a)3x, Item 10 was previously to be completed by Office of the State Auditor.

### 15:3-3.17 Updatable microfiche systems

(a) An updatable microfiche system is to be used only in special applications. Any agency considering using such a system should first contact the Supervisor of Microfilm Services to review the proposed application. The updatable microfiche must meet the microfilm specifications as outlined in N.J.A.C. 15:3-3.11 with the following additions:

1. Each microfiche must have the specified targets at the beginning and ending of each microfiche.
2. Each time a microfiche is updated a certificate of authenticity must be inserted at the end of the added documents.
3. If permanent records are to be microfilmed and the hard copy records destroyed, the microfiche security copy must be on silver halide film and stored under archival conditions.
4. The expunging equipment on the updatable microfiche camera must be rendered inoperable or the hard copy of the microfilmed records may not be destroyed.

Amended by R.1996 d.590, effective December 16, 1996.  
 See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

### 15:3-3.18 Disposition of records of extinct agencies

(a) In accordance with N.J.S.A. 47:2-3 and 47:2-7, the Division of Archives and Records Management shall have general and exclusive supervision, care, custody and control of all public records of any county, municipality, or public agency, body, board, institution or society which has or may become extinct, unless the care, custody, and control of the same is otherwise provided by law, or if the Division finds that the said records of the extinct agency are needed by a successor agency for conducting current business. Furthermore, per P.L. 1945, c.268, § 3 (N.J.S.A. 40:43-64.3) and P.L. 1977, c.435, § 33 (N.J.S.A. 40:43-66.67) and other State statutes, the transfer of such public records from their office of origin to the Division or to a successor agency shall occur at times and in the manner and form, as prescribed case-by-case by the Division, so as to ensure an unbroken chain of legal custody of said records.

(b) The words and terms used in this section shall have the standard meanings as established within N.J.A.C. 15:3-1.2, which provides definitions regarding records management; P.L. 1977, c.435, § 3 (N.J.S.A. 40:43-66.37), which provides definitions regarding the consolidation of municipalities; and P.L. 1995, c.376, § 2 (N.J.S.A. 40:43-66.79), which provides definitions regarding the consolidation and absorption of sparsely populated municipali-

ties, unless the context clearly indicates otherwise, including the following words and terms:

“Absorbing municipality” means a municipality into which a contiguous sparsely populated municipality situate in the same county intends to be consolidated pursuant to P.L. 1995, c.376 (N.J.S.A. 40:43-66.78).

“Archival records” means records which have a permanent or enduring administrative, legal, fiscal, research or historical value, and in consequence thereof should be retained and preserved in perpetuity, and which are noncurrent and are not required to be retained in the office which they originated.

“Consolidated agency” means the single new agency that results from an affirmative consolidation effort by participating agencies.

“Extinct agency” means any county, municipality, or public agency, body, board, institution, society, commission or authority that ceases or may cease to exist outright or ceases or may cease to exist in its present form and has been consolidated, absorbed or annexed into a new consolidated agency.

“Participating agencies” means any two or more agencies involved in a consolidation effort.

(c) The procedures for the disposition of the public records of extinct agencies shall include:

1. Contact with the Division of Archives and Records Management by the officers of any agency that has or may become extinct in order to ensure an unbroken chain of legal custody of their records;

2. A complete inventory of all records, which shall be caused by the mayor or chief executive officer of the extinct agency to be made in cooperation with the consolidated agency or agencies and the Division of Archives and Records Management before any records are transferred, pursuant to P.L. 1977, c.435, § 33 (N.J.S.A. 40:43-66.67) and other State statutes and administrative rules;

3. A review of the records by the Division of Archives and Records Management in order to ascertain if the records:

i. Are needed by a successor agency for conducting current business and must be transferred to that agency;

ii. Must be transferred to the State Records Center or another repository designated by the Division for safekeeping until the expiration of their legal retention period;

iii. Possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention in the State Archives; or

iv. Warrant no further retention and may be destroyed;

4. Review and approval of the Division’s recommendations by the State Records Committee regarding final disposition of such records, pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-15 et seq.), known as the Destruction of Public Records Law (1953), prior to any transfer or other disposition of any records of the extinct agency;

5. Documentation of the disposition of the records of the extinct agency; and

6. Maintenance and permanent preservation of documentation on the disposition of the records of the extinct agency by the Division.

(d) Archival records of an extinct agency which are deemed to possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention in the State Archives, which are not needed for administrative purposes by a succeeding agency or otherwise provided for by law, shall be transferred from the extinct agency to the State Archives at such times and in such manner and form as prescribed case-by-case by the Division.

1. The State Archives shall assume full legal custody and ownership of such records upon transfer to the same, and shall thereafter be wholly responsible for their care, maintenance, use and preservation.

2. Archival records required to be maintained by any existing county, municipality, or other public agency shall be preserved in accordance with this chapter.

New Rule, R.1998 d.282, effective June 1, 1998.  
See: 30 N.J.R. 984(a), 30 N.J.R. 2055(a).

#### SUBCHAPTER 4. IMAGE PROCESSING OF PUBLIC RECORDS

##### Authority

N.J.S.A. 47:1-12 and 47:3-26.

##### Source and Effective Date

R.1997 d.189, effective May 5, 1997.  
See: 29 N.J.R. 736(a), 29 N.J.R. 2178(b).

##### 15:3-4.1 Purpose

(a) As promulgated by the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee as established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20), this subchapter sets forth the “standards, procedures and rules for image processing of public records for the preservation, examination and use of such records, including indexing and arrangement thereof,” as required by P.L. 1953, c.410 (N.J.S.A. 47:3-26) as amended, and P.L. 1994, c.140 (N.J.S.A. 47:1-12).

(b) P.L. 1994, c.140 amends Section 12 of P.L. 1953, c.410 (N.J.S.A. 47:3-26) and other sections of the New Jersey Statutes to allow the use of image processing systems for keeping public records under the standards, procedures and guidelines established by the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee.

(c) P.L. 1994, c.140 provides for the replacement of paper records and records on other media with copies of the records in image processing systems, and for the disposal of the original records with the approval of the State Records Committee under certain conditions. The conditions for disposal of original records include conformance with established standards for image processing systems, and any related record retention schedules approved by the State Records Committee, and that disposal is not contrary to other State or Federal statutes or regulations.

(d) The intent of P.L. 1994, c.140 is to ensure the preservation, integrity, and accessibility of public records in image processing systems by the establishment of standards, procedures and guidelines. Furthermore, P.L. 1994, c.140 provides that as long as these standards, procedures and guidelines are followed, image processed documents can be used in evidence in any court or proceeding in New Jersey with the same force and effect as the original public record.

#### 15:3-4.2 Definitions

The words and terms used in this subchapter shall have the standard meaning as established in Technological Report for Information and Image Management—Glossary of Imaging Technology (ANSI/AIIM TR2-1992, as amended and supplemented, incorporated herein by reference) and in Glossary of Records Management Terms—A Guideline (ARMA A4542, as amended and supplemented, incorporated herein by reference), except as otherwise defined in State statutes, including:

“Agency” or “agencies” means any board, body, department, commission, or office of an official of the State, or any political subdivision thereof, or any public board, body, commission or authority created pursuant to law.

“AIIM” means the Association for Information and Image Management (AIIM), a standards-setting body affiliated with the American National Standards Institute (ANSI), which is the principal developer of standards for microforms and information storage technologies involving images, such as optical disks and scanners. The address of the Association for the purpose of ordering publications is as follows:

Association for Information and Image Management  
AIIM Publication Sales  
1100 Wayne Ave., Suite 1100  
Silver Spring, MD 20910-5603  
Telephone: (301) 587-8202  
Fax: (301) 587-2711

“ANSI” means the American National Standards Institute (ANSI), a private national standards organization in the United States, which coordinates the development and maintenance of various industry standards. ANSI serves as the United States representative to the International Organization for Standardization (ISO). The Institute’s address is as follows:

American National Standards Institute  
11 West 42nd St., 13th Floor  
New York, NY 10036  
Telephone: (212) 642-4900  
Fax: (212) 302-1286 (orders only)

“ARMA” means the Association of Records Managers and Administrators International (ARMA), which is the principal records and information management association in the United States and Canada, and one of the organizations accredited by the American National Standards Institute (ANSI) to develop records management standards. The Association’s address is as follows:

Association of Records Managers and Administrators International  
4200 Somerset Dr., Suite 215  
Prairie Village, KS 66208  
Telephone: (800) 422-2762  
Fax: (913) 341-3742

“CCITT” means the Consultative Committee for International Telegraphy and Telephony (CCITT), a constituent of the International Telecommunications Union (ITU), which is an international organization headquartered in Geneva, Switzerland, within which governments and the private sector coordinate global telecommunications networks and services. Founded in Paris in 1865 as the International Telegraph Union, the International Telecommunications Union took its present name in 1934 and became a specialized agency of the United Nations in 1947. Under the reorganization of the ITU in 1992, the CCITT was consolidated with the Telecommunications Standardization Sector (ITU-T) of the agency. The Committee’s address for the purpose of ordering publications is as follows:

Sales Services  
International Telecommunications Union  
Place des Nations  
CH-1211 Geneva 20  
Switzerland  
Telephone: +41 22 730 641 (English)

“Division of Archives and Records Management” or “Division” means the Division of Archives and Records Management in the Department of State established pursuant to the Governor’s Reorganization Plan filed April 29, 1983; furthermore, pursuant to P.L. 1994, c.140 (N.J.S.A. 47:1-75), whenever in any law, rule, regulation, order contract, document, judicial or administrative proceeding, refer-

ence is made to the "Public Records Office," "Bureau," or "Bureau of Archives and History" in the Department of Education, or the administrator thereof, the same shall be considered to mean and refer to the Division of Archives and Records Management in the Department of State.

“DoD” means the Department of Defense, a cabinet-level agency of the United States government, which establishes standards for the Department’s functional community for use in automated information systems. The Department’s address for the purpose of ordering publications is as follows:

Defense Technical Information Center (DTIC)  
8725 John J. Kingman Rd., Suite 0944  
Fort Belvoir, VA 22060-6218  
Telephone: (800) 225-3842

“IEEE” means the Institute of Electrical and Electronic Engineers, the world’s largest technical professional organization, which establishes standards in the fields of electrical, electronics and computer engineering. The Institute’s address for the purpose of ordering publications is as follows:

IEEE Computer Society Press  
Customer Service Center  
10662 Los Vaqueros Circle  
P.O. Box 3014  
Los Alamitos, CA 90720-1314  
Telephone: (800) CS-BOOKS  
Fax: (714) 821-4641

“Image processing” means, in general, the computer-related discipline wherein analog or digital images are the main data object, or the manipulation and control of data representing two-dimensional images, including raster images generated by scanning and raster conversions of electronic data created in other formats, vector-based data from computer-aided design (CAD) and other illustration systems, and digital images from digital, video and other camera systems; or, specifically, the creation, preparation, capture, recording, indexing, storage, retrieval, reproduction, control, use and management of direct representations or images of documents using these techniques.

“Imaging” means the production of representations of two-dimensional images of documents or other objects from digitally generated data or scanners and other means of data capture, or the recording of such images on microforms, videotape, optical disk or other data storage media.

“ISO” means the International Organization for Standardization, which coordinates national standards bodies worldwide. The Organization’s address is as follows:

International Organization for Standardization  
Central Secretariat  
1, rue de Varembe  
Case postale 56  
CH-1211 Geneve 20  
Switzerland  
Telephone: 41 22 749 01 11  
Fax: 41 22 733 34 30

“Long-term record” or “long-term records” means a record or series of records required by a Federal or State statute or regulation, or by a retention schedule approved by the State Records Committee per P.L. 1953, c.410 (N.J.S.A. 47:3-20 et seq.), to be retained by the originating agency for 10 or more years after creation, filing, or completion.

“NISO” means the National Information Standards Organization, which is the principal United States organization for the development of library, archival and information management standards. Its members include the Society of American Archivists (SAA), National Archives and Records Administration (NARA), American Library Association (ALA), and the Association for Information and Image Management (AIIM). The Organization’s address for the purpose of ordering publications is as follows:

NISO Press Fulfillment  
P.O. Box 338  
National Information Standards Organization  
Oxon Hill, MD 20750-0338  
Telephone: (800) 282-NISO (282-6476)  
Fax: (301) 567-9553

“NIST” means the National Institute of Standards and Technology, formerly known as the National Bureau of Standards, the principal standards agency within the United States government. NIST oversees the development of Federal information processing standards and conducts related studies for other Federal agencies. The Institute’s address for the purpose of ordering publications is as follows:

National Institute of Standards and Technology  
National Technical Information Service (NTIS)  
U.S. Department of Commerce  
Springfield, VA 22161  
Telephone: (703) 487-4650

“Open system” means a system that implements sufficient open specifications for interfaces, services, and supporting formats to enable properly engineered image processing applications that can be ported with minimal changes across a wide range of systems, can interoperate with other applications on local and remote systems, and can interact with users in a style that facilitates access and maintenance of public records on such systems.

“Open systems environment” means the comprehensive set of interfaces, services, and supporting formats, plus user aspects for portability or interoperability of applications, data, or users, as specified in information technology standards and profiles referenced in this subchapter.

“OSF” means the Open Systems Foundation, which hosts industry-wide, collaborative software research and development for the distributed computing environment. Founded in 1988, OSF joined with X/Open Company Ltd. (X/Open)

to form the Open Group in February 1996 to work together to deliver technology and wide-scale adoption of open systems specifications. The Foundation's address is as follows:

Open Systems Foundation  
11 Cambridge Center  
Cambridge, MA 02142  
Telephone: (617) 621-8700  
Fax: (617) 621-8781

"Public record" or "records" means any and all public records as defined in P.L. 1953, c.410 (N.J.S.A. 47:3-16) as amended.

"Resolution" means digital resolution as defined in Technical Report for Information and Image Management—Resolution as It Relates to Photographic and Electronic Imaging (ANSI/AIIM TR26, as amended and supplemented, incorporated herein by reference).

"SAA" means the Society of American Archivist (SAA), the oldest and largest organization for archives and archivists in North America. The association establishes standards and guidelines for the identification, preservation and use of records of historical value. The Society's address is as follows:

Society of American Archivists  
600 S. Federal, Suite 504  
Chicago, IL 60605  
Telephone: (312) 922-0140  
Fax: (312) 347-1452

"State Records Committee" or "committee" means the State Records Committee established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20).

### 15:3-4.3 Image processing systems

(a) State and local government agencies planning and procuring automated image processing systems intended to supplement or replace paper recordkeeping systems shall use the guidelines set forth in Technical Report for Information and Image Management—Electronic Imaging Request for Proposal (RFP) Guidelines (ANSI/AIIM TR27-1991, as amended and supplemented, incorporated herein by reference), for any preliminary system definition, feasibility assessment, procurement specifications, request for proposal (RFP), or formal monitoring of systems, insofar as they do not conflict with rules promulgated by the State Records Committee, or procurement procedures established by their State or local government.

(b) The life expectancy rating of any optical media employed by any image processing system used for keeping of records shall correspond to the retention period of the records, unless otherwise approved by the State Records Committee under procedures established according to the provisions of N.J.A.C. 15:3-4.7(e).

1. The life expectancy rating of any optical media shall be demonstrated according to criteria established by the National Institute of Standards and Technology in Development of a Testing Methodology to Predict Optical Disk Life Expectancy Values (NIST Special Publication 500-200).

2. Vendors' claims for life expectancy shall be accompanied by detailed specifications of the test parameters.

(c) Any image processing system containing records designated as permanent by law or retention schedules approved by the State Records Committee shall:

1. Produce backup copies of such records on paper which meet the standards set forth in Permanence of Paper for Printed Publications and Documents in Libraries and Archives (NISO Z39.48-1992, as amended and supplemented, incorporated herein by reference);

2. Produce backup copies of such records on microfilm which meets the standards set forth in N.J.A.C. 15:3-2.15 through 2.28 or 3.12 through 3.17, as appropriate; or

3. Provide for a completely and clearly documented, demonstrated and tested path to migrate data to other media. Any proposed data migration routine or facility shall be tested for viability on a periodic basis or following any changes to the configuration of the system according to procedures established under the provisions of N.J.A.C. 15:3-4.7(e).

(d) Preference shall be given to image processing systems employing WORM (Write-Once-Read-Many) non-erasable optical disks for recordkeeping systems which include records with long-term or permanent retention schedules, since WORM optical disks permit images and associated information to be recorded but not erased from the disk, and images on WORM disks can be reviewed, if necessary, for evidentiary purposes to prove that images have not been erased or altered in any way.

(e) Whenever applicable and appropriate, preference shall be given to systems which support:

1. The standard volume and file structure for WORM and rewritable media as set forth in Volume and File Structure of Write-Once and Rewritable Optical Disks Using Non-Sequential Recording for Information Interchange—Universal Disk Format (ISO/IEC 13346, as amended and supplemented, incorporated herein by reference);

2. The standard media and operating system independent volume and file structure for CD-ROM and WORM applications as set forth in Volume and File Structure of Read-Only and Write-Once Compact Disk Media for Information Interchange (ISO 13490, as amended and supplemented, incorporated herein by reference); or

3. The standard software-related volume and file structure for use on CD-ROM optical media as set forth in Volume and File Structure of CD-ROM for Information Interchange (ANSI/NISO/ISO 9660, as amended and supplemented, incorporated herein by reference).

(f) Preference shall be given to those image processing systems which physically store the index entries related to an image, including the creation or scanning date, with the image.

1. Electronic date-stamping of imaged records, in addition to being useful for indexing purposes, shall be used to certify and authenticate the images for legal purposes.

2. If an imaging system creates and maintains external indexes, documented policies and procedures shall be established for backup and refreshing of such external indexes stored on magnetic or other media.

3. Documented policies and procedures shall be established to ensure the migration of all indexes, along with the associated images, to other systems or other media.

(g) Image processing systems used for keeping public records shall conform to a standard architectural framework for open systems standards, such as the Technical Architectural Framework for Information Management (TAFIM) published by the United States Department of Defense (DoD), the IEEE Guide to Open Systems published by the Institute of Electrical and Electronic Engineers (IEEE), or the X/Open Architectural Framework published by the X/Open Users Council of the Open Software Foundation (OSF), or their equivalent, whenever possible.

(h) Image processing systems shall implement an open systems environment, including a comprehensive set of interfaces, services, and supporting formats, plus user aspects for portability and interoperability of applications, data or users, as specified by the information technology standards and profiles cited in this subchapter.

(i) Preference shall be given to standard turn-key imaging systems and systems implemented in a commercial off-the-shelf (COTS) manner.

1. Customization of image processing systems shall be implemented only as necessary and appropriate.

2. Any customization or changes in configuration of an image processing system shall be completely and thoroughly documented.

(j) Application development software shall be based on the open systems model defined in N.J.A.C. 15:3-4.2 and (g) above, which allow for migration and portability of all application coding.

1. Application development software shall incorporate a full set of Application Program Interfaces (API). Application development efforts shall rely on API to the maximum extent practical.

2. Software customization implemented through any means other than API shall be discouraged, unless there is extraordinary and demonstrable justification for utilizing alternate software development approaches.

(k) Non-proprietary image file header labels shall be used by the image processing system, or the system developer shall provide a detailed definition of the image file header label structure by the image processing system. If a proprietary image header label is used, the system developer shall provide a completely and clearly documented, demonstrated and tested bridge to a non-proprietary image file header label.

(l) The system hardware and/or software shall provide a quality assurance capacity to verify that information is written to the optical media.

(m) All images reproduced by image processing systems shall exhibit a degree of legibility and readability comparable to the original image. The legibility of any such image displayed on a monitor or reproduced on paper shall be equivalent to resolution standards established under N.J.A.C. 15:3-4.6. Monitors and printers utilized by imaging systems shall have the ability to meet such standards.

(n) Public agencies shall ensure that optical disk storage systems receive periodic maintenance, inspection, and testing, as established under procedures in N.J.A.C. 15:3-4.7(e).

(o) Unless otherwise specified in rules promulgated by the State Records Committee, Technical Report for Information and Image Management—The Use of Optical Disks for Public Records (ANSI/AIIM TR25-1995, as amended and supplemented, incorporated herein by reference) is recommended as guidance for system planning, implementation and operation of imaging systems for public records.

#### 15:3-4.4 System administration

(a) Procedures for administering imaging systems, as established under procedures in N.J.A.C. 15:3-4.7(e), shall include provision for journaling, logging, backup, and recovery of system components.

(b) Documentation of the use and administration of all imaging systems during the normal course of operation of an agency shall be created and maintained in order to ensure the legal integrity of the system.

(c) A schedule of incremental and complete backups of the system, including optical media and any indexes on magnetic media, shall be established and adhered to strictly, according to procedures established in N.J.A.C. 15:3-4.7(e) below.

1. A regular schedule of backups shall be instituted and performed for all information on the system, including indexes.

2. Backups shall be periodically tested for restoring lost data or reestablishing the system after a system failure.

(d) Documented disaster recovery plans and procedures shall be established for all image processing systems used for keeping public records. Disaster recovery plans and procedures shall be reviewed and updated at least annually.

(e) Security copies of public records on optical disks or other media shall be stored in secure and suitable facilities according to record storage rules promulgated by the State Records Committee.

(f) Appropriate schedules for refreshing optical disks and associated indexes shall be established and strictly adhered to whenever it is determined to be necessary for continued preservation of optical and magnetic media.

1. Byte error rates (BER) shall be reviewed periodically to evaluate deteriorating data on optical disks.

2. Imaging systems shall be capable of detecting and correcting errors automatically. Optical disks shall be refreshed while the information can still be corrected, to avoid losing the ability to read them.

(g) Imaging systems shall produce a standard set of reports for capacity, monitoring, maintenance, auditing, security, and system operations management. Systems shall also be capable of creating and producing customized management reports.

(h) An agency may use more than one image processing system.

1. If an agency uses more than one imaging system, each system must meet all the requirements for imaging processing systems established in this subchapter.

2. If an agency ceases to maintain the hardware and software necessary to satisfy the conditions of the standards, procedures and rules, imaged records that are contained in the system shall be deemed destroyed by the agency unless the existing imaged records are converted to a format compatible with a compliant imaging system that the agency implements or continues to maintain.

#### 15:3-4.5 Image storage and retrieval

(a) Any image processing system used for public records shall support standard file formats and compression methods and allow for the interchange of documents with other systems. Recommended standards include Tagged Image File Format (TIFF), CCITT Group III and/or IV, and Open Document Architecture/Open Document Interchange Format (ODA/ODIF). Image processing systems shall include CCITT Group III and/or IV electronic facsimile (fax) capabilities and standard file formats, incorporated herein by reference, or the system developer shall provide completely documented and tested procedures and techniques for the conversion of images and data in compliance with these standards.

(b) Image processing systems shall meet an established open system standard architecture, as set forth in N.J.A.C. 15:3-4.3(g), and shall run on standard hardware, operating systems, and networking systems.

(c) Preference shall be given to systems built with relational database technology using Structured Query Language (SQL).

(d) Workflow and file folder processing software shall be written in standard, portable programming languages.

#### 15:3-4.6 Scanners and scanning

(a) An image processing system used for keeping public records shall record direct reproductions of scanned documents.

1. Imaging systems shall not be capable of altering a public record as scanned, except for standard computer-enhancement routines used to improve the legibility of scanned documents. Editing of recorded text or characters by an image processing system used for keeping public records shall not be permitted.

2. Documentation of such manual or automatic computer-enhancement processes and procedures used while scanning documents shall be thoroughly documented for proof of authenticity of the records maintained on the imaging system.

(b) A visual quality control evaluation shall be performed for each and every scanned image and related index data as images are scanned and/or recorded onto optical media, or an equivalent quality control shall be maintained through an established, documented and carefully adhered to sampling technique, according to rules promulgated by the State Records Committee.

(c) Scanner quality shall be evaluated on the basis of the standard procedures contained in American National Standard for Information and Image Management—Recommended Practice for Quality Control of Image Scanners (ANSI/AIIM MS44-1988, as amended and supplemented, incorporated herein by reference).

(d) The AIIM standard resolution target, AIIM Scanner Target (AIIM X441), RIT Process Ink Gamut Chart (AIIM X443) for use with ANSI/AIIM standard ANSI/AIIM MS44, as amended and supplemented, and/or the ITU-T Standard Image Set (CD-ROM) for Use with National Communication System Information Bulletin 93-45 (AIIM X501), all incorporated herein by reference, shall be used whenever applicable, to test resolution and quality control for operation of scanners.

(e) The appropriate scanning density shall be determined and used for all scanning of public records. Minimum scanning densities for public records shall be as follows:

1. A scanning density with a minimum of 200 dots per inch (dpi) or more is required for scanning bitonal documents containing text or numerals no smaller than six point type.

2. A scanning density with a minimum of 300 dots per inch (dpi) is required for bitonal engineering drawings, maps, and other documents with background detail.

(f) The minimum scanning densities cited in (e) above may not be adequate in all cases. Appropriate scanning density and techniques may differ from document to document due to the attributes of individual documents, purpose of scanning, and the characteristics and limitations of scanning equipment.

1. The scanning density for documents shall be selected and validated using tests on samples of the actual documents to be scanned before scanning is begun, and shall be tested periodically thereafter according to procedures established under N.J.A.C. 15:3-4.7(e) below. Testing and review procedures shall include the comparison of selected recorded images against the original documents after the documents are scanned and recorded, to ensure that records are adequately reproduced and recorded.

2. Higher densities and/or alternative scanning techniques, such as using a selected standard grayscale scanning routine, may be required for adequate reproduction of some documents.

3. Higher resolutions shall be required for computer-aided design (CAD) drawings, where further manipulation or integration and precise measurements are needed.

4. Because some scanners may not capture the full color spectrum and lose significant detail when scanning a document containing certain colors, scanner capabilities shall be reviewed and tested on samples of the actual records to be scanned.

(g) CCITT Group III and/or Group IV compression techniques, incorporated herein by reference, shall be used for scanning documents without continuous tonal qualities. If the use of proprietary compression techniques is required by an image processing system, the system developer shall provide a completely documented and tested gateway to CCITT Group III and/or Group IV compliant data transmission capabilities, incorporated herein by reference.

(h) If legacy records, backfiles, or batch files of documents are scanned, rules promulgated by the State Records Committee for processing and scanning such records shall be followed, including certification and reporting procedures required by rule by the Bureau of Micrographics and Alternate Records Storage of the Division of Archives and Records Management.

#### 15:3-4.7 Operation and management of image processing systems

(a) Optical disk systems shall not be operated in environments with high levels of airborne particles or without adequate temperature and humidity controls, according to rules promulgated by the State Records Committee.

(b) Complete and accurate indexes are essential when records are stored on optical media.

1. Image processing systems shall include an indexing system and procedures for adequate indexing that permit rapid identification and retrieval for viewing or reproducing of all related records maintained in the systems.

2. The requirement to maintain an indexing system shall be met if an indexing system is functionally comparable to a reasonable hardcopy indexing system which is consistent with statutory requirements.

3. Operational procedures shall include a check of indexing accuracy at the time the indexes are created and periodic testing thereafter under procedures established in (e) below.

4. Preference shall be given to systems which incorporate indexes or other retrieval information directly on the optical disk.

5. Backup, refreshing, and data migration procedures must ensure the preservation of all indexing associated with records in the image processing system, and the continued ability to identify, retrieve, and reproduce all relevant documents.

(c) Particular care shall be given to labeling all optical disks, magnetic tapes and other storage containers, especially when the disk or tape containing their corollary indexes is stored on separate media. Standard practices shall be encouraged for labeling optical disks and cartridges, as set forth in Technical Report for Information and Image Management—Recommendations for the Identifying Information to be Placed on Write-Once-Read-Many (WORM) and Rewritable Optical Disk (OD) Cartridge Label(s) and Optical Disk Cartridge Packing/Shipping Containers (ANSI/AIIM TR21-1991, as amended and supplemented, incorporated herein by reference).

(d) All aspects of the design and use of the image processing systems shall be documented. Documentation on an image processing system shall include:

1. Administrative procedures for imaging, storage, and retrieval of records;

2. Technical specifications for all the components of the system;

3. Problems encountered in the operation of the system and measures taken to address such problems; and

4. Any and all hardware and software modifications made to the system.

(e) Per P.L. 1994, c.140, the Division of Archives and Records Management, with the approval of the State Records Committee, is required to review and approve image processing systems.

1. The Division shall create an annual report form for agencies employing image processing systems for keeping public records, which will include a review of systems maintenance, operation and administration; backup, disaster recovery and data migration procedures; and compliance with other rules for image processing promulgated by the State Records Committee.

2. The Division shall distribute the form annually to each agency employing image processing systems for keeping public records within 30 days of the anniversary date of the original certification of their imaging system.

3. An agency shall submit the completed annual report form to the Director of the Division of Archives and Records Management within 30 days after the receipt of the annual review notice.

4. The Division shall, based on this report and any other supplementary information it may require, issue a certificate to the agency stating whether or not the image processing system complies or continues to comply with applicable rules.

5. If the Division determines that an image processing system fails to comply with applicable rules, it shall state in writing to the agency how the system and operational procedures are not in compliance, and provide guidance as to changes that must be made to achieve compliance.

6. A copy of a certification of compliance from the Division shall be presented with every request by an agency for approval of record retention schedules or disposal of original records used or maintained on image processing systems.

(f) The Bureau of Records Management of the Division of Archives and Records Management shall provide training and other records and information management support services to State and local government agencies to assist in the planning, implementation, and maintenance of image processing systems used for keeping public records; and serve as a repository for information concerning State, national and international standards, procedures and guidelines for image processing systems, including all published documents cited or referred to in this subchapter; and produce, publish and distribute technical bulletins, guidelines and other publications to implement and explain established standards, procedures and rules for image processing systems; and shall revise and reissue the same as warranted by advances in technology, issuance of new national and international standards, or other relevant events.

#### 15:3-4.8 Security

(a) A security subsystem and procedures for system administration and file access that cannot be disabled or circumvented, except for properly authorized functions of a systems manager, shall be provided for all image processing systems used for keeping public records.

(b) Imaging systems shall not be capable of altering a record as scanned and/or recorded, except for standard computer-enhancement routines used to improve the legibility of scanned documents.

(c) Means of control shall be established and maintained to prevent unauthorized creation, addition, alteration, deletion, or deterioration of any imaged record.

(d) Corrections or additions to records shall be recorded as new documents and maintained in the recordkeeping system along with the original record.

(e) Court-ordered expungement of information recorded on a Write-Once-Read-Many (WORM) optical disk system shall be implemented according to recommendations provided in Technical Report for Information and Image Management—The Expungement of Information Recorded on Optical Write-Once-Read-Many (WORM) Systems (AIIM TR28-1991, as amended and supplemented, incorporated herein by reference).

(f) Security subsystems and procedures for system administration and file access shall be completely and thoroughly documented and auditable.

1. To ensure the integrity, accuracy, and reliability of the public records contained in image processing systems, such systems shall create and retain a record of the location, date, operator and equipment involved in the production of all images it copies or produces.

2. Imaging systems shall create and maintain logs of all system and file access and activities.

3. Only authorized persons shall have access to logs and other documentation of security subsystems and procedures.

#### 15:3-4.9 Public access

(a) The implementation and use of image processing systems shall not limit or hinder public access to public records. Image processing systems shall provide access which is equivalent, or better than, that provided by previous record keeping systems.

(b) The right of the public to inspect and copy public records pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.) shall, with respect to the copying of records maintained by an image processing system, be deemed to refer to the right to receive printed copies of such records.

### SUBCHAPTER 5. CERTIFICATION OF IMAGE PROCESSING SYSTEMS

#### Authority

N.J.S.A. 47:1-12 and 47:3-26.

**Source and Effective Date**

R.1998 d.289, effective June 1, 1998.  
See: 30 N.J.R. 986(a), 30 N.J.R. 2056(a).

**15:3-5.1 Purpose**

(a) The Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee as established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20), promulgated at N.J.A.C. 15:3-4, "standards, procedures and rules for image processing of public records for the preservation, examination and use of such records, including indexing and arrangement thereof," as required by P.L. 1953, c.410 (N.J.S.A. 47:3-26) as amended, and P.L. 1994, c.140 (N.J.S.A. 47:1-12). This subchapter, N.J.A.C. 15:3-5, sets forth procedures to be used by State and local agencies for the evaluation and certification of image processing systems for public records and an annual review of the same per the provisions of P.L. 1994, c.140, including section 6 of the same (N.J.S.A. 47:3-20 as amended), and N.J.A.C. 15:3-4.7.

(b) P.L. 1994, c.140 amends section 12 of P.L. 1953, c.410 (N.J.S.A. 47:3-26) and other sections of the New Jersey Statutes to allow the use of image processing systems for keeping public records under standards, procedures and guidelines established by the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee (see N.J.A.C. 15:3-4). Per Article 6 of P.L. 1994, c.140 and N.J.A.C. 15:3-4.7(e), the Division of Archives and Records Management, with the approval of the State Records Committee, is required to review and approve image processing systems used by State and local agencies for public records. N.J.A.C. 15:3-4.7(e)1 requires the Division of Archives and Records Management to "create an annual report for agencies employing image processing systems for keeping public records, which will include a review of systems maintenance, operation and administration, backup, disaster recovery and data migration procedures, and compliance with other rules for image processing promulgated by the State Records Committee." This subchapter implements that requirement.

(c) P.L. 1994, c.140 provides for the replacement of paper records and records on other media with copies of the records in image processing systems and for the disposal of the original records with the approval of the State Records Committee under certain conditions. The conditions for disposal of original records include conformance with established standards for image processing systems and any related record retention schedules approved by the State Records Committee and that such disposal is not contrary to any other State or Federal statutes or regulations. These conditions include certification that such systems conform to State standards for image processing systems for public records and an annual review to confirm the continued

compliance of the same. Evidence of compliance with such standards shall be required by the State Records Committee prior to approval of retention schedules or approval of disposal of public records on an image processing system.

(d) The intent of P.L. 1994, c.140 is to ensure the preservation, integrity, and accessibility of public records in image processing systems by the establishment of relevant standards, procedures and guidelines. The implementation of procedures for certification and review of image processing systems ensure the preservation of public records created and maintained on image processing systems and aid in the future in the migration of records and other data maintained on such systems to new recordkeeping systems or other record storage media.

(e) Furthermore, P.L. 1994, c.140 provides that as long as these standards, procedures and guidelines are followed, image-processed documents can be used in evidence in any court or proceeding in New Jersey with the same force and effect as the original public record. The implementation of procedures for certification and review of image processing systems ensure the continued evidentiary value of public records created and maintained on image processing systems.

**15:3-5.2 Correspondence and inquiries**

All correspondence and inquiries concerning this subchapter should be addressed to:

Director  
Department of State  
Division of Archives and Records Management  
2300 Stuyvesant Avenue, PO Box 307  
Trenton, NJ 08625-0307  
(609) 530-3205  
Fax Number: (609) 530-6121

**15:3-5.3 Definitions**

The words and terms used in this subchapter shall have the standard meanings as established in Technological Report for Information and Image Management—Glossary of Imaging Technology (ANSI/AIIM TR2-1992), incorporated herein by reference, as amended and supplemented, and in Glossary of Records Management Terms—A Guideline (ARMA A4542) incorporated herein by reference as amended and supplemented, except as otherwise defined in Title 47 of the State Statutes or in rules promulgated by the Division of Archives and Records Management as approved by the State Records Committee, including those contained in N.J.A.C. 15:3-4.2. The addresses of AIIM and ARMA for the purpose of ordering documents may be found in N.J.A.C. 15:3-4.2.

**15:3-5.4 Responsibilities of the Division of Archives and Records Management**

(a) Per P.L. 1994, c.140, the Division of Archives and Records Management, with the approval of the State Records Committee, shall evaluate and certify image processing systems as compliant with established standards, rules and procedures for such systems for the keeping of public records.

(b) Per N.J.A.C. 15:3-4.7(e)1, the Division shall create and maintain an image processing system evaluation form to be used by agencies employing image processing systems for keeping public records to evaluate and review systems maintenance, operation and administration; backup, disaster recovery and data migration procedures; and compliance with other rules for image processing. See N.J.A.C. 15:3-5.5(e). Said image processing evaluation form shall be used to evaluate systems for certification, that such systems are compliant with the rules for image processing systems promulgated by the Division and approved by the State Records Committee, as well as for the annual review of such systems.

(c) The Division shall distribute the image processing evaluation form upon request, or at least annually, to each agency employing image processing systems for public records within 30 days of the anniversary date of the original certification of their imaging system as required by N.J.A.C. 15:3-4.7(e)2.

(d) The Chief of the Bureau of Micrographics and Alternate Storage and the Chief of the Bureau of Records Management of the Division of Archives and Records Management or the acting chief of said bureaus shall review such forms and supporting documentation submitted by a public agency and, based on these reports and any other supplementary information it may require, shall determine if the documented system is in compliance with N.J.A.C. 15:3-4. Upon their recommendation, the Division shall, with the approval of the State Records Committee, issue or decline to issue a certificate to the agency stating whether or not the image processing system complies or continues to comply with applicable rules.

(e) If the Division determines that an image processing system fails to comply with applicable rules, it shall state in writing to the agency how the system and operational procedures are not in compliance and provide guidance as to changes that must be made to achieve compliance as required by N.J.A.C. 15:3-4.7(e)5.

(f) The Division shall acknowledge the receipt of forms and supporting documentation submitted by a public agency and, based on these reports and any other supplementary information it may require, shall determine within 23 working days if the documentation on the system is complete and the system is in compliance with established standards, procedures, and rules for image processing for public records, and shall notify the applicant of their findings within that time period. Upon completion of the application process and approval of an application by Chief of the Bureau of Micrographics and Alternate Records Storage and the Chief of the Bureau of Records Management of the Division of Archives and Records Management, or the acting chief of said bureaus, the Division shall submit the application for approval by the State Records Committee at the next regularly-scheduled meeting of the Committee following a period of 23 working days for receipt of written public comment on the application, including the required period for legal notice for the action to be included on the agenda of the meeting. Upon the approval or disapproval of the State Records Committee of an application for certification or recertification of an image processing system in a regularly-scheduled meeting, the Division shall, accordingly, issue or decline to issue a certificate to the agency, stating whether or not the image processing system complies or continues to comply with applicable rules. If the Division or the State Records Committee determines at any point in the process that an application or required documentation is incomplete or an image processing system fails to comply with applicable rules, it shall notify the agency in writing as soon as such a determination is made, stating what actions need to be taken to complete the application or how the system and operational procedures are not in compliance and provide guidance as to changes that must be made to achieve compliance as required by N.J.A.C. 15:3-4.7(e)5.

(g) The Division shall provide training and other records and information management support services to State and local government agencies to assist in the planning, implementation, and maintenance of image processing systems used for keeping public records, including implementation of the provisions of this section; serve as a repository for information concerning State, national and international standards, procedures and guidelines for image processing systems; produce, publish and distribute technical bulletins, guidelines and other publications to implement and explain established standards, procedures and rules for image processing systems; and revise and reissue the same as warranted by advances in technology, issuance of new national and international standards, or other relevant events.

Amended by R.1999 d.371, effective November 1, 1999.  
See: 31 N.J.R. 1900(a), 31 N.J.R. 3524(a).

Inserted a new (f); and recodified former (f) as (g).

### 15:3-5.5 Responsibilities of State and local agencies

(a) State and local public agencies shall submit a completed copy of the image processing evaluation form provided by the Division, along with supporting documentation, to the Division for review and evaluation of each existing or proposed image processing system used for creation, storage or management of public records for determination that the same is in compliance with State standards at N.J.A.C. 15:3-4, as required by P.L. 1994, c.140 (N.J.S.A. 47:1-12).

(b) Agencies shall submit requests for review and evaluation of proposed image processing systems to the Division before purchasing and installation of such a system for keeping public records. Agencies shall submit to the Division a request for review and evaluation of any image processing systems in use for or to be used for keeping public records. It shall be the responsibility of any agency using or proposing to use such a system for recordkeeping to request that the Division review and certify or recertify the same and to file an evaluation form and supporting documentation with the Division as specified in this section. Upon notification by the Division such an application is complete, the agency shall be responsible for posting and notifying stakeholders of their application for certification or recertification of an image processing system for keeping public records, and shall provide public access to a copy of the completed application and supporting documentation.

(c) An agency shall submit the completed annual report form in conformance with N.J.A.C. 15:3-5.4 to the Director of the Division of Archives and Records Management within 23 working days after the receipt of the annual review notice.

(d) A copy of a certificate of compliance from the Division shall be presented with every request by an agency for approval of record retention schedules or disposal of original records used or maintained on image processing systems.

(e) Agencies shall maintain and submit to the Division the following information on any and all image processing systems used for creation, management or storage of any public records:

1. Agency profile: An agency shall provide agency profile information, including Department, division, bureau or agency office name; agency representative and Management Information Systems (MIS) representative names and titles; and all associated addresses, telephone and facsimile numbers, and e-mail addresses.

#### 2. Records management:

i. Using the agency's related records retention schedules, an agency shall list the records series titles, descriptions, and inclusive dates of all public records created, stored or maintained in the image processing system;

ii. An agency shall note if records retention schedules are being used at the agency and if routine records disposal practices are being followed using the Request and Authorization for Records Disposal form supplied by the Division of Archives and Records Management; and

iii. An agency shall denote which office oversees the image processing system, such as the office of records and information management (as in the case of a municipality, the Municipal Clerk), Management Information Services (MIS), or other office or agency, including contractual arrangements with another office or agency or service bureau;

#### 3. Feasibility study:

i. An agency shall state if a feasibility study had been conducted prior to the purchase and implementation of the imaging system;

ii. If a feasibility study has been conducted for such an image processing system, a copy of the study shall be submitted along with any request for evaluation and certification of the system;

#### 4. System configuration:

i. An agency shall identify the name, version, and manufacturer of any hardware, operating system, and network systems employed by the system per N.J.A.C. 15:3-4.5, as applicable;

ii. An agency shall state if the image processing system employs or otherwise meets an established open system architecture standard as set forth in N.J.A.C. 15:3-4.3(g) and, if so, identify the applicable open architecture standard;

iii. An agency shall list the name, version, and manufacturer of any software that is currently used by the image processing system;

iv. An agency shall describe if the system stores and retrieves records and information on-line or off-line, such use of external drives or a juke box;

v. An agency shall list the types of file contained on the system, such as data, text, database, forms or image files, including file formats per N.J.A.C. 15:3-4.5;

vi. An agency shall list all media used by the system to store records and information, such as magnetic tape, diskettes, or WORM, CD-ROM, or other types of optical disks;

vii. An agency shall list all scanners used by the system, including manufacturer and model number, as well as scanning standards maintained for scanning various types of documents, such as dots per inch (dpi), density and resolution, as required by N.J.A.C. 15:3-4.6;

viii. An agency shall describe its problem management system or any problem management measures it maintains, such as maintenance of a Hardware/Software Error Log, per N.J.A.C. 15:3-4.7(d)3;

ix. An agency shall describe its quality control system or any quality control measures it maintains, such as maintenance of a Scanned Images Log and routine visual quality control measures for images; and

x. An agency shall document security measures for system administration and file access for the image processing system as required by N.J.A.C. 15:3-4.8;

5. Disaster prevention/recovery: The agency shall describe and document disaster prevention and recovery plans for their records as required by N.J.A.C. 15:3-4.4(d) including:

i. Disaster prevention/recovery plans, policies and procedures in use;

ii. Disaster prevention/recovery plan documents and manuals;

iii. Plan test cycle, including quarterly, annually, or otherwise scheduled tests of agency disaster recovery plans;

iv. Offsite storage/vital records, including storage for magnetic tape, disks, microfilm and hardcopy; and

v. Hot site/offsite designation;

6. Backup:

i. The agency shall document established policies and procedures of the agency for daily, weekly, monthly, quarterly, or annual backup of the image processing system on microfilm, disk, tape, or other media, as required by N.J.A.C. 15:3-4.4(c)1;

ii. The agency shall identify the offsite location(s) and storage conditions for storage of backups for the system, as required by N.J.A.C. 15:3-4.4(e);

iii. The agency shall document any schedule for refreshing (copying) media established or adopted by the agency per N.J.A.C. 15:3-4.4(f);

iv. An agency shall indicate if a data library or other systems administration system is maintained for magnetic tapes, disks, or other recordkeeping media by or for the agency; and

v. An agency shall describe media, such as microfilm, hardcopy, other media used to backup any records on image processing systems which are scheduled for permanent or long-term retention, including documented life expectancy (LE) ratings or other standards for such media.

7. Data migration: The agency shall provide documentation on a demonstrated and tested plan to migrate data from legacy systems and current or future recordkeeping systems to other media, including microfilm, computer output microfilm or other media which shall meet standards established by the Division of Archives and Records Management and approved by the State Records Committee per N.J.A.C. 15:3-4.3(c)3. Any proposed data migration routine or facility shall require approval by the State Records Committee and testing on a periodic basis;

8. System documentation:

i. An agency shall list the various types of documentation such as manuals, logs, source code, and testing results that are being maintained as a reference/history file for the hardware, software, and operating procedures for an imaging system, network, scanner, and operating system per N.J.A.C. 15:3-4.4(b) and 4.7(d);

ii. Copies of such documentation shall be submitted with any request for evaluation and certification of a system or annual review, when substantive changes are made to a system, or as may be deemed necessary by the Division or the State Records Committee to carry out the provisions of this subchapter;

9. Vendor support: An agency shall indicate whether it has contracted with a vendor or supplier to provide technical support for hardware and software-related questions and problems for the image processing system, staff training for hardware and software usage, and new or upgraded versions of software as they are released; and

10. Agency verification: An agency shall certify that information and documentation listed in or attached to forms submitted for evaluation and certification of image processing systems or annual reviews of the same are true and accurate reflections of the agency's system upon the date of such submissions, as verified by the dated signature of the responsible agency official, along with that of the Management Information Services (MIS) representative or the equivalent for the agency, if applicable.

Amended by R.1999 d.371, effective November 1, 1999.

See: 31 N.J.R. 1900(a), 31 N.J.R. 3524(a).

In (b), added the second through fourth sentences; and in (c), substituted a reference to 23 working days for a reference to 30 days.

#### 15:3-5.6 Annual review of image processing systems

(a) State and local public agencies shall provide information and documentation on any changes in the configuration or use of any image processing system previously certified as being compliant with N.J.A.C. 15:3-4 and this subchapter.

(b) The imaging system evaluation form provided by the Division shall be used by all agencies for annual reporting on image processing systems used for public recordkeeping, but unchanged items on the report may be simply marked as being "unchanged" and need not be answered or otherwise documented.

(c) Per N.J.A.C. 15:3-4.4(h)2, if an agency ceases to maintain an image processing system per N.J.A.C. 15:3-4, the imaged records that are contained in the system shall be deemed destroyed by the agency according to the provisions of the Destruction of Public Records Law (P.L. 1953, c.410) (N.J.S.A. 47:3-15 to 32) as amended unless the imaged records on such a system are in or converted to a format compatible with and accessible by a compliant imaging system that the agency implements or continues to maintain.

#### 15:3-5.7 Submission of information generally

(a) State and local public agencies shall maintain complete and accurate documentation on any image processing system used for public recordkeeping and shall retain all records of certification and annual review of such systems according to record retention schedules established per N.J.S.A. 47:3-19 to 21. Agencies shall provide public access to completed applications and supporting documentation for certification or annual review of any image processing system used for public recordkeeping.

(b) Agencies shall submit copies of completed image processing systems evaluation and certification forms and any current annual review forms with every request or group of requests regarding records retention schedules or records disposal requests per N.J.A.C. 15:3-2.5 and 2.6 for any public records stored or maintained on an image processing system. Evidence of compliance with established standards shall be required by the State Records Committee prior to approval of retention schedules or approval of disposal of public records on an image processing system.

(c) Nothing in this subchapter shall be deemed to preclude the State Records Committee or the Division from requesting additional information or documentation from an agency concerning any image processing system used for public records which it may deem necessary for the decision-making process for the evaluation and certification or annual review of the same or approval or any records retention schedule or records disposal request for any record or record series stored or maintained on such a system.

(d) Nothing in this subchapter shall be deemed to preclude any State or local agency, at its own expense, from employing a vendor, service supplier, or other party to prepare such information or documentation as required in this section, provided such vendor, supplier, or other party shall certify the accuracy and veracity of any such information and documentation and shall be held responsible for the same.

Amended by R.1999 d.371, effective November 1, 1999.  
See: 31 N.J.R. 1900(a), 31 N.J.R. 3524(a).

In (a), added a second sentence.

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## SUBCHAPTER 6. STORAGE OF PUBLIC RECORDS

### Authority

N.J.S.A. 47:1-12 and 47:3-26.

### Source and Effective Date

R.1998 d.409, effective August 3, 1998.  
See: 30 N.J.R. 1899(a), 30 N.J.R. 2929(c).

#### 15:3-6.1 Purpose

(a) This subchapter sets forth standards for the storage of public records as required by P.L. 1953, c.410, § 16 (N.J.S.A. 47:3-30) as amended, effective September 18, 1953, for the Division of Archives and Records Management in the Department of State with the approval of the State Records Committee, established under Section 6 of P.L. 1953, c.410 (N.J.S.A. 47:3-20), to "make and promulgate rules and regulations for the effective administration of laws relating to public records."

(b) Standards, procedures and rules for storage of public records mandated by P.L. 1953, c.410 (N.J.S.A. 47:3-26) as amended, P.L. 1994, c.140 (N.J.S.A. 47:1-12(a) et al. as amended), and other sections of the State statutes are promulgated in this subchapter to ensure the preservation and accessibility of public records. Furthermore such standards, procedures and rules for storage of public records insure the legal integrity and admissibility of public records as provided for under P.L. 1994, c.140, § 4 (N.J.S.A. 47:3-26 as amended) et al.

(c) P.L. 1994, c.140, which amends Section 12 of P.L. 1953, c.410 (N.J.S.A. 47:3-26) and other sections of the New Jersey Statutes, mandates the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee, to formulate “standards, procedures and rules for photographing, micro-photographing, microfilming, data processing and image processing of public records for the preservation, examination and use of such records, including indexing and arrangement thereof” to allow the use of the same for keeping public records. Such standards and procedures promulgated in N.J.A.C. 15:3-4, effective May 5, 1997, include the requirement under N.J.A.C. 15:3-4.4(e) for security copies of public records on optical disks or other media to be stored in secure and suitable facilities according to record storage rules promulgated by the State Records Committee.

(d) Furthermore, the rules define standards, procedures and guidelines for storage of public records pursuant to P.L. 1920, c.309, § 3(10), (N.J.S.A. 40:48-6), which requires the governing body of municipalities to provide a vault or other place or places for safe-keeping of books, valuable records, documents and papers affording equal or greater security against fire and theft and other statutory requirements for safe-keeping of records by public agencies.

### 15:3-6.2 Definitions

The words and terms used in this subchapter shall have the standard meaning as established in the Technological Report for Information and Image Management—Glossary of Imaging Technology (ANSI/AIIM TR2-1992), Glossary of Records Management Terms—A Guideline (ARMA A4542), and A Glossary for Archivists, Manuscript Curators, and Records Managers (SAA PC103), each as amended and supplemented and incorporated herein by reference, except as may be otherwise defined in state statutes, including:

“Agency” or “agencies” means any board, body, department, commission, or office of an official of the state, or any political subdivision thereof, or any public board, body, commission or authority created pursuant to law.

“AIIM” means the Association for Information and Image Management, a standards-setting body affiliated with the American National Standards Institute (ANSI), which is the principal developer of standards for microforms and information storage technologies involving images, such as optical disks and scanners. The address of the Association for the purpose of ordering publications is as follows:

Association for Information and Image Management  
AIIM Publication Sales  
1100 Wayne Avenue, Suite 1100  
Silver Spring, MD 20910-5603  
Telephone: (301) 587-8202  
Fax: (301) 587-2711

“ANSI” means the American National Standards Institute, a private national standards organization in the United States, which coordinates the development and maintenance of various industry standards. ANSI serves as the United States representative to the International Organization for Standardization (ISO). The address of the Institute is as follows:

American National Standards Institute  
11 West 42nd Street, 13th Floor  
New York, NY 10036  
Telephone: (212) 642-4900  
Fax: (212) 302-1286 (orders only)

“Archival film” means a photographic film that when stored under archival storage conditions is suitable for preservation of records having permanent value, providing the original images are of suitable quality. Films suitable for archival records are described in ANSI PH1.28-1984 and ANSI PH1.41-1984 as amended and supplemented.

“Archival storage conditions” means those controlled conditions that are suitable for preservation of records having permanent or long-term legal, administrative or historical value and which will prolong the useful life of any type or form of record media.

“ARMA” means the Association of Records Managers and Administrators International, which is the principal records and information management association in the United States and Canada, and one of the organizations accredited by the American National Standards Institute (ANSI) to develop records management standards. The address of the Association is as follows:

Association of Records Managers and Administrators International  
4200 Somerset Drive, Suite 215  
Prairie Village, KS 66208  
Telephone: (800) 422-2762  
Fax: (913) 341-3742

“ASCII” means American Standard Code for Information Interchange, a binary code used as a common denominator between incompatible formats, since most applications can export and import ASCII files.

“ASTM” means American Society for Testing and Materials, a developer and provider of voluntary consensus standards which has developed and published technical standards for reliability of materials, products, systems and services used by industries worldwide. The address of the Association is as follows:

American Society for Testing and Materials  
100 Barr Harbor Drive  
West Conshohocken, PA 19428-2959  
Telephone: (610) 832-9585  
Fax: (610) 832-9555

“Celsius” means a temperature scale, also known as the Centigrade scale, divided into 100 degrees, in which 0 degrees represents the freezing point and 100 degrees represents the evaporating point of water. Celsius is now the preferred term in technical use.

“CFR” means the Code of Federal Regulations. The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal government. It is the official compilation of Federal regulations of general applicability and legal effect, arranged in subject order, published by the National Archives and Records Administration (NARA).

“DARM” means the Division of Archives and Records Management in the Department of State.

“Division of Archives and Records Management” or “Division” means the Division of Archives and Records Management (DARM) in the Department of State established pursuant to the Governor’s Reorganization Plan filed April 29, 1983; furthermore, pursuant to P.L. 1994, c.140 (N.J.S.A. 47:1-75), whenever in any law, rule, regulation, order, contract, document, judicial or administrative proceeding, reference is made to the “Public Records Office” or “Bureau of Archives and History” or “Bureau” in the Department of Education, or the administrator thereof, the same shall be considered to mean and refer to the Division of Archives and Records Management in the Department of State. The address of the Division is as follows:

Department of State  
 Division of Archives and Records Management  
 PO Box 307  
 Trenton, NJ 08625-0307  
 Telephone: (609) 530-3200  
 Fax: (609) 530-6121

“DoD” means Department of Defense, a cabinet-level agency of the United States government, which establishes standards for use in automated information systems for the department’s functional community. The copies of DoD standards cited in this subchapter are available from:

Department of Defense  
 Defense Technical Information Center (DTIC)  
 8725 John J. Kingman Road, Suite 0944  
 Fort Belvoir, VA 22060-6218  
 Telephone: (800) 225-3842

“EBCDIC” means Extended Binary Coded Decimal Interchange Code, a data code used in IBM mainframes and other midrange computers that stores one alphanumeric character or two decimal digits within a byte.

“Film enclosure” means any item in close or direct contact with photographic film or microfilm, such as reels, cores, spools, cassettes, magazines, cans, canisters, folder, envelopes, cartons, sleeves or aperture cards, used to house, store or protect the such film.

“FIPS” means Federal Information Processing Standard. The National Institute of Standards and Technology, the principle standards agency for the Federal government, oversees the development of Federal Information Processing Standards (FIPS). Copies of the FIPS standards cited in this subchapter are available from:

National Technical Information Service (NTIS)  
 U.S. Department of Commerce  
 Springfield, VA 22161  
 Telephone: (703) 487-4650

“Fire-protective storage facilities” means storage facilities designed to protect records against excessive temperatures, water and other fire-fighting agents, steam or other gases produced by burning insulation and other building materials, and collapsing structures.

“Fire-resistive vaults” means vaults as defined in ANSI/NFPA 232-1980.

“IEC” means the International Electrotechnical Commission, the international standards and conformity assessment body for all fields of electrotechnology. National members of the IEC are the primary agents of IEC standards and other publications, which, in the United States is the American National Standards Institute (ANSI).

“IEEE” means the Institute of Electrical and Electronic Engineers, the world’s largest technical professional organization, which establishes standards in the fields of electrical, electronics and computer engineering. The address of the Institute for the purpose of ordering publications is as follows:

Institute of Electrical and Electronic Engineers  
 IEEE Computer Society Press  
 Customer Service Center  
 10662 Los Vaqueros Circle  
 PO Box 3014  
 Los Alamitos, CA 90720-1314  
 Telephone: (800) CS-BOOKS  
 Fax: (714) 821-4641

“IES” means the Institute of Environmental Sciences, a professional society of engineers, scientists and educators from industry and academic institutions in the environmental sciences. The address of the Institute is as follows:

Institute of Environmental Sciences  
940 East Northwest Highway  
Mt. Prospect, IL 60056  
Telephone: (847) 255-1561

“Insulated record containers” means insulated record storage containers (Class 150) as defined in ANSI/UL 72-1983. Tests for Fire Resistance of Record Protection Equipment.

“ISO” means the International Organization for Standardization, which coordinates national standards bodies worldwide. The address of the Organization is as follows:

International Organization for Standardization  
Central Secretariat  
1, rue de Varembe  
Case postale 56  
CH-1211 Geneve 20  
Switzerland  
Telephone: 41 22 749 01 11  
Fax: 41 22 733 34 30

“Long-term storage” means storage conditions that are suitable for ensuring a minimum useful life of a record or series of records required by a Federal or State statute or regulation, or by a retention schedule approved by the State Records Committee per P.L. 1953, c.410 (N.J.S.A. 47:3-20 et seq.) to be retained by the originating agency for 10 or more years after creation, filing, or completion.

“Low temperature storage” means storage of records at temperatures below ambient temperature, such as refrigeration temperature (1.7 to 7.2 degrees Celsius/35 to 45 degrees Fahrenheit), special installations (1.7 to 18.3 degrees Celsius/35 to 65 degrees Fahrenheit), or deep freeze temperature (-17.8 degrees Celsius/0 degrees Fahrenheit).

“Medium-term storage conditions” means storage conditions that are suitable for ensuring a minimum useful life of a semicurrent record or series of records as required by a Federal or State statute or regulation or a retention schedule approved by the State Records Committee per P.L. 1953, c.410 (N.J.S.A. 47:3-20 et seq.) to be retained by the originating agency for more than three years but less than 10 years after creation, filing, or completion.

“NAPM” means National Association of Photographic Manufacturers, a trade and technical information organization of photographic products manufacturers and suppliers, develops standards for the fields of photography and optics. NAPM serves as the standards secretariat and developer for ANSI/NAPM IT (Imaging Technology) committees, ISO TC42-Photography, and ISO TC172-Optics and Optical Instruments. The address of the Association is as follows:

National Association of Photographic Manufacturers  
550 Mamaroneck Avenue  
Harrison, NY 10528  
Telephone: (914) 698-7603  
Fax: (914) 698-7609

“NARA” means National Archives and Records Administration, formerly the National Archives and Records Service (NARS), which is the government agency responsible for the public records and archival programs of the United States, including publication of the Federal Register and the Code of Federal Regulations (CFR). The address of the Administration is:

National Archives and Records Administration  
700 Pennsylvania Avenue NW  
Washington, DC 20408-0001  
Telephone: (800) 234-8861 (publications)  
Fax: (202) 501-7170

“NBS” means National Bureau of Standards, now named the National Institute of Standards and Technology (NARA).

“NEDCC” means Northeast Document Conservation Center. The address of the Center is as follows:

Northeast Document Conservation Center  
100 Brickstone Square  
Andover, MA 01810-1494  
Telephone: (508) 470-1010  
Fax: (508) 475-6021

“NFPA” means National Fire Protection Association, an international nonprofit organization producing scientifically-based consensus codes and standards, research, and education programs for fire and related safety issues. The address of the Association is as follows:

National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269-9101  
Telephone: (617) 770-3000  
Fax: (617) 770-0700

“NISO” means the National Information Standards Organization, which is the principal United States organization for the development of library, archival and information management standards. Its members include the Society of American Archivists (SAA), National Archives and Records Administration (NARA), American Library Association (ALA), and the Association for Information and Image Management (AIIM). Copies of the NISO standards cited in this subchapter are available from:

National Information Standards Organization  
NISO Press Fulfillment  
PO Box 338  
Oxon Hill, MD 20750-0338  
Telephone: (800) 282-NISO or (800) 282-6476  
Fax: (301) 567-9553

“NIST” means the National Institute of Standards and Technology (formerly named the National Bureau of Standards), the principal standards agency within the United States government. The National Institute of Standards and Technology oversees the development of Federal information processing standards and conducts related studies for other Federal agencies. Copies of the NIST standards cited in this subchapter are available from:

National Technical Information Service (NTIS)  
U.S. Department of Commerce  
Springfield, VA 22161  
Telephone: (703) 487-4650

“NML” means the National Media Laboratory, an industry consulting group supporting U.S. government evaluation, development, and deployment of advanced storage media systems. The Laboratory’s address for publication is:

National Media Laboratory  
Publications and Technology Transfer  
Bldg. 235-3A-20  
St. Paul, MN 55144-1000  
Telephone: (651) 736-4969

“Permanence” means the capacity to retain properties such as strength and color over extended periods of time, as influenced by internal factors (for example, chemical composition) and external conditions (for example, light, temperature, relative humidity, and atmospheric contaminants). The current trend is to substitute the term “life expectancy” for “permanence.”

“Public record” or “records” means any and all records of a State or local agency, as defined in P.L. 1953, c.410 (N.J.S.A. 47:3-16) as amended.

“Records storage facility” means a records center or other facility maintained and administered for the storage, maintenance, and reference use of public records pending their ultimate disposition.

“Relative humidity” means the ratio of the quantity of water vapor in the atmosphere to the quantity of water vapor which would saturate the atmosphere at the existing temperature. Also, the ratio of the pressure of water vapor present in the atmosphere to the pressure of water vapor required to saturate the air at the existing temperature.

“SAA” means the Society of American Archivists, the oldest and largest organization for archives and archivists in North America. The Society establishes standards and guidelines for the identification, preservation and use of records of historical value. The Society’s address is as follows:

Society of American Archivists  
600 S. Federal, Suite 504  
Chicago, IL 60605  
Telephone: (312) 922-0140  
Fax: (312) 347-1452

“State Records Committee” or the “Committee” means the State Records Committee established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20 et al.), which consists of the State Treasurer, Attorney General, State Auditor, and the Directors of the Division of Local Government Services of the Department of Community Affairs and the Division of Archives and Records Management of the Department of State, or their designees. The address of the State Records Committee is as follows:

State Records Committee  
PO Box 307  
Trenton, NJ 08625-0307  
Telephone: (609) 530-3200  
Fax: (609) 530-6121

“Storage housing” means a physical structure supporting containers enclosing or holding records media and may consist of racks, shelves, drawers or cabinets.

“Tuple” means a data object containing two or more components. The components of a tuple may be of different types whereas all elements of a list have the same type.

“UL” means Underwriters Laboratory, Inc., a provider of product safety certification and quality system registration services. The address of the Laboratory is as follows:

Underwriters Laboratory, Inc.  
333 Pfingsten Road  
Northbrook, IL 60062  
Telephone: (847) 272-8800

### 15:3-6.3 Record storage facility

(a) P.L. 1953, c.410, § 16 (N.J.S.A. 47:3-30) as amended, effective Sept. 18, 1953, mandates the Division of Archives and Records Management in the Department of State with the approval of the State Records Committees as established by P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20) to “make and promulgate rules and regulations for the effective administration of the laws relating to public records.” Furthermore, N.J.A.C. 15:3-4.4(e) promulgated under P.L. 1994, c.140, § 4 (N.J.S.A. 47:3-26 as amended) requires the State Records Committee to promulgate rules for secure and suitable facilities for the storage of public records.

(b) The following pertain to referenced standards:

1. This section is intended for use in conjunction with the following referenced national and international standards as amended and supplemented, incorporated herein by reference. The standards cited in the subsection are available from the American National Standards Institute, Inc. (ANSI) or other standards-setting organizations as cited in N.J.A.C. 15:3-6.2. They are also available for use and inspection at the Division of Archives and Records Management, 2300 Stuyvesant Avenue, Trenton, New Jersey per the provisions of N.J.A.C. 15:3-4.7(f).

- i. ANSI/NAPM IT9.11. Imaging Media—Processed Safety Photographic Films—Storage;
- ii. ANSI/NFPA 1-1997. Fire Prevention Code;
- iii. ANSI/NFPA 10-1994. Portable Fire Extinguishers;
- iv. ANSI/NFPA 13-1996. Installation of Sprinkler Systems;
- v. ANSI/NFPA 25-1995. Inspection, Testing and Maintenance Water-Based Fire Protection Systems (Revision of ANSI/NFPA 13-A);
- vi. ANSI/NFPA 40-1997. Storage and Handling of Cellulose Nitrate Motion Picture Film;
- vii. ANSI/NFPA 70-1996. National Electric Code;
- viii. ANSI/NFPA 72-1996. National Fire Alarm Code;
- ix. ANSI/NFPA 80-1995. Fire Doors and Fire Windows;
- x. ANSI/NFPA 80A-1996. Fire Doors and Fire Windows, Protection from Exterior Fire Exposures;
- xi. ANSI/NFPA 90A-1996. Installation of Air Conditioning and Ventilating Systems;
- xii. ANSI/NFPA 90B-1996. Installation of Warm Heating and Air Conditioning Systems;
- xiii. ANSI/NFPA 220-1993. Types of Building Construction;
- xiv. ANSI/NFPA 221-1997. Fire Walls and Fire Barrier Walls;
- xv. ANSI/NFPA 231-1995. General Storage;
- xvi. ANSI/NFPA 232-1995. Protection of Records;
- xvii. ANSI/NFPA 232A-1995. Fire Protection for Archives and Records Centers;
- xviii. ANSI/UL 155. Test for Fire Resistance of Vault Doors;
- xix. NEDCC Technical Leaflet. The Environment. Temperature, Relative Humidity, Light and Air Quality: Basic Guidelines for Preservation; and

xx. NBS Technical Notice 839. Fire Protection.

2. Local government agencies should refer to the Uniform Construction Code (N.J.A.C. 5:23) under the auspices of the New Jersey Department of Community Affairs regarding all aspects of building and construction for local agencies.

(c) Records storage facilities containing public records, except for those facilities or portions of facilities excluded in this subsection, shall comply with all appropriate building and safety codes, standards, rules and guidelines for storage of records as amended and supplemented, incorporated herein by reference including:

1. Any records storage facility for public records shall be constructed of noncombustible and fire-resistive materials. The facility shall be of a nature that minimizes the potential for and the resultant effects of fire. Reference:
  - i. ANSI/NFPA 220. Types of Building Construction. Chapter 3, Types of Construction;
  - ii. ANSI/NFPA 220. Types of Building Construction. Chapter 3, Building Construction;
  - iii. ANSI/NFPA 220. Types of Building Construction. Chapter 5-2, Fire Restrictive Buildings; and
  - iv. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers.
2. The facility should be a stand-alone structure. In the event the structure is shared with other tenants, firewalls of approved construction shall separate the records storage facility from other areas in the building. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers, Chapter 2-3, Fire Risk Evaluation Factors.
3. If the record storage facility is located in a structure with other non-related tenants, activities conducted in other parts of the building shall not be of the nature which would create a hazard to the records stored there. Reference:
  - i. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-3, Fire Risk Evaluation Factors;
  - ii. ANSI/NFPA 80. Fire Doors and Fire Window; and
  - iii. ANSI/NFPA 80A. Fire Doors and Fire Window, Protection from Exterior Fire Exposure.
4. Access to the facility shall be restricted to authorized personnel. Adequate security procedures and systems shall be provided to prevent loss, theft, or destruction of public records and to ensure the safety and integrity of the public records stored there.
5. A record storage facility shall maintain a fire prevention program based on good housekeeping practices. Smoking, use of open flame devices or the presence of

flammable materials shall be prohibited in storage areas. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-6, Fire Prevention Program.

6. The facility shall have appropriate fire detection and suppression systems with procedures in place to ensure their effectiveness. Reference:

- i. ANSI/NFPA 72. National Fire Alarm Code;
- ii. ANSI/NFPA 1. Fire Prevention Code;
- iii. ANSI/NFPA 10. Portable Fire Extinguishers;
- iv. ANSI/NFPA 13. Installation of Sprinkler Systems;
- v. ANSI/NFPA 25. Inspection, Testing and Maintenance of Water-Based Fire Protection Systems;
- vi. ANSI/NFPA 231. General Storage. Chapter 5-1, Automatic Sprinkler Systems;
- vii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-1, Fire Detection;
- viii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-2, Automatic Sprinkler Systems;
- ix. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-4, Gaseous Extinguishment;
- x. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-5, Comparison of Systems; and
- xi. NBS Technical Notice 839. Fire Protection.

7. A slightly positive air pressure balance should be maintained within the records storage area so as to ensure consistency of temperature and relative humidity and minimize infiltration of contaminants. Reference: ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage. Chapter 7.2, Air Conditioning Requirements.

8. Air handling ducts shall be equipped with fire detectors and applicable shutoff apparatus. Reference:

- i. ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage. Chapter 7.2, Air Conditioning Requirements;
- ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 7-4, Air Conditioning/Ventilation; and
- iii. ANSI/NFPA 90A. Installation of Air Conditioning and Ventilation Systems.

9. The facility shall have a power supply sufficient to maintain environmental controls, security, lighting, fire detection and suppression equipment. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5, Fire Control Systems.

10. No cellulose nitrate films shall be stored in the same records storage facility with other types of record media. If any cellulose nitrate film is retained by an agency, it shall be maintained per ANSI/NFPA 40. Storage and Handling of Cellulose Nitrate Film as amended and supplemented, incorporated herein by reference. Reference:

- i. ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage Chapter 7.3, Air Purity;
- ii. ANSI/NFPA 40. Storage and Handling of Cellulose Nitrate Film; and
- iii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-1, Types of Media.

11. All door openings of the records storage facility shall be fitted with a suitable and approved fire-resistant door. Reference:

- i. ANSI/UL 155. Test for Fire Resistance of Vault Doors; and
- ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-10, Vault Door Specifications.

12. All electrical wiring within the facility, exclusive of low-power alarm circuits, shall be encased in approved conduit. Reference:

- i. ANSI/NFPA 70. National Electric Code;
- ii. ANSI/NFPA 232. Chapter 2-11, Electrical Service; and
- iii. ANSI/UL 155. Test for Fire Resistance of Vault Doors.

13. Portable fire extinguishers of a type appropriate for Class A fires shall be readily accessible inside and immediately outside the record storage area. Reference:

- i. ANSI/NFPA 10. Standard for Portable Fire Extinguishers; and
- ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-13, Fire Suppression.

14. All record storage containers within a facility shall be kept at least six inches from piping or conduits. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-12, Operating Practices.

(d) Records storage facilities containing archival, permanent, or other records with long-term retention schedules due to their continuing legal, administrative or historical value shall comply with all standards, rules and guidelines for storage of public records promulgated in this subchapter together with NEDCC Technical Leaflet. The Environment. Temperature, Relative Humidity, Light and Air Quality: Basic Guidelines for Preservation, as amended and supplemented, incorporated herein by reference (except when special records media require additional environmental and other controlled conditions), including:

1. A power supply sufficient to maintain proper archival environmental controls, security, fire detection and suppression equipment;

2. An HVAC system with adequate levels of control to establish and maintain archival storage conditions, including heating, cooling, dehumidification, humidification, particle control and gaseous pollution control, and a slightly positive air pressure balance within the records storage area so as to ensure:

i. Stability of temperature and relative humidity and minimization of fluctuations in the same;

ii. Maintenance of a stable temperature no higher than 21.1 degrees Celsius (70 degrees Fahrenheit) and a stable relative humidity between 30 and 50 percent relative humidity (RH), unless particular media require additional environmental and other controlled conditions as promulgated in this rule or incorporated by reference, as amended and supplemented. In most cases, maintenance of lower temperatures will increase protection and preservation of archival records; and

iii. Minimization of infiltration of contaminants at better than 50 percent of 0.5 micron particles;

3. Temperature and relative humidity shall be systematically measured and recorded;

4. All lighting systems within an archival storage facility, exclusive of emergency lighting systems, shall be incandescent lamps, also known as tungsten lamps.

i. Light sources which shall be avoided are halogen, diachronic reflector lamps, fluorescent lamps, mercury lamps, metal halide lamps, and sodium HID lamps due to discharge of high intensity ultraviolet photons which are known to damage archival materials; and

ii. Ultraviolet light filters shall be placed on all fluorescent lights (and other light sources as appropriated) in areas where archival records are stored, displayed, processed or researched to eliminate wave-lengths below 415 nanometers (nm);

5. Work, reference and storage areas shall be constructed so as to avoid prolonged exposure of archival records to direct or indirect sunlight which contain ultraviolet rays which can damage archival material;

6. Per N.J.A.C. 15:3-4.3(c)1, public records created, copied or stored on paper, which have been designated for permanent or long-term retention by State or Federal regulation or law or a retention schedule approved by the State Records Committee, shall be created or copied and stored on paper which meets the standards set forth in NISO Z39.48-1992. Permanence of Paper for Printed Publications and Documents in Libraries and Archives, as amended and supplemented, incorporated herein by reference, unless an exception is granted by the State Records Committee as part of a records retention schedule per N.J.S.A. 47:3-15 et seq. due to backup on other media such as microfilm or other considerations;

7. Storage containers, folders and other enclosures for archival material shall be constructed of acid-free buffered, lignin-free paper, or other material free of harmful off-gassing, especially sulfur dioxide, nitrogen oxides, peroxides and ozone which catalyze harmful chemical reactions that lead to acid in materials; and

8. Electrostatic precipitators shall not be used because they produce ozone.

(e) Designation of records storage facilities shall be as follows:

1. Per Executive Order No. 109, approved December 8, 1981, and the State Agency Transfer Act, P.L. 1971, c.375 (N.J.S.A. 18A:73-26 as amended), filed April 25, 1983, the Division of Archives and Records Management has been designated as the official State Records Storage Center. Semicurrent or concurrent records of State agencies shall be transferred to the State Records Center when records are no longer needed for current operations of the agency, but may still be used infrequently due to continuing legal, fiscal, or administrative value, per records retention schedules established by the State Records Committee pursuant to the provisions of N.J.S.A. 47:3-15 et seq. and N.J.A.C. 15:3-2.5.

2. Per P.L. 1920, c.46, § 7, (N.J.S.A. 47:2-7) as amended and the State Agency Transfer Act, P.L. 1971, c.375 (N.J.S.A. 18A:73-26 as amended), filed April 25, 1983, the Division of Archives and Records Management has been designated as the official State Archives. Archival records of a public agency which are deemed by a records retention schedule established and approved by the State Records Committee pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-15 et seq.) to possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention which are not needed for administrative purposes by the agency shall be transferred to the State Archives at such times and in such manner and form as prescribed by the Division. The State Archives shall assume full legal custody and ownership of such records upon transfer to the same and shall thereafter be wholly responsible for their care, maintenance, use and preservation.

3. The Division may designate alternative records storage facilities for public records, provided such facilities shall conform to the standards promulgated in this subchapter as approved by the State Records Committee as established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20 et al.).

(f) Exclusions from this subchapter shall be as follows:

1. File areas and temporary storage areas. For the purposes of this section, the term "records storage facility" excludes:

i. Central file areas and file rooms containing active or semi-active records used and maintained in their office of origin;

ii. Records staging areas used for the temporary storage of records before their transfer to a records center or other disposition, provided no records are held in these staging areas for a period not to exceed 12 months; and

iii. Records storage areas used solely for the storage of noncurrent records that have approved retention schedules of less than three years and are not suitable for transfer to a records storage facility due to requirements for high security, technical servicing, or other special recordkeeping provisions; and

2. Additional standards or rules. Nothing in this subchapter shall be deemed to restrict any public agency from promulgating, implementing or employing more restrictive standards, rules, or guidelines for storage facilities for records in any media, type or format created or received by said agency, or from promulgating, implementing or employing additional restrictions, procedures or rules for the storage of public records which they may deem necessary for the preservation, security or integrity of any public record or series or group of public records in their custody.

#### 15:3-6.4 Storage of microforms and other processed film

(a) P.L. 1994, c.140, § 4 (N.J.S.A. 47:3-26 as amended) et al. mandates that the Division, with the approval of the State Records Committee, as established under P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20), shall formulate standards, procedures and rules for storage of microforms and other processed film, including "photographing, microphotographing, microfilming, data processing and image processing of public records and for the preservation, examination and use of such records."

(b) Referenced standards. This section is intended for use in conjunction with the following referenced national and international standards as amended and supplemented, incorporated herein by reference. The standards cited in this subsection are available from the American National Standards Institute (ANSI) or other standards-setting organizations as cited in N.J.A.C. 15:3-6.2. They are also available for inspection at the Division of Archives and Records Management, 2300 Stuyvesant Avenue, Trenton, New Jersey per the provisions of N.J.A.C. 15:3-4.7(f).

1. ANSI IT9.1-1992. Imaging Media (Film)—Silver-Gelatin Type—Specifications for Stability. (Revision and consolidation of ANSI PH1.28-1984, ANSI PH1.41-1984, and ANSI PH1.66-1985 and revision of ANSI IT9.1-1990);

2. ANSI IT9.2-1991. Imaging Media—Photographic Processed Films, Plates, and Papers—Filing Enclosures and Storage Canisters. (Replaced ANSI PH1.53-1986);

3. ANSI IT9.6-1991. Photographic Film—Specifications for Safety Film. (Revision of ANSI PH1.25-1984);

4. ANSI IT9.9-1990. Imaging Media—Stability of Color Photographic Images—Methods for Measuring;

5. ANSI IT9.11-1991. Imaging Media—Processed Safety Photographic Film—Storage. (Revision of ANSI PH1.43-1985);

6. ANSI IT9.16-1993. Imaging Media—Photographic Activity Test;

7. ANSI PH1.45-1981. Practice of Storage of Processed Photographic Plates. (Revised 1989);

8. ANSI PH1.48-1982. Photography (Film and Slides)—Black and White Photographic Paper Prints—Practice for Storage. (Revised 1987);

9. ANSI PH1.53-78. Processed Photographic Films, Plates and Papers, Photographic Filing Enclosures for Storing, Requirements for. (Revised 04 Apr. 1983);

10. ANSI PH4.8-1985. Photography (Chemicals)—Residual Thiosulfate and Other Chemicals in Films, Plates, and Papers—Determination and Measurement;

11. ANSI/AIIM MS45-1990. Recommended Practice for Inspection of Stored Silver-Gelatin Microforms for Evidence of Deterioration;

12. ANSI/NFPA 40-1988. Storage and Handling of Cellulose Nitrate Motion Picture Film. (Revision of ANSI/NFPA 40-1982);

13. ANSI/NFPA 90A-1985. Installation of Air Conditioning and Ventilating Systems;

14. ANSI/NFPA 232-1986. Protection of Records;

15. ANSI/NFPA 232AM-1986. Fire Protection for Archives and Records Centers;

16. ANSI/UL 72-1983. Tests for Fire Resistance of Record Protection Equipment;

17. ASTM D3290-94. Bond and Ledger Paper for Permanent Records;

18. IES CS-1. Standard for HEPA Filters;

19. ISO 5466. Storage of Black and White Microfilm;

20. ISO 10214. Photographic Enclosures; and

21. NISO Z39.62-1993. Eye-Legible Information on Microfilm Leaders and Trailers and on Containers of Processed Microfilm on Open Reels.

(c) All public records on microforms or other processed films shall be stored and maintained in compliance with all appropriate standards, rules and guidelines for storage of microforms and other film promulgated in this section or incorporated herein by reference, as amended and supplemented, including:

1. All microforms used for storage and maintenance of public records shall conform to all applicable standards, rules and guidelines promulgated by the Division of Archives and Records Management and the State Records Committee, including Microfilm Standards (N.J.A.C. 15:3-2.15).

i. Per N.J.A.C. 15:3-2.15(a)5i and 3.11(a)6i, silver halide film is the only film considered suitable for producing microfilm of archival quality for public records with medium-term or permanent or long-term retention schedules.

(1) Silver halide film shall be used when producing copies of the original master negative intended for archival storage.

(2) Silver halide film shall be used for duplicate backup or security copies.

ii. Per N.J.A.C. 15:3-2.15(a)5ii and 3.11(a)6ii, diazo duplication film, while appropriate for low-cost reference copies of public records, is not considered archival in quality.

(1) Diazo film shall not be used to produce master-negative copies of originals.

(2) Unexposed diazo film has a very short shelf life unless refrigerated.

iii. Per N.J.A.C. 15:3-2.15(a)5iii and 3.11(a)6iii, vesicular duplication film is not archival in quality and shall not be used to produce master-negative film.

(1) Vesicular film shall be only used for short term storage applications.

(2) When not fully exposed, vesicular film may develop blemishes which may cause some information to be illegible.

(3) Vesicular duplication film may also be considered suitable for distribution or working copies when archival quality is not a factor.

iv. Updatable microfiche systems (in 1998, an unsupported technology) shall not be used for public records, unless under special conditions per N.J.A.C. 15:3-2.17 and 2.28.

v. In accordance with N.J.A.C. 15:3-2.15(a)4 and 3.12(a)5, when a microfilm is cut to be used in jackets or aperture cards or to produce microfiche, the original

roll may be used, provided an uncut duplicate uncut roll of silver halide is created and maintained in a suitable storage environment.

2. The following apply to film enclosures:

i. Concerning film in roll form:

(1) The following apply to medium-term storage enclosures:

(A) Processed photographic films rolled on cores or reels and stored in rolled form, including microfilm, motion picture film, aerial film, and some portrait films, shall be wound tightly, but not under extreme pressure. Cores and reels shall be of noncorroding material such as plastic compounds or nonferrous metals.

(B) Rolls of photographic film shall be stored in containers to provide protection against dirt and physical damage per ANSI IT9.11-1991, ISO 5466, and ISO 10214 as amended and supplemented, incorporated herein by reference. Film shall be in a clean condition before it is stored for maximum life expectancy. Rolls of film less than 150 meters in length shall be stored so the diameter of the roll is in a vertical position. Rolls greater than 150 meters in length shall be stored so the diameter of the film is in an horizontal position. Any film which gives off acidic fumes, including nitrate or some vesicular films, shall not be stored with silver, diazo, or dye-gelatin film and shall be stored in a location physically separated from other photographic film.

(C) Enclosures for microfilm and other rolled film shall be labeled to properly identify the contents of the enclosures and facilitate the storage and retrieval of the same per NISO Z39.62-1993 as amended and supplemented, incorporated herein by reference. Reference:

(I) ANSI IT9.11-1991. Photography (Film)—Processed Safety Film—Storage;

(II) ANSI PH153-1984. Photography (Processing)—Processed Films, Plates, and Papers—Filing Enclosures and Canisters for Storage;

(III) NISO Z39.62-1993. Eye-Legible Information on Microfilm Leaders and Trailers and on Containers of Processed Microfilm on Open Reels;

(IV) ISO 5466. Storage of Black and White Microfilm;

(V) ISO 10214. Photographic Enclosures; and

(VI) ANSI/NFPA 40-1982. Storage and Handling of Cellulose Nitrate Motion Picture Film.

(2) For archival storage of photographic films stored in rolled form, the same requirements as those for medium-term storage enclosures shall be observed. In addition, the following requirements shall be met for archival storage of such films:

(A) Plastic materials used for reels or cores should not contain peroxides. Only noncorrosive plastic or paper bands shall be used for holding film on reels or cores. If paper bands are used, the paper shall meet minimum requirements established by ANSI IT9.2-1991 and ASTM D3290-94 as amended and supplemented, incorporated herein by reference. Reference:

(I) ANSI IT9.2-1991. Imaging Media—Photographic Processed Films, Plates, and Papers—Filing Enclosures and Storage Canisters; and

(II) ASTM D3290-94. Bond and Ledger Paper for Permanent Records.

(B) A schedule for periodic inspection for evidence of deterioration of rolled films, plates and prints in archival storage facilities shall be established and conducted including such procedures as established by ANSI/AIIM MS45-1990, ANSI PH4.8-1985, ANSI IT9.9-1990, each as amended and supplemented, incorporated herein by reference. Reference:

(I) ANSI/AIIM MS45-1990. Recommended Practice for Inspection of Stored Silver-Gelatin Microforms for Evidence of Deterioration;

(II) ANSI PH4.8-1985. Photography (Chemicals)—Residual Thiosulfate and Other Chemicals in Films, Plates, and Papers—Determination and Measurement; and

(III) ANSI IT9.9-1990. Imaging Media—Stability of Color Photographic Images—Methods for Measuring.

ii. Concerning film in sheet or slide form:

(1) The following apply to medium-term storage enclosures:

(A) Photographic film in sheet form shall be stored in suitable enclosures, which will maximize the life expectancy of the film. Stored films in sheet form shall not be stacked so that they are under high pressure. Photographic slides should be stored in cardboard, nonferrous metal or plastic boxes. Color, diazo, and heat-processed film shall be stored in opaque folders or envelopes or otherwise protected from exposure to light.

(B) Paper or plastic material used for envelopes, sleeves, jackets, folders or cartons for the storage of such films shall meet, as a minimum requirement, the specifications of ANSI PH1.53-78 as amended and supplemented, incorporated herein by reference, especially if such materials are in direct contact with the surface of the films. Suitable materials for plastic enclosures include uncoated polyester (polyethylene terephthalate) and cellulose acetate. Glassine envelopes and chlorinated, nitrated or highly plasticized sheeting shall not be used. Reference: ANSI PH1.53-78. Processed Photographic Films, Plates and Papers, Photographic Filing Enclosures for Storing, Requirements for. (Revised 04 Apr. 1983).

(C) Adhesives used in joints and seams of such enclosures shall meet the requirements of ANSI PH1.53-1984 as amended and supplemented, incorporated herein by reference. Reference: ANSI PH1.53-78. Processed Photographic Films, Plates and Papers, Photographic Filing Enclosures for Storing, Requirements for. (Revised 04 Apr. 1983)

(2) For archival storage of photographic films stored in the form of sheets and slides, the same requirements as those for medium-term storage enclosures shall be observed. In addition, the following requirements shall be met for archival storage of such films:

(A) Enclosure construction shall preclude the use of adhesives if possible. Pressure sensitive permanently tacky adhesives and those based on natural rubbers shall not be used. Photographic quality gelatin or polyvinyl acetate and cellulose acetate adhesives suitable for use with paper may be used when necessary.

(B) Films of different generic types which may have interactions with each other—for example silver gelatin and diazo films—shall not be interfiled or stored in physical contact with each other.

(C) A schedule for periodic inspection for evidence of deterioration of photographic films in sheets or slide form in archival storage facilities shall be established and conducted including such procedures as established by ANSI/AIIM MS45-1990, ANSI PH4.8-1985, and ANSI IT9.9-1990 each as amended and supplemented, incorporated herein by reference. Reference:

(I) ANSI/AIIM MS45-1990. Recommended Practice for Inspection of Stored Silver-Gelatin Microforms for Evidence of Deterioration;

(II) ANSI PH4.8-1985. Photography (Chemicals)—Residual Thiosulfate and Other Chemicals in Films, Plates, and Papers—Determination and Measurement; and

(III) ANSI IT9.9-1990. Imaging Media—Stability of Color Photographic Images—Methods for Measuring.

2. The following apply to storage housings:

i. Photographic films shall be stored in closed storage housings such as drawers or cabinets, or if open shelves and racks may be used if the film is in closed containers.

ii. Storage housings shall be constructed from non-combustible and noncorrosive materials such as anodized aluminum, stainless steel, or steel with baked-on nonplasticized synthetic resin lacquer. Storage housings shall not be constructed of combustible material such as wood, pressboard, particle board or materials which produce active fading agents.

3. The following apply to environmental conditions:

i. Concerning humidity and temperature limits:

(1) Temperature and relative humidity within a medium-term record storage facility for microforms or other processed film shall be maintained within the suitable range for the type of film being stored in medium-term storage in accordance with N.J.A.C. 15:3-2.15(a)4 and 3.12(a)5, as promulgated by the Division of Archives and Records Management and approved by the State Records Committee, as recommended in ANSI IT9.11-1991 and ISO 5466, as amended and supplemented respectively, incorporated herein by reference. Reference: ANSI IT9.11-1991. Imaging Media—Processed Safety Photographic Film—Storage. (Revision of ANSI PH1.43-1985); and ISO 5466. Storage of Black and White Microfilm.

(A) For medium-term storage of silver-gelatin film, the maximum temperature for extended periods shall not exceed 21.1 degrees Celsius (70 degrees Fahrenheit). In addition, a stable temperature of not more than 20 degrees Celsius (68 degrees Fahrenheit) is preferred. Temperatures below 20 degrees Celsius (68 degrees Fahrenheit) will provide increased protection and preservation of silver-gelatin film.

(B) Relative humidity (RH) in a medium-term storage environment for silver-gelatin films shall not exceed 40 percent and shall not be lower than 30 percent. Recommended relative humidity for acetate-base film is 35 percent. Recommended relative humidity for polyester-base film is 30 percent.

(C) Rapid and wide-range cycling of humidity or temperature must be avoided and in no instance exceed plus or minus five percent in a 24-hour period.

(D) For medium-term storage of color film, a storage environment shall not exceed 10 degrees Celsius (50 degrees Fahrenheit). A constant temperature (plus or minus two degrees Fahrenheit) and a relative humidity of 32 to 38 percent shall be maintained. Protection and preservation of color film may be increased by storage at lower temperatures and relative humidity. Reference: ANSI IT9.11-1991. Imaging Media—Processed Safety Photographic Films—Storage. Chapter 7.1 Humidity and Temperature.

(2) Per N.J.A.C. 15:3-2.15(a)4 and 3.12(a)5, the original roll of microfilm must be maintained in archival storage.

(A) Temperature and relative humidity within an archival storage facility for microforms or other processed film shall be maintained within the suitable range for the type of film being stored in archival storage in accordance with N.J.A.C. 15:3-2.15(a)4 and 3.12(a)5, as promulgated by the Division of Archives and Records Management and approved by the State Records Committee, as recommended in ANSI IT9.11-1991 as amended and supplemented, incorporated herein by reference. Reference: ANSI IT9.11-1991. Imaging Media—Processed Safety Photographic Film—Storage. (Revision of ANSI PH1.43-1985).

(B) For archival storage of silver-gelatin film on a polyester base, maximum temperature shall not exceed 10 degrees Celsius (50 degrees Fahrenheit) and 50 percent relative humidity. A constant temperature (plus or minus two degrees) shall be maintained. Added protection may be obtained by long-term storage at lower temperatures. A constant temperature at 1.7 degrees Celsius (35 degrees Fahrenheit) and 20 to 30 percent relative humidity is preferable.

(C) For archival storage of color film on a polyester base, a storage environment shall not exceed 4.5 degrees Celsius (40 degrees Fahrenheit). A constant temperature (plus or minus two degrees Fahrenheit) and a relative humidity of 32 to 38 percent shall be maintained. Protection may be increased by storing color film at low temperature and low humidity.

(D) For archival storage of motion picture film, as storage environment which shall not exceed 4.5 degrees Celsius (40 degrees Fahrenheit) temperature, with a fluctuation of temperature of no more than plus or minus two degrees, and relative humidity of 30 percent, with fluctuations of no more than plus or minus three percent. For cold storage of color motion picture film, a storage environment which shall not exceed minus 3.9 degrees Celsius (25 degrees Fahrenheit) temperature, with fluctuations in temperature of no more than plus

or minus two degrees Fahrenheit; and a relative humidity of 30 percent, with fluctuations of no more than plus or minus three percent. Reference: ANSI IT9.11 (1993). Imaging Media—Processed Safety Photographic Films—Storage Chapter 7.1 Humidity and Temperature.

ii. A properly controlled air conditioning system may be necessary to maintain humidity and temperature within a storage facility within the limits specified within this rule, particularly for archival storage where the requirements are more stringent.

(1) Solid particles which may abrade film or react with an image shall be removed from the air supplied to housings or rooms used for storage of microforms or other processed film. The air delivery system for archival storage facilities shall be equipped with a HEPA filter capable of removing dust and other pollutant particles as defined by IES CS-1 as amended and supplemented, incorporated herein by reference. Reference: IES CS-1. Standard for HEPA Filters.

(2) Gaseous impurities such as sulfur dioxide, hydrogen sulfide, peroxides, ammonia, acidic fumes, ozone, and nitrogen oxides, which cause deterioration of film bases or degradation of the image in some films, shall be removed from the air by suitable washers or absorbers. Preferably, an archival storage facility for films should be located as far as possible from urban or industrial sources of contaminants.

(3) Gases given off by decomposing nitrate film will damage or destroy images on safety film. Safety film shall not be stored in the same room with nitrate film, or in rooms connected by ventilating ducts.

#### 15:3-6.5 Storage of magnetic media and other electronic records

(a) P.L. 1994, c.140, § 4 (N.J.S.A. 47:3-26 as amended) et al. mandates that the Division, with the approval of the State Records Committee as established by P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20), shall formulate standards, procedures and rules for “data processing and image processing of public records and for the preservation, examination and use of such records,” including storage of magnetic media and other electronic records.

(b) This section is intended for use in conjunction with the following referenced national and international standards as amended and supplemented, incorporated herein by reference. The standards cited in this subsection are available from the American National Standards Institute (ANSI) or other standards-setting organizations as cited in N.J.A.C. 15:3-6.2. They are also available for inspection at the Division of Archives and Records Management, 2300 Stuyvesant Avenue, Trenton, New Jersey per the provisions of N.J.A.C. 15:3-4.7(f).

1. ANSI X3.39-1986. Recorded Magnetic Tape for Information Interchange (1600 CPI, PE);

2. ANSI X3.54-1986. Recorded Magnetic Tape for Information Interchange (6250 CPI, Group Coded Recording);

3. ANSI X3.180-1990. (R1996) Magnetic Tape and Cartridge for Information Interchange 18-Track, Parallel, 12.65 mm (112 in) 1491 cpmm (37 981 cpi) Group Coded Recording;

4. ANSI/NAPM IT9.23-1996. Imaging Materials—Polyester Based Tape—Storage;

5. CPA/NML 1995. Magnetic Tape Storage and Handling: A Guide for Libraries and Archives;

6. Executive Order 12906 of April 11, 1994 (3 CFR, 1995 Comp., p. 882). Federal Geographic Data Committee—Content Standards for Digital Geospatial Metadata; and

7. FIPS 173-1. Spatial Data Transfer Standard (SDTS)(DOI/USGS Specs.)—94 June 10.

(c) All public records on electronic recording media shall be stored and maintained in compliance with all appropriate standards, rules and guidelines for storage of electronic records promulgated in this section or incorporated herein by reference, as amended and supplemented, including:

1. Agencies shall maintain all medium-term or permanent and long-term backup or security copies of public records on electronic recording media in a storage facility with constant, controlled environmental conditions per standards promulgated for particular types of records media within this rule. If more than one type of media is stored in a storage facility, the most restrictive standards for temperature and humidity shall apply, if applicable, unless the facility contains areas capable of maintaining separate environmental controls appropriate for different media.

2. Agencies shall annually read a statistical sample of all electronic media containing long-term or permanent records to identify any loss of information and to discover and correct the cause of data loss.

3. To safeguard against the loss of information due to equipment malfunctions or human error, agencies shall backup and refresh electronic records on a routine schedule, established and maintained by agencies, as appropriate.

4. Duplicate backup or security copies of medium-term or permanent and long-term records shall be maintained in appropriate storage located in buildings separate and at an appropriate distance from the office or other location where the records are normally used.

5. Agencies shall prohibit smoking, eating, or other activities that would produce contaminants in any electronic media storage libraries or other records storage facilities, including test or evaluation areas.

6. Agencies shall ensure that all authorized users can identify, access and retrieve information stored on diskettes, removable disks, tapes, optical disks, or other electronic recording media used to store medium-term or permanent and long-term records by establishing and implementing procedures for external labeling (or the equivalent for automated management systems) of the contents of such recording media. External labels, or their equivalent, shall provide unique identification for each storage media, including:

- i. The name of the organizational unit responsible for the data;
- ii. System title, including the version number of the application;
- iii. Special security requirements or restrictions on access, if any; and
- iv. Software in use at the time of creation.

7. Adequate documentation and information shall be maintained for all public records designated for medium-term or permanent and long-term records retention and storage on electronic recording media. Such documentation shall include:

- i. The file title;
- ii. The dates of creation;
- iii. The dates of coverage;
- iv. The recording density;
- v. The type of internal labels;
- vi. The volume serial number, if applicable;
- vii. The number of tracks;
- viii. Character code/software dependency;
- ix. Information about block size; and
- x. The sequence number, if the file is part of a multimedia set.

8. Agencies shall establish policies and procedures to ensure that electronic records and their documentation are retained as long as needed for their continuing administrative, legal or historical value. These records retention policies and procedures shall include provisions for:

- i. Scheduling the retention and disposition of all electronic records and related documentation, code books, indexes or other information necessary to access the records, in accordance with the provisions of the Destruction of Public Records Law (1953), P.L. 1953, c.410 (N.J.S.A. 47:3-15 et seq.) and N.J.A.C. 15:3,

Records Retention promulgated by the Division and the State Records Committee;

ii. Transferring custody of electronic records and related documentation to the State Archives per P.L. 1920, c.46, § 7, (N.J.S.A. 47:2-7) at an appropriate time per:

(1) Records retention schedule, as specified under guidelines, rules, and regulations promulgated by the Division of Archives and Records Management concerning appraisal, transfer, accessioning and storage of public records, including N.J.A.C. 15:3, Records Retention.

(2) P.L. 1920, c.46, § 4, (N.J.S.A. 47:2-3) and the provisions of N.J.A.C. 15:3-3.18, if any county, municipality, or public agency, body, board, or institution or society has or may become extinct.

(3) Mutual agreement between the agency and the State Archives, as appropriate;

iii. Establishing internal procedures for regular re-copying, reformatting, and other necessary maintenance to ensure the retention and usability of the electronic records throughout their authorized life cycle;

iv. Establishing internal policies to ensure use of appropriate electronic recording media for storage of medium-term or permanent and long-term public records created, received or maintained by the agency, per standards promulgated in this section or established and approved by the State Records Committee, including that magnetic recording media previously used for electronic records containing sensitive, proprietary, or security information shall not be reused if the previously recorded information can be compromised in any way by reuse; and

v. Ensuring that information is not lost due to changing technology or deterioration of storage media by converting storage media to provide compatibility with the agency's current hardware and software. Before conversion of information to a different media, agencies shall determine that authorized disposition of the electronic records can be implemented after such conversion.

(d) Magnetic computer tape used for storage of public records shall be stored and maintained per ANSI/NAPM IT9.23-1996. Imaging Materials—Polyester Based Tape—Storage as amended and supplemented, incorporated herein by reference, and all applicable standards, procedures and guidelines promulgated in this section, including:

1. Agencies shall maintain storage and test areas for computer magnetic tapes containing medium term and permanent and long-term records at constant temperatures and relative humidities between 16.7 to 20 degrees Celsius (62 to 68 degrees Fahrenheit) temperature and 32 to 38 percent relative humidity (RH).

i. Magnetic tapes should be hung or racked vertically in standard storage units and should be rotated according to an established schedule to avoid damage to the tapes.

ii. Agencies shall periodically rewind under controlled tension all tapes containing records scheduled for long-term and permanent retention every 3½ years, but frequent rewinding should not be practiced to avoid damaging the tape. Stored tapes shall be rewound immediately before use to restore proper tension to the tape.

iii. Agencies shall annually read a statistical sample of all reels of magnetic computer tape containing long-term or permanent records to identify any loss of data and to discover and correct the causes of data loss. In tape libraries with 1,800 or fewer reels, a 20 percent sample or a sample size of 50 reels, whichever is larger, should be read. In tape libraries with more than 1,800 reels, a sample of at least 384 reels should be read. Tapes with 10 or more errors shall be replaced and, when possible, lost data shall be restored.

iv. Agencies shall copy data on magnetic tapes scheduled for long-term or permanent retention onto new tested and verified tapes before the current tapes used to store the records are 10 years old.

(1) More frequent copying may be necessary to prevent physical loss of data or technological obsolescence of the medium.

(2) Reused backup tapes or other previously used tapes should not be acceptable for storage of permanent public records scheduled for long-term or permanent retention.

v. External labels (or the equivalent automated tape management system) for magnetic tapes used to store permanent or unscheduled electronic records shall provide unique identification for each reel, including:

(1) The name of the organizational unit responsible for the data;

(2) The system title; and

(3) The Security or confidentiality classification, if applicable.

vi. The following information shall be maintained for (but not necessarily attached to) each reel or cartridge used to store permanent or long-term electronic records:

(1) The file title(s);

(2) The dates of creation;

(3) The dates of coverage;

(4) The recording density;

(5) The type of internal labels;

(6) The volume serial number, if applicable;

(7) The number of tracks;

(8) The character code/software dependency;

(9) Information about block size; and

(10) The reel sequence number, if the file is part of a multi-reel set.

vii. Documentation on numeric data files shall include, if applicable, information on:

(1) Record format;

(2) Logical record length;

(3) Data set name(s);

(4) Sequence; and

(5) Number of records for each data set.

2. This subsection establishes standards, procedures and guidelines for archival storage of public records created, maintained or stored on magnetic tape. The provisions in this subsection shall not apply to the management or storage of magnetic tape in regular use or recycled backup tapes in agency custody; however, agencies shall implement these standards, procedures and guidelines for security or archival copies of their records that may be of long-term administrative, legal or historical value. Archival, permanent, or other records with long-term retention schedules due to their continuing legal, administrative or historical value shall comply with all standards, rules and guidelines for storage of public records promulgated in this rule (except when archival storage conditions require additional environmental and other controlled conditions suitable for preservation of records having permanent or long-term which will prolong the useful life of the type or form of record media containing such records) including:

i. Each agency shall create and maintain a security or archival copy of any records on magnetic tape with a retention schedule designated for permanent or long-term retention, unless the custody of such records are transferred to the State Archives or a successor agency.

(1) Agencies shall copy all long-term or permanent electronic records onto tested and verified new media before the current electronic media used to store the records is 10 years old. The new media shall be tested to verify that it is free of permanent errors.

(2) Agencies shall store and maintain records with permanent or long-term retention schedules on magnetic tape on either open-reel magnetic tape, 3480 or 3490-class tape cartridges.

(3) Open-reel magnetic tape shall be on one-half inch 9-track tape reels recorded at 1600 or 6250 bpi that meet standards established by ANSI X3.39-1986 or ANSI X3.54-1986 as amended and supplemented, incorporated herein by reference. Reference:

(A) ANSI X3.39-1986 Recorded Magnetic Tape for Information Interchange (1600 CPI, PE); and

(B) ANSI X3.54-1986 Recorded Magnetic Tape for Information Interchange (6250 CPI, Group Coded Recording).

(4) Tape cartridges shall be 18-track 3480-class cartridges recorded at 37,871 bpi that meet standards established by ANSI X3.180-1990 (R1996) or 36-track 3490-class cartridges per ISO/IEC 14251:1995, ANSI X.3.265 and ANSI X3.261-1996, as appropriate, as amended and supplemented respectively, incorporated herein by reference. Reference:

(A) ANSI X3.180-1990 (R1996) Magnetic Tape and Cartridge for Information Interchange, 18-Track, Parallel, 12.65 mm (112 in) 1491 cpmm (37 981 cpi) Group Coded Recording;

(B) ISO/IEC 14251:1995 Information Technology—Data Interchange on 12.7 mm 36-track Magnetic Tape Cartridges;

(C) ANSI X.3.265-1995 Information Technology—Magnetic Tape Cartridge for Information Interchange—Unrecorded, 36-track, Parallel, 12.57 mm (0.495 in), 1944 ftpmm (49 378 ftpi) Group-Coded Recording; and

(D) ANSI X3.261-1996 Information Technology—Extended Magnetic Tape Cartridge for Information Interchange (36-Track, Parallel Serpentine 12.65 mm (0.05 in), 1491 cpmm (37 871 cpi) Group-Coded Recording.

(5) The data shall be blocked at no more than 32,760 bytes per block written in ASCII or EBCDIC, with all extraneous control characters removed from the data.

ii. The agency shall create and maintain security or archival copies of permanent or long-term value in a format that is not dependent on specific hardware and/or software.

(1) The records shall be written in ASCII or EBCDIC with all control characters and other non-data characters removed (except record length indicators for variable length records, or marks designating a datum, word, field, block, or file).

(2) The tapes on which the data are recorded shall be new tapes which have been tested, passed over a tape cleaner before writing, and rewound under controlled tension.

(3) The records shall not be compressed unless the Division has approved the transfer in the compressed form in advance. In such cases, the Division may require the agency to provide the software to decompress the records.

iii. Security or archival copies of data files and databases shall be stored and maintained as flat files or as rectangular tables (that is, as two-dimensional arrays, lists, or tables).

(1) All “records” (within the context of the computer program, as opposed to a public record) or “tuples,” (that is, ordered collections of data items, within a file or table) shall have the same logical format.

(2) Each data element within a record should contain only one data value. A record should not contain nested repeating groups of data items. The file should not contain extraneous control characters, except record length indicators for variable length records, or marks delimiting a data element, field, record, or file.

(3) If records or data elements in different files need to be linked or combined, then each record must contain one or more data elements that constitute primary and/or foreign keys enabling valid linkages between the related records in separate files.

iv. Electronic textual documents shall be transferred as plain ASCII files; however, such files may contain Standard Generalized Markup Language (SGML) tags.

v. Security or archival copies of digital spatial data files shall be stored and maintained in accordance with the Spatial Data Transfer Standard (SDTS) as defined in the FIPS 173-1 as amended and supplemented, incorporated herein by reference. Reference: FIPS 173-1. Spatial Data Transfer Standard (SDTS) (DOI/USGS Specs.)—94 June 10.

(1) Digital geospatial data files created on systems procured prior to promulgation of this rule which do not have a SDTS capability shall be exempt from this requirement.

(2) Agencies should consult with the Division for guidance on storage and maintenance of noncompliant digital geospatial data files created before August 3, 1998.

vi. Concerning other categories of electronic records, agencies shall identify any foreseeable problems in the storage and maintenance of potentially archival or permanent electronic records in accordance with the provisions of this section at the time the records are scheduled. Special storage or maintenance requirements agreed upon by the Division and the agency shall be included in the disposition instructions.

vii. The agency shall consult with the Division for guidance on the storage and maintenance of types of electronic records other than those prescribed in this section.

viii. Documentation adequate to identify, service and interpret electronic records that have been designated

for preservation by the Division and approved by the State Records Committee shall be stored, maintained or transferred with the records. Documentation shall include a completed copy of DARM form Technical Description for Transfer of Electronic Records, and a completed copy of DARM form, Information System Description Form, or their equivalents. Where possible, agencies should submit required documentation that conforms to the provisions of this section.

(1) Documentation for data files and data bases shall include record layouts, data element definitions, and code translation tables (code books) for coded data. Data element definitions, codes used to represent data values and interpretations of these codes must match the actual format and codes as transferred.

(2) Digital spatial data files shall include the documentation specified in this section. In addition, documentation for digital spatial data files may include metadata that conforms to the Federal Geographic Data Committee's Content Standards for Digital Geospatial Metadata, as specified in Executive Order 12906 of April 11, 1994 (3 CFR, 1995 Comp., p.882) incorporated herein by reference.

(3) Documentation for electronic files containing textual documents with Standard General Markup Language (SGML) tags shall include a table for interpreting the SGML tags, when appropriate.

(4) Where it has been necessary to strip data of extraneous control characters per this section, the code book specifications defining the data elements and their values shall match the new format of the data.

(5) Documentation to be maintained with any electronic records shall include:

(A) The most up-to-date data systems specifications, user guides, report programs, and file layouts and code books.

(B) Documentation providing file layouts and code translations (code books) to permanent files shall accompany the files when they are transferred to archival storage.

(C) Documentation that is current for each file shall be maintained, but outdated or superseded documentation need not be maintained. File layouts, systems user manuals, report programs, and input programs change as the software to manipulate data changes, for example moving from a batch, sequential file environment to an interactive, database management system (DBMS) environment will cause a change in documentation.

(e) The following apply to storage and maintenance of floppy disks:

1. Floppy disks shall not be used for long-term or permanent storage of public records.

2. Use of floppy records for public records shall be limited to temporary storage and maintenance.

3. To avoid potential damage or loss of records stored and maintained on floppy disks, an additional backup copy of the disk should be created and stored in a location separate from the location where the records are normally used.

4. Disks shall be stored vertically in standard storage containers.

5. Disks shall be kept away from strong magnetic or other electrical fields which can demagnetize or degrade the disks. Disks shall not be stored near a computer, printer or other electronic equipment or appliances.

6. Agencies shall ensure that access to public records stored and maintained on floppy disks remain accessible for the retention period established for the records.

i. Agencies shall ensure that access is not lost because of deterioration of the disks or changing technology by updating or converting data on floppy disks to the agency's current hardware and software or to an alternate records storage media.

ii. Costs of conversion may be saved if an agency can determine that the authorized disposition period of such public records has been exceeded and may be scheduled for destruction per P.L. 1953, c.140 (N.J.S.A. 47:3-15) as amended.

(f) The following apply to storage of optical disks:

1. As of August 3, 1998, no national or international standards for long-term storage conditions for optical disks have been promulgated by ANSI, ISO, or other national or international standards-setting bodies. Optical disks also vary widely in their physical make-up and recording technologies. Until such standards are available, environmental conditions for storage and maintenance of optical disks in this subsection, based on manufacturers recommendations, shall be considered provisional.

2. In general, storage temperatures for compact disks (CDs) and other optical disks shall not be any warmer than 25 degrees Celsius (77 degrees Fahrenheit) when long-term storage is desired. Cooler temperatures down to 10 degrees Celsius (50 degrees Fahrenheit) will help ensure a longer life expectancy for the media. Relative humidity shall be maintained in the range of 20 to 50 percent.

3. Cycling conditions, especially extremes in temperature and humidity, can be dangerous to compact disks and many other types of optical disks. Fast changes between very warm and wet conditions to cooler and very dry conditions may produce warping and distortion. The recommended maximum limit to temperature change is 15 degrees Celsius or about seven degrees Fahrenheit per hour. For humidity, the recommended maximum change per hour is 10 percent.

4. Optical disks shall be stored vertically in standard storage enclosures.

5. Magneto-optical disks are by nature and composition magnetic media and storage and maintenance of the same shall therefore comply with all applicable standards, rules and guidelines for magnetic media promulgated in this subchapter.

i. Magneto-optical disks and other optical disks which employ phase-change technologies shall not be used for long-term permanent storage of public records.

ii. Magneto-optical disks shall be kept away from strong magnetic or other electrical fields which can demagnetize or degrade the disks. Disks shall not be stored near a computer, printer or other electronic equipment or appliances.

(g) Video tapes which are part of a public record or used for storage of public records shall be stored and maintained ANSI/NAPM IT9.23-1996. Imaging Materials—Polyester Based Tape—Storage as amended and supplemented, incorporated herein by reference, and all applicable standards, procedures guidelines promulgated in this section, including:

1. Master video tapes shall be stored in a regulated climate zone.

i. Temperatures shall be no greater than 20 degrees Celsius (68 degrees Fahrenheit).

ii. Relative humidity shall be between 20 and 30 percent, with fluctuations not greater than plus or minus five percent in a 24 hour period.

iii. Air filtration systems shall be capable of removing particles and other contaminants greater than 150 microns and oxidants including peroxides and automobile emissions which damage video tapes.

iv. Air flow shall be no greater than four cycles or changes per hour.

2. Tapes shall be stored in plastic video tape storage boxes of inert polypropylene or polyethylene. Cardboard sleeves and other paper material shall be removed from storage boxes and no paper items shall be stored in the storage containers with videotapes.

3. Tapes shall be stored in a vertical position and shall be rewound at least once a year on a rewinding device rather than a video tape player. Once a year master tapes shall be wound onto the tape's other hub and stored with that hub down for the remaining year or until used.

4. Video tapes shall be stored away from heat sources or any devices which emit magnetic fields such as VCRs or television sets that can damage magnetic media such as video tape. Tapes shall not be stored in metallic containers or on metal shelves if there is a danger that these can conduct electricity or generate magnetic fields.

5. Labels shall be affixed to both tape cassettes and storage boxes which designate all pertinent information concerning the contents of the video tape, including date, tape number, title, etc.

6. Master copies of video tapes shall not be used for reference purposes.

i. Duplicate copies shall be made of master video tapes for use for reference purposes.

ii. Copies of master video tapes shall be made only as necessary to avoid possible damage and degradation of the master tapes.

7. Video tapes shall not be regarded as an archival media and shall not be used for long-term or permanent storage of public records. Transfer to kinescope or motion picture film is recommended for records on videotape with long-term or permanent retention schedules.

i. For long-term or permanent preservation, images and sound on video tape shall be transferred to film or some other more permanent media.

ii. Repeated duplication of video tapes for any preservation purposes will increasingly reduce the quality of recorded images and sound.

(h) Audio tapes used for storage of public records shall be stored and maintained per ANSI/NAPM IT9.23-1996. Imaging Materials—Polyester Based Tape—Storage as amended and supplemented, incorporated herein by reference, and all applicable standards, procedures guidelines promulgated in this section, including:

1. Long-term or permanent storage of audio records shall be on reel-to-reel magnetic tape 1.5 mil mylar backing. At this time, analog reel-to-reel tape is the only industry recommended storage media for audio recordings.

i. Audio tape cassettes or digital audio tape (DAT) or recordable digital audio tape (R-DAT) shall not be utilized for long-term for public records because to potential loss of information due the physical characteristics of these media.

ii. As of August 3, 1998, no national or international standards for long-term storage conditions for audio tape cassettes or digital audio tape (DAT) or recordable digital audio tape (R-DAT) cartridges.

2. Handling and use of tape shall be kept at a minimum, since excessive use will result in harmful dust, grease and oils, and other contaminants being deposited on the tape.

3. Leader tape (about six feet) shall be included on the beginning and end of all reel-to-reel tapes to avoid loss of record material. Leader is not required on cassette tapes.

4. Tapes shall not be left on tape machines any longer than necessary. Prompt removal after use will reduce temperature-induced print-through.

5. Correct winding tension is an essential aspect of tape storage.

i. Tapes shall be wound under tension and stored under tension in order for tape to move onto and off reels smoothly and wound evenly. When tension is exceeded, deformation may occur, resulting in distortion and loss of sound content.

ii. Tape shall be stored at playback speed (between two and three ounces per quarter inch of tape) and shall not be rewound before being stored. In rewind and fast-forward modes tensions on tapes fluctuate and is usually higher than playback mode.

iii. Reel-to-reel tapes shall be stored tails out, so that the end of the tape will be on the outside of the tape.

iv. To relieve tension built up in tapes held in long-term storage, tapes shall be rewound at playback speed annually. Rewinding is especially advisable for old tapes.

6. Ambient atmospheric conditions in the storage of tapes are more critical for audio tapes than for many other magnetic media. Tapes shall be stored at 15.6 to 21.1 degrees Celsius (60 to 70 degrees Fahrenheit), with Temperature variations of not greater than plus or minus five degrees Fahrenheit, and relative humidity (RH) of 30 to 40 percent.

i. Low relative humidity shall be maintained to protect against fungus growth on tapes, particularly tapes that have been spliced. Growth takes place at spliced sites.

ii. If tapes are transferred from an air conditioned storage area to a normal office or reference area, they shall be given 24 hours to acclimate to the new environment before use.

iii. Tape storage areas shall be kept free of dust and other contaminants.

iv. Creation of changing stress in audio tapes by thermal and hygroscopic cycling will result in print-through, deterioration of sonic content, and changes in timing, as well as loss of oxide coating.

7. Accidental exposure of audio tapes to magnetic fields, especially tapes in long-term storage, may cause erasure of recordings.

i. Tapes shall not be stored on metal shelving or in metal storage equipment or enclosures.

8. Tapes shall be stored in polyethylene bags or their plastic boxes may be retained for storage. Cassette tapes without containers shall be provided with new boxes.

9. Tapes shall be stored vertically on shelves to minimize distortion of the tape.

10. Audio tape equipment shall receive periodic maintenance to minimize possible damage to tapes and maximize playback quality. Major areas of maintenance include:

i. Cleaning magnetic heads, capstan, pinch rollers, tape guides and lifters, scape and flutter filters, and tape tension arms;

ii. Demagnetization of tape heads, as well as other metal parts tape contacts;

iii. Replacement of pinch rollers; and

iv. Maintenance operations normally performed by technical personnel, including:

- (1) Alignment of magnetic heads;
- (2) Adjustment of tape tension;
- (3) Replacement of worn heads; and
- (4) Adjustment of bias and equalization.

#### 15:3-6.6 Exclusions

(a) Nothing in this subchapter shall be deemed to restrict any public agency from promulgating, implementing or employing more restrictive standards, procedures or rules for the storage of records in any media, type or format.

(b) The provisions promulgated under this subchapter notwithstanding, the Division of Archives and Records Management and the State Records Committee may, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., promulgate, establish or enact such standards, rules or guidelines for the storage of public records which they may deem necessary for the preservation, security or integrity of any public record or series or group of public records.