

## CHAPTER 3

### RECORDS RETENTION

#### Authority

P.L. 1920, c.46 (N.J.S.A. 47:2-3), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.), P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended) and P.L. 2003, c.117, Sections 38 and 39.

#### Source and Effective Date

R.2003 d.357, effective September 2, 2003.  
See: 35 N.J.R. 2437(a), 35 N.J.R. 4084(a).

#### Chapter Expiration Date

Chapter 3, Records Retention, expires on September 2, 2008.

#### 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, Records Management, 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, Records Management, 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: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

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

Chapter 3, Records Retention, was adopted as new rules by R.2003 d.357, effective September 2, 2003. See: Source and Effective Date.

Subchapter 7, New Jersey Public Archives and Records Infrastructure Support (Paris) Grants, was adopted as new rules by R.2004 d.477, effective December 20, 2004. See: 36 N.J.R. 4000(a), 36 N.J.R. 5688(a).

Subchapter 8, Records Disaster Recovery and Triage (Records Direct) Grants, was adopted as new rules by R.2004 d.478, effective December 20, 2004. See: 36 N.J.R. 4003(a), 36 N.J.R. 5691(a).

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## SUBCHAPTER 1. GENERAL PROVISIONS

### 15:3-1.1 Purpose; scope

(a) Pursuant to P.L. 1920, c.46 (N.J.S.A. 47:2-3 et seq.), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.), and P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended), the Division of Archives and Records Management in the Department of State is charged with the responsibility for establishing the framework for the management of public records of the State of New Jersey in a systematic and comprehensive fashion. State and local government agencies are required to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and to provide prompt and timely access to the same.

(b) This chapter encompasses all public entities at the State, county and local government levels, including subdivisions thereof, any department, division, board, bureau, office, commission, district, or institution, or other instrumentality within or created by the State or political subdivision or combination of political subdivisions; or any school, fire, or water district or other special district or districts; and any independent authority, commission, district, institution, or instrumentality; or special districts, and authorities.

### 15:3-1.2 Definitions

The words and phrases used in this chapter shall have the meanings as defined in the "Glossary of Records Management Terms," ANSI/ARMA 10-1999 as amended and supplemented, incorporated herein by reference, except the following words and phrases which shall have the designated meanings, unless the context clearly indicates otherwise:

"Accession" means:

1. The transfer of the legal and physical custody of permanent records from an agency to the State Archives or other archives;

2. The records, also called "accessioned records," so transferred; or

3. The physical and recordkeeping process involved in transferring legal and physical custody of such records.

"Agency" or "agencies" means:

1. Generally, an organization that provides some service, a body having the authority to represent another or others, a government bureau or administrative division, or the place of business of the same; or

2. Specifically, any, or all, or any combination of the following public agency or agencies, as defined herein, currently or previously existing or to be established, depending on the context:

i. The Office of the Governor and any of the departments of the Executive Branch of State government, and any division, board, bureau, office, commission, institution, or other instrumentality within or created by such department;

ii. The Legislature of the State, and any office, board, bureau, committee, or commission within or created by the Legislative Branch;

iii. Any independent State authority, commission, district, institution, or instrumentality;

iv. Any political subdivision of the State;

v. Any department, division, board, bureau, office, commission, district, or institution, or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions;

vi. Any school, fire, or water district or other district or districts;

vii. Any independent authority, commission, district, institution, or instrumentality;

viii. Any agency or institution created by a political subdivision, district or other independent authority, or combinations thereof;

ix. Any subordinate office or agency of i through viii above;

x. Any office, officer, official, board, or governing body of i through ix above; or

xi. Any combinations of i through x above.

"Active records or files" means any group of public records maintained in the office of a public agency for conducting daily operations and which is referenced at least once per month.

"Archival records" means:

2. Specifically, the creation, preparation, capture, recording, indexing, storage, retrieval, reproduction, control, use and management of direct representations or images of documents using these techniques.

“Inactive records” means records that are not needed for the conduct of current operations and are not required to be retained in the office in which they originate. (See also the definition of “record.”)

“Information resource management” means the systematic management and treatment of an organization’s data, records, and information as common and valuable resources. Information resource management encompasses records management and image processing.

“Inventory” means:

1. A survey of agency records and nonrecord materials conducted primarily for the development of retention schedules or to identify records management problems, such as inadequate applications of recordkeeping technologies;
2. The documented results of such a survey; or
3. A type of finding aid used in archives administration for accessioning permanent records.

“Life cycle of records” means the records management concept that records normally pass through successive stages from creation or receipt of a record through its useful life to its final disposition, usually identified as five phases in the life span of a record, including the creation stage, distribution and use stage, storage and maintenance stage, retention and disposition stage, and archival preservation stage.

“Life expectancy” or “LE rating” means:

1. The estimated length of time a recording medium should remain viable for storage, retrieval, and preservation of the records or information it contains;
2. A rating system for various types of recording media which has replaced the use of the former general term “archival” for any such media as archival microfilm or archival paper;
3. The life expectancy (LE) rating of any recording medium used for public records, corresponding to the retention period of such records, unless otherwise provided for under the standards, rules and guidelines promulgated by the State Records Committee; and
4. Any manufacturer’s claims for the continuing viability of a recording medium, including life expectancy for prerecorded media as well as recorded media, which should be substantiated by detailed specifications for test parameters.

“Local agency” means the following, currently or previously existing or to be established:

1. Any city, municipality, township, county or other political subdivision created by the State;
2. Any department, division, board, bureau, office, commission, institution, or other instrumentality within or created by a political subdivision or combination of political subdivisions;
3. Any school, fire, or water district or other district or districts;
4. Any independent local authority, commission, institution, or instrumentality;
5. Any subordinate office or agency of 1 through 4 above;
6. Any office, officer, official, board, or governing body of 1 through 5 above; or
7. Any combinations of 1 through 6.

“Local governing body” means the county board of freeholders; city, township, borough, town or village council, committee, board, commission, district, or other body authorized by law to govern the affairs of a local government.

“Local government” means the following, currently or previously existing or to be established:

1. Any county, city, town, municipality, or other government of a political subdivision, created by an act of the Legislature or the State;
2. Any school, fire, or water district or other district or districts;
3. Any independent local authority, commission, district, institution, or instrumentality;
4. Any subordinate office or agency of 1 through 3 above;
5. Any office, officer, official, board, or governing body of 1 through 4 above; or
6. Any combination of 1 through 5 above.

“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, to be retained by the originating agency for more than 10 years after creation, filing, or completion, unless otherwise specified in standards, rules or regulations promulgated by the State Records Committee per P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20). (See also the definition of “record.”)

“Machine-readable records” means any record whose informational content is in code and has been recorded on media such as punched paper cards or paper tapes, magnetic tape or disks, optical disks, or other electronic media from which coded information is retrievable only by a machine. (See also the definition of “electronic record.”)

"Media maintenance plan" means a combination of policies, procedures and standards for the secure storage, protection and preservation of paper and alternative media.

"Medium" or "media" means the physical form of records or recorded information, including paper, film, magnetic disks and tape, optical disks, and other material on which records and information can be recorded.

"Medium-term record" means any public record with a retention period of more than three years but less than 10 years after creation, filing or completion, unless otherwise specified in standards, rules or regulations promulgated by the State Records Committee. (See also the definition of "record.")

"Micrographics" means:

1. The process of creating photographic reproductions greatly reduced in size from the original on fine grain, high resolution film, usually of a document or some other type of record; or
2. The archival and records management technologies and techniques concerned with microimaging and reprographics, including producing, using and preserving microforms.

"Microform" or "microforms" means any form containing greatly reduced images or microimages, using photographic technologies, including microfilm on reels, cassettes, and cartridges; microfiche; microfilm jackets; aperture cards; microcards and micro-opaques.

"Microimaging systems" means systems including microforms and electronic record systems, including stand-alone micrographic systems, computer-assisted retrieval (CAR) systems, computer-output microfilm (COM) systems, computer-input microfilm (CIM) systems, digitally produced microfilm, and electronic microimage transmission systems.

"Migration" means the process or result of moving data from one electronic record system to another.

"Municipality" means, per N.J.S.A. 47:1-2, any municipal corporation, including cities, towns, townships, villages and boroughs, and any municipality governed by a board of commissioners or an improvement commission.

"Noncurrent records" means:

1. Records that are not needed for the conduct of current operations and are not required to be retained in the office in which they originate (see the definition of "record"); or
2. Records stored in a records storage facility that are not needed for the conduct of current operations and are not required to be retained in the office in which they originate. (See the definitions of "records center" or "records storage facility.")

"Off-site storage" means a storage facility with environmental and physical controls for the secure storage and retrieval of paper documents, duplicate microfilm, optical, magnetic and other alternate storage media for the recovery and reinstitution of records and information systems in the aftermath of partial or total system failures. (See also the definitions of "records center" or "records storage facility.")

"Permanent records" means:

1. Records which have a permanent or enduring administrative, legal, fiscal, research or historical value and, in consequence thereof, must be retained and preserved indefinitely by the originating agency or transferred to an archives; or
2. Records which have a permanent or enduring administrative, legal, fiscal, research or historical value and, in consequence thereof, are retained and preserved indefinitely by the State Archives.

"Political subdivision" means and includes any city, municipality, township, county district, authority, or other public corporation, instrumentality or entity created by the State, mandated by constitution, or created by an act of the Legislature.

"Public record" or "public records" (see the definition of "record").

"Public administrative building" means any permanent structure or portion thereof, wholly, or partly enclosed, which is intended to provide offices, courtrooms, workrooms, laboratories, hearing rooms, meeting rooms and auditoriums, which are intended for the use or accommodation of public agencies or the general public for any category or classification thereof in connection with the furtherance of public law or policy necessarily or incidentally requiring the provision of such accommodations or facilities, together with all its grounds and appurtenant structures and facilities.

"Record" or "records" means, pursuant to P.L. 1953, c.410, § 2 as amended by P.L. 1994, c.140, § 3 (N.J.S.A. 47:3-16), any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, data processed or image processed document, 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" or "records storage facility" means:

1. Generally, a facility established and maintained pursuant to the provision of N.J.A.C. 15:3-6, Storage of Public Records, for economical and efficient storage and servicing of noncurrent records pending the expiration of their approved retention periods and their disposal or transfer to an archives; or an intermediate area where agencies send inactive material which is maintained in an accessible manner until the agency obtains authority for its disposal; and

2. Specifically, the State Records Center or other records storage facilities established under N.J.S.A. 47:2-7, pursuant to the provisions in the Governor's Reorganization Plan, filed April 25, 1983, and maintained for economical and efficient storage and servicing of noncurrent public records pending the expiration of their approved retention periods and planned disposal or transfer to the State Archives.

"Records Officer" or "Records Liaison Officer" means any person or persons designated by the head or the governing body of a State agency in the executive or legislative branches of State government or independent State authorities or commissions, or county, municipality, school districts, independent local authorities or commissions or other local agencies, according to the provisions of N.J.A.C. 15:3-1.5(a)3, whose responsibilities include the development and oversight of archives and records management programs of such agency.

"Recordkeeping requirements" means:

1. Generally, statements in statutes, regulations, or agency directives providing general and specific guidance on particular records to be created, received, or filed and maintained by an agency, including good recordkeeping practices; or

2. Specifically, since every public agency is legally obligated to create and maintain adequate and proper documentation of its organization, functions, transactions, and activities, the guidelines, policies and procedures established by an agency for recordkeeping for any activity, transaction, or record media or to distinguish records from nonrecord materials or public records from personal papers.

"Records management" means:

1. The systematic application of professional methodologies, practices and techniques for the effective, efficient and economical management, use, processing, protection, preservation, and disposition of records; or

2. The planning, managing, controlling, directing, organizing, training, promoting, and other managerial activities related to the creation, maintenance, use, and

disposition of records to achieve adequate and proper documentation of State and local policies and transactions and effective, efficient and economical management, operation, and administration of public agencies.

"Records management system" or "records system" means the combination of technical and human resources and policies and procedures for records creation, collection, acquisition, filing, processing, storage, use, dissemination, maintenance, and disposition.

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

"Register" means:

1. Generally, a book, list or record of items, acts, names, or events recorded and kept for reference, access, control, or planning purposes; or

2. Specifically, the centralized list or record maintained for systematic recording and retrieval of information regarding public records pertaining to the administration of the provisions of this title, including but not limited to identification of record series and the function, location, custodian, retention schedule, personal or confidential nature of such record series and related record-keeping systems.

"Report" means a narrative, statistical, graphic, or other account of operations, conditions, plans, or projections that is recorded on any medium for submission by one person, office or agency to another.

"Reports management" means the systematic control and direction of the production, maintenance and distribution of reports, including establishment of drafting and review standards by an agency, physical format and control standards, and other management procedures.

"Retention schedule" means a list or other instrument describing public records and their minimum retention periods and planned disposition, approved by the State Records Committee, pursuant to N.J.S.A. 47:3-19 et seq.

"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 of or transferred to an archive; specifically, in the case of State agencies, the State Archives.

"Semicurrent records" means:

1. Any records that are needed only infrequently for the conduct of current operations of an agency and are not required to be retained in the office in which they were created, received, or accumulated (see also the definitions of "record" and "noncurrent record"); or

2. Records stored in a records storage facility that are needed only infrequently for the conduct of current operations and are not required to be retained in the office in which they originate. (See the definitions of "records center" or "records storage facility.")

"Short-term record" means any public record with a retention period of three years or less after creation, filing or completion, unless otherwise specified in standards, rules or regulations promulgated by the State Records Committee. (See also the definition of "record.")

"State agency" means the following, currently or previously existing or to be established:

1. The Office of the Governor and any of the departments in the Executive Branch of State government;
2. Any division, board, bureau, office, commission, council, authority, institution, office or officers or other instrumentality within or created by the departments in 1 above;
3. The Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch of the State government;
4. Any independent State authority, commission, district, institution, or instrumentality or agency;
5. Any subordinate office or agency of 1 through 4 above;
6. Any office, officer, official, board, or governing body of 1 through 5 above; or
7. Any combination of 1 through 6 above.

"State Archives" means the "New Jersey State Archives" or "Office of Archives and History," pursuant to P.L. 1994, c.140, § 10 (N.J.S.A. 47:1-15), an establishment maintained by the Division of Archives and Records Management in the Department of State as established under the Governor's Reorganization Plan, filed April 25, 1983, and as set out under N.J.S.A. 18A:73-26; and the successor to the Public Records Office established under P.L. 1920, c.46, as amended by P.L. 1924, c.203 (N.J.S.A. 47:2-1 to 8):

1. For the preservation of those public records and related material that have been determined by the division to have sufficient historical and other permanent or enduring value to warrant their continued preservation by the State;
2. For the maintenance, administration, and use of public records that have been accepted by the division for physical and legal transfer to its custody; and

3. For publishing, exhibiting, and disseminating, by means of public educational programs and research materials, information relating to the management and preservation of public records and to the history of the State of New Jersey and its political subdivisions.

"State Records Committee" or "the Committee" means the Committee composed of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management, and two representatives of State and local agencies, or their designated representatives, as established under P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20 et al.), to approve retention schedules, review requests for disposal of public records, approve standards, rules and regulations pertaining to public records, and advise on public records access requests.

"State Records Storage Center" or "State Records Center" means a records storage facilities established and maintained for economical and efficient storage and servicing of noncurrent or semicurrent public records pending the expiration of their approved retention periods and planned disposal or transfer to the State Archives.

"Vital records" means records which:

1. Contain information required by public agencies to continue functioning during a disaster or to reestablish operations after a calamity has ended;
2. Must be protected from destruction because they offer direct evidence of legal status, ownership, accounts receivable, and the particulars of obligations incurred by governments; or
3. Provide accountability and establish the policies that direct the operation of government.

"Vital records program" means:

1. The process through which vital records are systematically identified, protected and preserved; or
2. Vital records management actions, which frequently include vital records inventorying and classification, and systematic vital records dispersal, duplication and updating.

### 15:3-1.3 Systems of recording; rules; alteration, correction and revision of records

(a) The Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee, established under P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20), shall promulgate such rules as may be necessary to effectuate the management of public records in a systematic and comprehensive fashion and to safeguard the State's documentary heritage.

(b) No public agency shall adopt, use or employ any system for recording, filing, registration or indexing unless the same shall conform to the rules promulgated by the Division of Archives and Records Management in the Department of State pursuant to (a) above, and shall first be approved by the Division of Archives and Records Management. No such system shall be approved until the Division of Archives and Records Management shall have fully promulgated those rules as authorized by P.L. 1920, c.46 (N.J.S.A. 47:2-3 et seq.), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.), and P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended) in compliance with the Administrative Procedure Act, P.L. 1968, c.410 (N.J.S.A. 52:14B-1 et seq.), and the Rules for Agency Rulemaking, N.J.A.C. 1:30.

(c) Any system for recording, filing, registration or indexing which employs data processing or image processing, or has been previously adopted, is subject to the rules promulgated by the Division of Archives and Records Management, pursuant to P.L. 1994, c.140, § 6 (N.J.S.A. 47:1-12). The approval of the Division of Archives and Records Management shall be necessary to bring about the compliance of such systems, in a prompt and orderly fashion, with the standards set forth in the rules.

(d) Whenever it shall be necessary to alter, correct or revise the record pertaining to any paper, document or instrument, or the index pertaining to the same, which shall previously have been recorded, filed, registered, or indexed, the officer responsible for maintaining such records or custodian thereof shall cause a notation to be made of the date and nature of the alteration, correction or revision, which notation shall become part of the record, as stipulated in N.J.S.A. 47:1-13. The officer or custodian shall also preserve the record in its original form prior to alteration, correction or revision, and the same shall be available to any citizen of this State, pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.).

**15:3-1.4 Examination and transfer of public records; preservation and acquisition**

(a) The Division of Archives and Records Management, through its Director, or designee, shall, at its discretion, have unrestricted access, pursuant to the provisions of P.L. 1920, c.46, § 3 (N.J.S.A. 47:2-4), to examine the condition of the records, books, documents, manuscripts, archives, maps and papers kept, filed or recorded in any public agency.

(b) The Division shall take such action as may be necessary to put the records it shall examine, pursuant to P.L. 1920, c.46, § 3 (N.J.S.A. 47:2-4), over which it shall obtain control, Pursuant to P.L. 1920, c.46, § 4 (N.J.S.A. 47:2-3), into the custody and condition contemplated by the various laws and rules, and shall provide for their restoration and preservation.

(c) Pursuant to the provisions of P.L. 1920, c.46, § 5 (N.J.S.A. 47:2-5), the Division shall cause copies of any public record to be made whenever, by reason of age, use, exposure or any casualty, it shall deem such action to be necessary in order to ensure the preservation thereof. Any copy made accordingly may be certified as being a true and accurate copy of the original and shall be considered and accepted as evidence, and treated for all other purposes, as though it were the original.

(d) The officers of any State department, or of any county or municipality, or any institution or society created under any law of this State, may transfer to the Division public records, books, papers, documents, archives, maps, plans, or other records, in whatever media, which are not in general use, per the provisions of P.L. 1920, c.46, § 7 (N.J.S.A. 47:2-7), and the Division shall receive the same when so transferred and provide for the custody and preservation thereof.

(e) The Division, pursuant to the provisions of P.L. 1920, c.46, § 6 (N.J.S.A. 47:2-8), shall acquire, preserve, classify and collate official records, letters and other material, or transcripts of such records and papers, bearing upon the history of the government and the people of New Jersey.

**15:3-1.5 Responsibilities of public agencies; records programs**

(a) Public agencies shall have the following responsibilities for assisting the records programs of the State under the Division of Archives and Records Management:

1. Provide advice to the Division concerning the public records in their care and custody;
2. Inform the Division of technical, legal or procedural innovations or solutions to problems which have been adopted by the agency and which contribute to effective and efficient records management; Cooperate with the division in surveys of historical and other public records for the purpose of planning and Statewide needs assessments;
3. Appoint, maintain and quarter within their respective administrative offices at least one Records Officer or Records Liaison to serve as a records management officer, and such support staff as may be necessary to carry out the provisions of this title, and the division shall provide training assistance and coordination for such records officers, liaison, and support staff as part of the State and local archives and records management program; and
4. Submit to the Division annually, or when requested, reports on any changes in the appointment of Records Officers or Records Liaisons, public officials or officers of the agency, records retention requirements, or status of public records and records systems.

(b) Public agencies shall have the following responsibilities for assisting the records programs of the State under the State Records Committee:

1. Provide advice to the Committee concerning the public records in their care and custody and advise the Committee on proposed rules for records access, copying, or other archives and records management issues;
2. Petition the committee for approval of records retention schedules, changes in previously approved retention schedules, and records destruction requests;
3. Petition the committee for certification of image processing systems;
4. Provide information and justification for such petitions as shall be requested by the committee; and
5. Cooperate with the committee in the establishment and maintenance of a program for the selection and registration of confidential public records.

(c) Public agencies shall have the responsibility for assisting the records programs of the State under the State Historical Records Advisory Board by cooperating with the Board in surveys of historical and other public records for the purpose of planning and Statewide needs assessments.

#### 15:3-1.6 Standards referenced

(a) The standards listed below are adopted and incorporated into this chapter by reference as cited or as amended and supplemented. Reference to or citation of any of the following standards in this chapter shall be construed to refer to the year or edition of said standards cited in this section or the current version thereof:

1. ANSI/ARMA 10-1999, "Glossary of Records Management Terms"  
(N.J.A.C. 15:3-1.2, 3.4(a)1, 5.3 and 6.2)

This glossary establishes a standard meaning and definition for terms and phrases used for records and information management material, practices and technologies.

2. ANSI/AIIM TR2-1992, "Technical Report for Information and Image Management—Glossary for Imaging Technology"  
(N.J.A.C. 15:3-5.3 and 6.2)

This glossary establishes a standard meaning and definition for terms and phrases used in imaging and microimaging material, practices and technologies.

3. SAA PC103, "A Glossary for Archivists, Manuscript Curators, and Records Managers"  
(N.J.A.C. 15:3-6.2)

This glossary establishes a standard meaning and definition for terms and phrases used for material, practices and technologies employed in archives, historical repositories and records management programs.

4. ANSI IT9.6-1991, "Photographic Film—Specifications for Safety Film" (Revision of ANSI PH1.25-1984)  
(N.J.A.C. 15:3-6.4(b))

This standard contains the specifications for silver halide gelatin film used for microforms.

5. ANSI/ISO 10602:1995 or ANSI/NAPM IT9.1-1996, "Imaging Materials—Processed Silver-Gelatin Type Black-and-White Film—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)  
(N.J.A.C. 15:3-3.4(a)1 and 6.4(b))

This document provides the technical standard for processing black and white silver halide gelatin film to insure long-term preservation of the images on the film.

6. ANSI IT9.9-1990, "Imaging Media—Stability of Color Photographic Images—Methods for Measuring"  
(N.J.A.C. 15:3-6.4(b) and (c))

This methodology establishes standards for measuring the stability of images on color photographic film.

7. ANSI/NAPM IT2.19-1994, "American National Standard for Photography—Density Measurements—Part 2: Geometric Conditions for Transmission Density" and ANSI/NAPM IT2.18-1996, "Photography—Density Measurements—Part 3: Spectral Conditions"  
(N.J.A.C. 15:3-3.4(a)1)

These standards establish procedures for measuring density of the text on microfilm to insure legibility of the information stored on the film.

8. ANSI/ISO 3334-1991, ANSI/AIIM MS51-1991, "Micro-graphics—ISO Resolution Test Chart No. 2 Description and Use"  
(N.J.A.C. 15:3-3.4(a)2)

This document contains the description of the standard resolution test chart used to test the resolution of microimages on microfilm and establishes standard procedures for tests using the chart.

9. NIST 1010A, "Microimage Test Chart"  
(N.J.A.C. 15:3-3.4(a)3)

This test chart is the industry standard chart filmed with documents in order to provide an objective means of testing microimages on microfilm.

10. ISO 10214, "Photographic Enclosures" and ANSI/PIMA IT9.2-1998, "American National Standard for Imaging Media—Photographic Processed Films, Plates, and Papers—Filing Enclosures and Storage Containers" (Replaced ANSI PH1.53-78, revised 4 April 1983 "Processed Photographic Films, Plates, and Papers, Photographic Filing Enclosures for Storing, Requirements for"; ANSI PH153-1984. Photography (Processing)—Processed Films, Plates, and Papers—Filing Enclosures and Canisters for Storage; and ANSI PH1.53-1986)



(N.J.A.C. 15:3-3.4(a)1 and 6.4(b) and (c))

These documents provide standards for storage enclosures and containers and procedures and environmental conditions for the storage of film-based imaging media.

11. ISO 18911:2000, "Imaging materials—processed safety photographic films—Storage Practices"; ISO 5466, "Storage of Black and White Microfilm"; ANSI PH1.45-1981, "Practice of Storage of Processed Photographic Plates" (Revised 1989); and ANSI PH1.48-1982, "Photography (Film and Slides)—Black and White Photographic Paper Prints—Practice for Storage" (Revised 1987)

(N.J.A.C. 15:3-3.4(a)1 and 6.4(b) and (c))

These documents provide standards for procedures and environmental conditions for the storage of film-based imaging media, including, but not limited to, black and white silver halide gelatin microfilm, photographic plates, slides, and black and white photographic paper.

12. ANSI/AIIM MS1-1996, "Recommended Practice for Alphanumeric Computer-Output Microforms—Operational Practices for Inspection and Quality Control"

(N.J.A.C. 15:3-3.4(a)2)

This practice establishes a standard for inspection and quality control of Computer Output Microfilm (COM) microforms.

13. ANSI/AIIM MS5-1992 (R1998), "Micrographic Microfiche"

(N.J.A.C. 15:3-3.4(a)2)

This document contains the specifications for micrographic microfiche.

14. ANSI/AIIM MS14-1996, "Specifications for 16mm and 35mm Roll Microfilm"

(N.J.A.C. 15:3-3.4(a)2)

This document contains the specifications for 16 millimeter and 35 millimeter roll microfilm.

15. ANSI/AIIM MS19-1993, "Recommended Practice for Identification of Microforms" and NISO Z39.62-1993, "Eye-Legible Information on Microfilm Leaders and Trailers and on Containers of Processed Microfilm on Open Reels"

(N.J.A.C. 15:3-3.4(a)2 and 6.4(b) and (c))

These documents establish the industry standards for the identification of microforms, including, but not limited to, roll microfilm and microfiche, and the eye-legible information placed on microfilm leaders and trailers and on containers of processed microfilm on open reels.

16. ANSI/AIIM MS23-1998, "Microfilm of Documents, Operational Procedures/Inspection and Quality Control of First-Generation Silver-Gelatin"

(N.J.A.C. 15:3-3.4(a)2)

This practice establishes a standard for inspection and quality control of the first generation master copies of silver halide gelatin microfilm.

17. ANSI/AIIM MS43-1998, "Recommended Practice for Operational Procedures/Inspection and Quality Control for Duplicate Microforms of Documents and from COM"

(N.J.A.C. 15:3-3.4(a)2)

This practice established recommended procedures for inspection and quality control for duplicate microforms of microfilmed documents and computer-output microfilm (COM).

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

(N.J.A.C. 15:3-6.4(b) and (c))

This practice establishes recommended procedures for testing for residual thiosulfate and other chemicals on silver halide gelatin microfilm, photographic plates and papers in order to insure long-term preservation of microimages.

19. ANSI/AIIM MS45-1990, "Recommended Practice for Inspection of Stored Silver-Gelatin Microforms for Evidence of Deterioration"

(N.J.A.C. 15:3-3.4(a)2 and 6.4(b) and (c))

This practice establishes recommended procedures for inspection of silver halide gelatin microfilm in long-term storage for indication of deterioration of the film due to poor processing, inadequate environmental conditions, chemical contamination, or other hazards in order to insure long-term preservation of microimages.

20. ANSI IT9.16-1993, "Imaging Media—Photographic Activity Test" and ISO 14523:1999, "Photography—Processed photographic materials—Photographic activity test for enclosure materials"

(N.J.A.C. 15:3-6.4(b))

These test method documents set photographic activity test standards which establish standardized methods for testing for the permanence and physical properties of imaging and materials for photographic media and enclosures.

21. ANSI/AIIM MS32-1996, "Microrecording of Engineering Source Documents on 35mm Microfilm"

(N.J.A.C. 15:3-3.4(a)2)

This document sets standards for microfilming engineering documents on 35 millimeter microfilm.

22. ANSI/AIIM MS41-1996, "Unitized Microfilm Carriers (Aperture, Camera, Copy, and Image Cards)"

(N.J.A.C. 15:3-3.4(a)2)

This document contains specifications for standard carriers for aperture cards and similar microforms.

23. ANSI/AIIM TR27-1991, "Technical Report for Information and Image Management—Electronic Imaging Request for Proposal Guidelines"

(N.J.A.C. 15:3-4.3(a))

This technical report sets guidelines for a Request for Proposal (RFP) and similar documents for image processing systems.

24. NISO Z39.48-1992, "Permanence of Paper for Printed Publications and Documents in Libraries and Archives" and ASTM D3290-94, "Bond and Ledger Paper for Permanent Records"

(N.J.A.C. 15:3-4.3(c)1, 6.3(d)6 and 6.4(b) and (c))

These documents contain specifications for paper to be used for printed publications and documents to insure long-term or permanent preservation of such material.

25. ISO/IEC 13346, Volume and File Structure of Write-Once and Rewritable Optical Disks Using Non-Sequential Recording for Information Interchange—Universal Disk Format"

(N.J.A.C. 15:3-4.3(e)1)

This document contains specifications for the universal industry standard disk format for the volume and file structures for Write-Once/Read Many (WORM) and Rewritable optical disks to insure compatibility and information interchange.

26. ISO 13490, "Volume and File Structure of Read-Only and Write-Once Compact Disk Media for Information Interchange"

(N.J.A.C. 15:3-4.3(e)2)

This document contains industry standards for media and operating system independent volume and file structures for Read-Only and Write-Once/Read Many (WORM) compact optical disks (CDs) to insure compatibility and information interchange.

27. ANSI/NISO/ISO 9660, "Volume and File Structure of Read-Only and Write-Once Compact Disk Media for Information Interchange"

(N.J.A.C. 15:3-4.3(e)3)

This document contains industry standard specifications for the volume and file structures for compact optical disks (CD-ROM) to insure compatibility and information interchange.

28. ANSI/AIIM TR25-1995, "Technical Report for Information and Image Management—The Use of Optical Disks for Public Records"

(N.J.A.C. 15:3-4.3(o))

This technical report contains guidelines for the establishment of policies and procedures for governmental agencies for the use of image processing technology for the recording and maintenance of public records.

29. ANSI/AIIM MS44-1988, "American National Standard for Information and Image Management—Recommended Practice for Quality Control of Image Scanners"

(N.J.A.C. 15:3-4.6(c) and (d))

This practice establishes recommended policies and procedures for quality control for scanners used in conjunction with image processing systems to scan documents to insure legibility of scanned images.

30. AIIM X441, "AIIM Scanner Target," AIIM X443, "RIT Ink Gamut Chart," and AIIM X501, "ITU-T Standard Image Set (CD-ROM) for Use with National Communication System Information Bulletin 93-45"

(N.J.A.C. 15:3-4.6(d))

These test charts are industry standard targets scanned along with documents in order to provide an objective means of testing the resolution and legibility of scanned images.

31. CCITT Group III and Group IV Compression

(N.J.A.C. 15:3-4.6(g))

CCITT Group III and Group IV compression techniques are industry standards used to insure compatibility for information interchange.

32. ANSI/AIIM TR21-1991, "Technical Report on Information and Image Management—Recommendations for Identifying Information to be Placed on Write-Once/Read-Many (WORM) and Rewritable Optical Disks (OD) Cartridge Label(s) and Optical Disk Cartridge Packing/Shipping Containers"

(N.J.A.C. 15:3-4.7(c))

This technical report contains recommendations for identifying information to be placed on Write-Once/Read-Many (WORM) and Rewritable Optical Disks (OD) cartridge labels and optical disk cartridge packing and shipping containers.

33. AIIM TR28-1991, "Technical Report on Information and Image Management—The Expungement of Information Recorded on Optical Write-Once-Read-Many (WORM) Systems"

(N.J.A.C. 15:3-4.8(e))

This technical report contains recommendations for the establishment of policies and procedures for the expungement of information recorded on Write-Once/Read-Many (WORM) optical disks in compliance with court orders and similar events.

34. ANSI/NAPM IT9.11, "Imaging Media—Processed Safety Photographic Films—Storage" (Revision of ANSI PH1.43-1985)

(N.J.A.C. 15:3-6.3(b) and 6.4(c))

This document establishes standards for the handling, maintenance and storage of processed silver halide gelatin films.

35. ANSI/NFPA 40-1997, "Storage and Handling of Cellulose Nitrate Motion Picture Film" (Revision of ANSI/NFPA 40-1982 and ANSI/NFPA 40-1988)

(N.J.A.C. 15:3-6.3(b) and 6.4(b) and (c))

This document establishes standards for the handling, maintenance and storage of processed cellulose nitrate motion picture films.

36. N.J.A.C. 5:23, Uniform Construction Code (UCC). (Adopted by the Department of Community Affairs, Division of Codes and Standards)

(N.J.A.C. 15:3-6)

This document sets the standards for all building construction in the State of New Jersey, including installation, testing and use of sprinkler systems, fire extinguishers, and other means of fire prevention.

37. IBC-2000, "International Building Code"; IFC-2000, "International Fire Code"; and National Electrical Code-2000. (Adopted as subcodes of the Uniform Construction Code (UCC), N.J.A.C. 5:23, by the Department of Community Affairs, Division of Codes and Standards in 35 N.J.R. 1939(a), effective May 5, 2003)

(N.J.A.C. 15:3-6.1 et seq.)

These documents set standards for construction of buildings, including installation, testing and use of sprinkler systems, fire extinguishers, and other means of fire prevention.

38. ANSI/NFPA 1-1997, "Fire Prevention Code"; ANSI/NFPA 10-1994, "Portable Fire Extinguishers"; ANSI/NFPA 13-1996, "Installation of Sprinkler Systems"; and ANSI/NFPA 25-1995 (Revision of ANSI/NFPA 13-A), "Inspection and Testing of Sprinkler Systems"; and NBS Technical Notice 839, "Fire Protection"

(N.J.A.C. 15:3-6.3(b))

These documents set standards and guidelines to establish policies and procedures for fire prevention, including installation, testing and use of sprinkler systems, fire extinguishers, and other means of fire prevention.

39. ANSI/NFPA 70-1996, National Electric Code

(N.J.A.C. 15:3-6.3(b))

This code regulates construction, installation, and maintenance related to electrical systems.

40. ANSI/NFPA 72-1996, National Fire Alarm Code

(N.J.A.C. 15:3-6.3(b))

This code establishes standards for construction, installation, and maintenance of fire alarm systems.

41. ANSI/NFPA 80-1999, "Fire Doors and Fire Windows"

(N.J.A.C. 15:3-6.3(b) and (c))

This document establishes standards for construction, installation, and maintenance of fire doors and windows for protection from interior and exterior fires.

42. ANSI/UL 155-2000, "Test for Fire Resistance of Vault and Fire Doors"

(N.J.A.C. 15:3-6.3(b))

This test method describes standards and procedures for determining the fire resistance capacity of vault doors.

43. ANSI/UL 72-1995, "Tests for Fire Resistance of Record Protection Equipment"

(N.J.A.C. 15:3-6.3(b))

This test method describes standards and procedures for determining the fire resistance capacity of record protection equipment such as fire resistant filing cabinets.

44. ANSI/NFPA 220-1993, "Types of Building Constructions" and ANSI/NFPA 221-2000, "Fire Walls and Fire Barrier Walls"

(N.J.A.C. 15:3-6.3(b) and (c))

These codes establish standards for the construction and composition of buildings, including specifications for the construction of fire walls and fire barrier walls.

45. ANSI/NFPA 231C-1998, "Rack Storage of Materials"; NFPA 232-2000, "Standards for the Protection of Records" (Revision of ANSI/NFPA 232AM-1986 and 232A-1995), and NFPA 909-1997, "Standards for the Protection of Cultural Resources Including Museums, Libraries, Places of Worship, and Historic Properties"

(N.J.A.C. 15:3-6.3(b) and (c) and 6.4(b))

These documents provide the requirements for records protection equipment and facilities and record-handling techniques that provide protection from the hazards of fire.

46. FEMA 302, "NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures"

(N.J.A.C. 15:3-6)

This document provides recommended provisions for seismic regulations for the construction of new buildings and other structures.

47. NEDCC Technical Leaflet, "The Environment, Temperature, Relative Humidity, Light and Air Quality: Basic Guidelines for Preservation"

(N.J.A.C. 15:3-6.3(b))

This guide covers recommended standards for environmental conditions, temperature, relative humidity, light and air quality for the storage of records and archival material to insure long-term preservation thereof.

48. ANSI/NFPA 90A-2002, "Installation of Air Conditioning and Ventilating System" (Revision of ANSI/NFPA 90A-1999) and ANSI/NFPA 90B-2002, "Installation of Warm Heating and Air Conditioning Systems" (Revision of ANSI/NFPA 90B-1999)

(N.J.A.C. 15:3-6.3(b) and 6.4(b))

These documents establish standards for construction, installation, and maintenance of heating, ventilation, and air conditioning (HVAC) systems in buildings.

49. IEST RP-CC001.3, "HEPA and ULPA Filters" (Replaces Institute of Environmental Sciences (now Institute of Environmental Sciences and Technology) IES CS-1, Standard for HEPA Filters)

(N.J.A.C. 15:3-6.4(b) and (c))

This standard contains the specification for HEPA filters for heating, ventilation, and air conditioning (HVAC) systems in buildings.

50. ANSI/NFPA 40-1997, "Storage and Handling of Cellulose Nitrate Motion Picture Film"

This standard contains the specification for the storage and handling of flammable and combustible cellulose nitrate motion picture film.

51. ANSI X3.39-1986, "Recorded Magnetic Tape for Information Interchange (1600 CPI, PE)"; ANSI X3.54-1986, "Recorded Magnetic Tape for Information Interchange (6250 CPI, Group Coded Recording)"; and 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"; 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"; ANSI X3.265-1995, "Information Technology—Magnetic Tape Cartridge for Information Interchange—Unrecorded, 36-Track, Parallel, 12.57 mm (0.495 in), 1944 ftppmm (49 378 ftpi) Group-Coded Recording"; and ISO/IEC 14251:1995, "Information Technology—Data Interchange on 12.7 mm 36-Track Magnetic Tape Cartridges"

(N.J.A.C. 15:3-6.5(b) and (d))

These documents contain the specifications for recorded and unrecorded magnetic tape to insure compatibility and information interchange.

52. ANSI/NAPM IT9.23-1996, "Imaging Materials—Polyester Based Tape—Storage" and CPA/NML 1995, "Magnetic Tape Storage and Handling: A Guide for Libraries and Archives"

(N.J.A.C. 15:3-6.5(b), (d), (g) and (h))

These documents provide standards and guidelines for storage and handling of recorded magnetic tape to insure long-term preservation thereof.

53. Executive Order 12906 of April 11, 1994 (3 CFR, 1995 Comp., p. 882). "Federal Geographic Data Committee—Content Standards for Digital Geospatial Metadata" and FIPS 173-1, "Spatial Data Transfer Standard (SDTS) (DOI/USGS Specs)-94 June 10"

(N.J.A.C. 15:3-6.5(b) and (d))

These documents contain the standards for metadata (identifying information) for digital geospatial records and the transfer of special data contained in such records.

54. ISO 18925:2002, "Imaging Materials—Optical Disc Media—Storage Practices"

(N.J.A.C. 15:3-6.5(f)1)

This standard establishes environmental conditions for the storage and maintenance of optical disks to insure long-term preservation thereof.

## SUBCHAPTER 2. RECORDS RETENTION

### 15:3-2.1 Retention and disposition of public records

(a) The following pertain to authorization for destruction of public records, under the Destruction of Public Records Law, N.J.S.A 47:3-15 through 32:

1. Pursuant to P.L. 1994, c.140, § 9 (N.J.S.A. 47:1-14), no official responsible for maintaining public records or the custodian thereof shall destroy, obliterate or dispose of any paper, document, instrument, or index which shall have been recorded, filed, registered or indexed except as specifically permitted by law; furthermore, no law, statute or regulation shall be construed to permit the destruction, obliteration or disposal of any such records by implication.

2. No State or local government 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.

3. Each State or local government agency shall secure from the Division in the manner and form prescribed by it per N.J.A.C. 15:3-2.2(a), 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.

4. Pursuant to the provisions of the Destruction of Public Records Law at N.J.S.A. 47:3-22, no public official, State or local government agency shall be held liable in any manner, civil or criminal, because of the destruction of public records if such records are destroyed according to the to the procedures established under this rule.

(b) The State Records Committee, composed of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management, or their designated representatives, as established under P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20), must approve retention schedules, review requests for disposal of public records, certify image processing systems, and approve standards, rules and regulations pertaining to public records.

1. The State Records Committee shall meet monthly, unless there is insufficient business as determined and declared by the Director of the Division of Archives and Records Management, as Secretary of the Committee, who shall notify or cause the members of the Committee to be notified of cancellation of such meeting.

2. Special meetings of the Committee may be called by the Secretary of the Committee as he or she may deem necessary.

3. All meetings of the Committee shall be held and conducted pursuant to the provisions of P.L. 1975, c.231 (N.J.S.A. 10:4-6 to 21), known and cited as the Open Public Meetings Act (OPMA), including, but not limited to, adequate public notice of all meetings, open public meetings, and availability of minutes of meetings to the public.

4. Public notice, including publication in one or more legal newspapers and posting in the Office of the Secretary of State, shall be made of all public meetings of the Committee, including the agenda of the meeting. Written comments concerning proposed actions on the published agenda may be filed with the Committee, but no public comment shall be allowed during meetings of the Committee, except by representatives of agencies or their consultants who have business before the Committee, or unless the meeting is constituted as a public hearing by the Committee.

5. No official vote or action shall be taken by the Committee unless a quorum of the members is present. A quorum of the Committee shall be a simple majority of the members thereof or their designees.

6. No official vote or action shall be required for administrative actions of the staff of the Division of Archives and Records Management previously authorized by the Committee, including, but not limited to, approval of destruction of public records in accordance with established record retention schedules, changes in previously approved record retention schedules due to name changes or reorganization of State or local agencies or units within such agencies, and annual renewal of certification of image processing systems for public records or other administrative actions regarding certifications of such imaging systems. Notification of such administrative actions by the Division shall be declared and recorded at the subsequent meeting of the Committee.

7. The Director of the Division of Archives and Records Management, acting as Secretary of the Committee, or his or her designee, shall serve as the custodian of the records of the Committee per P.L. 2001, c.404 (N.J.S.A. 47:1A-1 et seq.), known and cited as the Open Public Records Act (OPRA). The minutes of the meeting and other records of the Committee shall be held and maintained by the Division of Archives and Records Management. Minutes of the meetings of the Committee and related documents shall be available to the public pursuant to the provisions of P.L. 1975, c.231, §§ 7 and 9 (N.J.S.A. 10:4-12 and 14).

8. The State Records Committee shall have the authority to form sub-committees and other groups as may be deemed necessary to fulfill and carry out the functions and duties of the Committee per P.L. 1953, c.410, §§ 6 et seq. (N.J.S.A. 47:3-20 et al.). Such sub-committees and other groups shall be established and constituted by a majority vote of the Committee.

(c) The following pertain to certification, authorization and assistance provided by the Bureau of Records Management:

1. Any proposed records retention schedule must receive the approval of the Chief of the Bureau of Records Management or the Supervisor of Records and Forms Analysis before it is submitted to the State Records Committee for adoption.

2. Any image processing system established and maintained for the creation and/or management of public records in a State or local government agency must receive the approval of the Chief of the Bureau of Records Management and the Chief of the Bureau of Micrographics and Alternative Records Storage or the Supervisor of Micrographics and Imaging Services, pursuant to the provisions of P.L. 1994, c.140, and N.J.A.C. 15:3-4, Image Processing of Public Records, and N.J.A.C. 15:3-5, Certification of Image Processing Systems, before the system can be submitted for certification by the State Records Committee.

3. Any agency requesting authorization for destruction of public records must submit a completed "Request and

Authorization for Records Disposal" form per N.J.A.C. 15:3-2.2 to the Supervisor of Records and Forms Analysis or his or her designee for approval before any such records may be destroyed.

4. Pursuant to the provisions of P.L. 1920, c.46 (N.J.S.A. 47:2-3 et seq.), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.), and P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended), the Bureau of Records Management shall research, develop and, upon approval by the State Records Committee, promulgate standards, procedures and guidelines for the creation, management, and preservation of public records for State and local government agencies and shall promote and provide training and assistance for the implementation of the same.

(d) The following pertain to records retention schedules and the disposal of public records:

1. The Division shall issue no authorization for destruction of public records to an agency unless a records retention schedule has been prepared and approved for that particular agency or department.

2. Any agency requesting authorization for destruction of public records must receive notification of the approval of the Supervisor of Records and Forms Analysis or his or her designee, if said request conforms to a records retention schedule established by the State Records Committee, before such records may be destroyed. The Division shall report all authorizations for destruction of public records to the State Records Committee at each regularly scheduled meeting of the committee. Such reports shall become part of the records maintained in perpetuity for the said committee.

3. Per the procedures established under N.J.A.C. 15:3-2.2(b), the State Records Committee may, upon recommendation of the Division, grant special authorization for disposal of public records damaged or destroyed in a fire, flood, or other natural or man-made disaster that have not passed the approved records retention period, if the Division determines that other copies of the records exist, the records can be reconstituted from other sources, or the records cannot be restored or recovered due to the damage they have received.

(e) Record retention schedules provide a uniform, effective and systematic control on recordskeeping and destruction. 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 recordskeeping and the establishment of approved retention and disposal schedules within State and local government agencies 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 shall be prepared.

3. After the Records Retention and Disposition Schedules are prepared, clearances for the recommended records retention schedule shall be obtained. 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.

(f) Instructions for preparing a Records Retention and Disposition Schedule are as follows:

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

i. Proposed records and retention disposition schedules shall be prepared from inventory and appraisal information gathered by DARM staff in conjunction with agency representatives.

ii. Only active and continuing records shall be scheduled. Nonrecurring or discontinued records shall not be listed on this schedule.

iii. Supplemental schedule pages shall be used to continue items after the first sheet is filled.

2. Upon completion by the Division, the schedule shall be presented to the head of the agency concerned for approval and signature, prior to submission to the State Records Committee for adoption.

(g) The following pertain to general retention schedules for State and local agencies:

1. The State Records Committee shall issue general retention schedules covering records common to all State and local agencies.

2. The Director of the Division, acting as the Chairman of the State Records Committee, shall sign the retention schedules as the requestor.

(h) Copies of record retention schedules are available upon request from the following address:

Department of State  
Division of Archives and Records Management  
PO Box 307  
Trenton, NJ 08625-0307

or, on the Division website at  
<http://www.state.nj.us/state/darm/links/recman.html>.

Amended by R.2005 d.146, effective May 16, 2005.

See: 36 N.J.R. 5229(a), 37 N.J.R. 1753(a).

In (b), added 1 through 8.

### 15:3-2.2 Disposal of public records

(a) Any State or local government agency desiring authorization to destroy records in its possession shall, at least 23 working days, excluding State holidays, 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 in quadruplicate. Copies of the form are available upon request from the Bureau of Records Management of the Division of Archives and Records Management. The agency shall send the completed form to the Division.

2. The Division of Archives and Records Management shall review the disposal request for completeness, and enter the date of authorization and the authorization

number. The Division of Archives and Records Management shall approve, disapprove or amend the request for authorization, based upon established records retention schedules. If approved, the authorization shall be signed by the Director of the Division, as Secretary to the State Records Committee, or his or her designee, and, if not approved, the request shall be returned to the originating agency with an explanation of errors to be corrected.

3. The State Records Committee shall approve, disapprove or amend any request for authorization if the item is not based upon an established schedule that has been adopted by the Committee.

4. The Division of Archives and Records Management shall file and maintain the original copy of the form; return the signed copy to the agency; and, for State agencies, forward the Auditor's copy to the Office of the State Auditor, and, for local agencies, forward the Auditor's copy to the auditor designated by their governing body.

5. The requesting agency shall examine the returned copy for any changes or omissions. When destruction has been completed, return the follow-up copy to the Division with the necessary disposition information.

6. The requesting agency shall retain their copy of the completed form permanently in their files as proof of authorization of destruction of the corresponding record or records.

(b) Any public agency desiring authorization to destroy records that have been damaged due to a disaster shall submit to the Division an emergency request for such authorization in a manner and form prescribed by the Division. State and local government agencies, districts and authorities are required by law to protect their records against untimely destruction due to disasters. A vital records program can minimize the effects of a calamity by identifying those records that should be given highest priority for salvage in a disaster. The following procedure for processing emergency requests for authorization for destruction of records must be followed by the appropriate parties in the sequence below:

1. Obtain a master list of all damaged documents;
2. Apply appropriate state records retention schedules;
3. Determine whether the damaged records can be duplicated from other sources (microfilm, duplicate filings at other agencies, etc.);
4. Examine damaged documents to determine:
  - i. What should be saved?
    - (1) Salvage of vital and permanent records must be done immediately.
    - (2) Depending on the amount and severity of damage, damp records may be saved by air-drying, and water saturated records may be saved by freeze-drying.
    - (3) Contact the Division immediately for disaster assistance;
  - ii. What can be destroyed?
    - (1) Damaged records that are not vital or permanent records of the agency and whose retention period has expired, is within one year of expiration;
    - (2) Records that are deemed unsalvageable; and
    - (3) Damaged records that can be duplicated from other sources;
5. Damaged records should be reported immediately to the Division to prevent further loss of records, including onset of mold and mildew; and
6. Agencies requesting emergency destruction of such records shall follow destruction authorization procedures in (d) below.

(c) The following pertain to the audit of fiscal records of public agencies:

1. Fiscal records may not be disposed of until they have been audited, the audit approved, and the agency's auditor has approved that they are not required for future audit.

2. Pursuant to (d)3ix below, any "Request and Authorization for Records Disposal" form filed pursuant to (a) above, shall be signed by the agency's designated auditor to certify that the records have been audited and the audit approved.

3. The designated auditor for State agencies shall be the Office of the State Auditor, and, for local agencies, the auditor designated by the agency's head or governing body.

(d) The following concern "Request and Authorization for Records Disposal" forms:

1. Purpose. The disposal request form provides a procedure, approved by the State Records Committee, by which State or local officials shall:
  - i. Request authorization for destruction of records in accordance with N.J.S.A. 47:3-17; and
  - 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.
  - i. The form is to be forwarded to the Division of Archives and Records Management.
  - ii. Upon approval, the agency copy will be returned to the requesting agency, along with the follow-up copy.
  - iii. 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 are as follows:
  - 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 the 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 Item No. 3.
  - v. Item No. 5, Series Number: In this column, numbers appearing on established records retention sched-



ules 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.

(e) Requests for disposal of records must be submitted on the appropriate multi-part "Request and Authorization for Records Disposal" form. Copies of "Request and Authorization for Records Disposal" forms are available from the Division of Archives and Records Management at the following address:

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

(f) The following pertain to physical destruction of State records:

1. When disposal is authorized, records must be destroyed in fact and not be allowed to fall into unauthorized hands.

2. Non-confidential records may be sold for waste, providing that they will eventually be processed to destroy their identity.

3. Confidential records must be destroyed by burning, shredding or pulping.

4. A responsible official shall supervise the disposal of confidential records, or accompany them if they have to be transported to a destruction site, to see that they are in fact totally destroyed.

5. Documentation of secure destruction of confidential records shall be filed and maintained with the related "Request and Authorization for Records Disposal" form by the agency.

(g) All revenues obtained from the sale of wastepaper of State agencies must be made payable to the General Fund of the State Treasurer. All revenues from the sale of wastepaper of local agencies must be made payable to the appropriate fund as designed by their governing body.

### 15:3-2.3 State Records Center

(a) The following pertain to records storage centers:

1. A records storage center, commonly called a records center, is a low cost, centralized area for housing and servicing noncurrent and semicurrent records whose reference rate does not warrant their storage in expensive office space and equipment.

2. Records should be transferred to the records center when they become sufficiently inactive to permit their removal from the offices having custody of them.

3. Records transferred to the records center remain in the legal custody of the originating agency.

4. The records center furnishes the necessary retrieval service to the files in its custody, return designated files to the originating agency for reference, and dispose of records after their retention period has expired.

5. Records centers used for the storage and maintenance of public records must meet all standards and guidelines established for storage as established under N.J.A.C. 15:3-6, Storage of Public Records.

(b) The following pertain to the transfer of records of State agencies to the State Records Center:

1. The Division of Archives and Records Management shall operate and maintain or designate a records center or record centers for the storage of semicurrent or inactive records of State agencies in all types of recordkeeping media.

2. Records of a State agency transferred to the State Records Center for storage and safekeeping shall remain in the legal custody of the originating 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. 1920, c.46, §§ 6 and 7 (N.J.S.A. 47:2-3 and 7), 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) The following pertain to the transfer to the State Archives of archival records of an extinct agency:

1. 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.

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

### 15:3-2.7 Standards for paper for permanent records

(a) Statement of applicability. These standards shall apply to records of State or local government agencies that have been designated as permanent or archival records pursuant to P.L. 1953, c. 410 (N.J.S.A. 47:3-15 et seq.) and to any volumes or papers used for recording permanent or archival records.

(b) Referenced standards. The standard for paper for permanent records is intended to be used in conjunction with the following standards, which are incorporated herein by reference. When these standards are superseded by a revision, approved by the promulgating organization, the revision shall apply. The issuing authority and how to obtain a copy of these standards can be found in N.J.A.C. 15:3-4.2.

1. National Information Standards Organization, NISO Z39.45-1992, Permanence of Paper for Printed Publications and Documents in Libraries and Archive;
2. American Society for Testing and Materials, D3290-81, Standard Specifications for Bond and Ledger Papers for Permanent Records and D3208-81, Standard Specifications for Bond and Ledger Papers for Permanent Records;
3. American National Standards Institute, ANSI Z39.49-1984, Permanence of Paper for Printed Library Material; and
4. Technical Association of the Pulp and Paper Industry, T 509om-83, Hydrogen Ion Concentration (pH) of Paper Extracts — Cold Extraction Method.

(c) Definitions. The following words and phrases, as used in this section, shall have the standard meaning as established in ASTM D1968-02a “Standard Terminology Relating to Paper and Paper Products” incorporated herein by reference, as amended and supplemented, except as otherwise defined in State statutes, including:

“Alkaline reserve” means the presence of a compound (e.g. calcium carbonate) put in paper at a level sufficient to neutralize acid that might, in the future, be generated from aging of the paper or from atmospheric pollution.

“Groundwood” means pulp produced by mechanically debarking wood without chemical cooking; such pulp contains many substances deleterious to the permanence of paper.

“pH” means the negative logarithm of the hydrogen ion activity in an aqueous solution or the logarithm of the reciprocal of the hydrogen ion activity. Numerically expressed, pH 7 is neutral, lower numbers are acidic. Higher numbers are alkaline. The concentration of the free hydrogen ions is expressed as an exponent, so the pH 4 is 10 times more acidic than pH 5 and 100 times more acidic than pH 6.

“Permanence,” for the purpose of this standard when referring to paper, means paper that will last at least several hundred years without significant deterioration under normal use and storage conditions.

“Uncoated,” for the purpose of this standard when referring to paper, means paper that is composed of fiber plus fillers, sizing, dyes, etc., but with no surface coating in excess of 2.5 pounds per side for every 500 sheets measuring 25 inches by 38 inches.

(d) Minimum requirements — uncoated permanent paper. In addition to the standards in (b) above, uncoated permanent paper shall meet all of the following minimum requirements:

1. pH. Minimum pH of 7.5 in accordance with the cold extraction method described in Technical Association of the Pulp and Paper Industry, T 509om-83, Hydrogen Ion Concentration (pH) of Paper Extracts — Cold Extraction Method;
2. Alkaline reserve. Minimum alkaline reserve equivalent to two percent calcium carbonate based on oven dry weight of the paper;
3. Paper stock. The paper shall include no groundwood or unbleached pulp; and
4. Paper weight. Minimum paper weight of 24 pound is required of records being held or reproduced in book form for permanent retention or use in a State or local government agency.

New Rule, R.2006 d.446, effective December 18, 2006.  
See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

### SUBCHAPTER 3. STANDARDS FOR MICROFILMING OF PUBLIC RECORDS

#### 15:3-3.1 Standards for microfilming public records; purpose

(a) The microfilm standards established under this subchapter are intended to promote uniformity and quality in the production of microforms of the records of State and local governments in New Jersey. This subchapter:

1. Establishes standards for copying records by photographic and microphotographic means;
2. Establishes standards and procedures for use of micrographic technologies to create, use, store, retrieve, pre-

serve and dispose of public records created, received or maintained in any State or local government agency of the State of New Jersey; and

3. Provides for centralized microfilming and services for State and local agencies.

(b) All agencies engaged in microfilming government records shall meet established standards to ensure that:

1. Microfilm copies contain all significant detail and information shown on the original record;
2. Microfilm copies are usable and legible reproductions of the original record;
3. Microfilm reproduction will have the same acceptability and legal status as the original record; and
4. Microfilm reproduction will meet standards of archival quality for long-term preservation of public records.

#### 15:3-3.2 Authority to establish microfilm standards

P.L. 1953, c.410 as amended by P.L. 1996, c.590 (N.J.S.A. 47:3-15 et seq.) requires the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee, to formulate standards and procedures for the photographing, microphotographing, microfilming, data processing, and image processing of public records and for the preservation, examination and use of such records, including the indexing and arrangement thereof for reference purposes.

#### 15:3-3.3 Microfilm standards; definitions

The words and phrases used in this subchapter shall have the standard meaning of records management terminology as defined in N.J.A.C. 15:3-1.2, except the following words and phrases which apply to this subchapter and shall have the designated meanings, unless the context clearly indicates otherwise:

“Archival microfilm” means a photographic film that conforms to film designated as LE 500 in ANSI/NAPM IT9.1-1996 as amended or supplemented, meets the standards described in this subchapter, and is suitable for the preservation of permanent records when stored in accordance with N.J.A.C. 15:3-6, Storage of Public Records.

“Background density” means the opacity of the area of the microform not containing information.

“Computer-assisted retrieval system” or “CAR” means a records storage and retrieval system, normally microfilm-based, that uses a computer for indexing, automatic markings such as blips or bar codes for identification, and automatic devices for reading those markings and, in some applications, for transporting the film for viewing.

“Computer output microfilm” or “COM” means microfilm containing data converted and recorded from a computer.

(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 copies of their standards 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  
Website: <http://www.aiim.org>

“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 Institute’s address is as follows:

American National Standards Institute  
25 West 23rd Street  
New York, NY 10036  
Telephone: (212) 642-4980  
Fax: (212) 302-1286 (orders only)  
Website: <http://www.ansi.org>

“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 to develop records management standards. The address of the Institute for the purpose of ordering copies of their standards is as follows:

Association of Records Managers and Administrators International  
ARMA Publication Sales  
P.O. Box 606  
Benton Harbor, MI 49023-0606  
Telephone: (888) 241-0598  
Fax: (269) 982-1652  
Website: <http://www.arma.org>

“ASTM” means ASTM International, originally known as the American Society for Testing and Materials, of the largest voluntary standards development organizations in the world—a trusted source for technical standards for materials, products, systems, and services. ASTM International standards have an important role in the information infrastructure that guides design, manufacturing and trade in the global economy. The address of the Society for the purpose of ordering copies of their standards is as follows:

ASTM International  
100 Barr Harbor Drive,  
P.O. Box C700  
West Conshohocken, PA 19428-2959  
Telephone: (610) 832-9585  
Website: <http://www.astm.org>

“CCITT” means the Consultative Committee for International Telegraphy and Telephony, 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 copies of their standards is as follows:

International Telecommunications Union  
Sales and Marketing Division  
Place des Nations

CH-1211 Geneva 20  
Switzerland  
Telephone: +41 22 730 61 41 (English)  
Telefax: +41 22 730 51 94  
Website: <http://www.itu.int/home/>

“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, reference 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 copies of their standards is as follows:

Defense Technical Information Center (DTIC)  
National Technical Information Service  
5285 Port Royal Road  
Springfield, VA 22161  
Telephone: (800) 553-6847  
Website: <http://www.dtic.mil/>

“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 copies of their standards 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) 272-6657  
Fax: (714) 821-4010  
Website: <http://www.computer.org/cspress>

“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 address of the Organization, for the purpose of ordering copies of their standards is as follows:

International Organization for Standardization  
Central Secretariat  
1, rue de Varembe  
Case postale 56  
CH-1211 Geneva 20  
Switzerland  
Telephone: +41 22 749 0111  
Fax: +41 22 749 09 47  
Website: <http://iso.ch/iso/en/ISOOnline.frontpage>

“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 copies of their standards is as follows:

National Information Standards Organization  
Techstreet/NISO Press Fulfillment  
777 East Eisenhower Parkway  
Ann Arbor, MI 48108  
Telephone: (800) 699-9277  
Fax: (734) 913-3946  
Website: <http://www.niso.org>

“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 copies of their standards is as follows:

National Technical Information Service (NTIS)  
U.S. Department of Commerce  
Springfield, VA 22161

Telephone: (800) 553-6847  
Fax: (703) 605-6900  
Website: <http://www.nist.gov>

“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 address of the Open Group, for the purpose of ordering copies of their standards, is as follows:

The Open Group  
Publications Department  
Thames Tower  
37-45 Station Road  
READING, Berkshire RG1 1LX  
United Kingdom  
Telephone: (415) 276-3760 (U.S. number)  
Website: <http://www.opengroup.org/bookstore/>

“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 Technological 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 address of the Society, for the purpose of ordering copies of their standards, is as follows:

Society of American Archivists  
527 S. Wells Street, 5th floor  
Chicago, IL 60607-3922  
Telephone: (312) 922-0140  
Fax: (312) 347-1452  
Website: <http://www.archivists.org>

“State Records Committee” or “committee” means the State Records Committee, composed of the Attorney General, State Treasurer, State Auditor, Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management in the Department of State or their designees, as established pursuant to P.L. 1953, c. 410 (N.J.S.A. 47:3-20).

“TAPPI” means the Technical Association of the Pulp and Paper Industry, founded in 1915, TAPPI has grown into the world’s largest professional association serving the pulp, paper, converting and packaging industries. Through TAPPI, suppliers and consultants working in the pulp, paper, packaging, and converting industry contribute their technical expertise to the industry, set standards, and develop their core competencies. The address of the Association for the purpose of ordering copies of their standards is as follows:

Technical Association of the Pulp and Paper  
Industry  
TAPPI PRESS  
P.O. Box 791190  
Baltimore, MD 21279-1190  
Telephone: (800) 332-8686  
Fax: (770) 209-7206  
Website: <http://www.tappi.org>

Amended by R.2006 d.446, effective December 18, 2006.

See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

Rewrote definitions “AIIM”, “ANSI”, “ARMA”, “CCITT”, “DoD”, “IEEE”, “ISO”, “NISO”, “NIST”, “OSF”, “SAA” and “State Records Committee”; added definitions “ASTM” and “TAPPI”.

### 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 De-

velopment 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 used to create, store or maintain public records designated for long-term or permanent retention by retention schedules approved by the State Records Committee shall provide for the preservation of such records; otherwise, retention and storage of the original records is required. Such records and backup copies shall be stored and maintained in accordance with N.J.A.C. 15:3-6, Storage of Public Records. The options for providing preservation of records are as follows:

1. Backup copies of such records on paper that meet the standards set forth at N.J.A.C. 15:3-2.7;

2. Backup copies of such records on microfilm that meet the standards set forth in N.J.A.C. 15:3-3; or

3. A completely and clearly documented, demonstrated and tested path to migrate data to other media, upon written application by the agency and review and approval by the Chief of the Bureau of Records Management, in the Division of Archives and Records Management. 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.

(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.

Amended by R.2006 d.446, effective December 18, 2006.  
See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).  
Rewrote (c).

#### 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).

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) Standard file formats and compression methods. 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. Required standards include single-page Tagged Image File Format (TIFF) with CCITT Group III and/or IV compression, Portable Network Format (PNG) for grayscale or color images, and Open Document Architecture/Open Document Interchange Format (ODA/ODIF) for text. Image processing systems shall include compression capabilities and standard file formats, incorporated herein by reference.



1. Multi-page Tagged Image File Format (TIFF) may be used and implemented for image processing systems only at the direction, and with the review and written approval, of the Division of Archives and Records Management, upon written application by the agency to the Chief of the Bureau of Records Management in the Division of Archives and Records Management.

i. To be approved, the application must include the following:

(1) Justification for use of multi-page Tagged Image File Format (TIFF) files by the image processing system;

(2) Limitation on the size of any multi-page TIFF file to no more than 2,800 pages;

(3) Completely documented and tested procedures and techniques for adequate back up and disaster recovery procedures; and

(4) Provision for data migration and the conversion of images and data in compliance with these standards.

2. Use and implementation of the PNG file format (International standard ISO/IEC 15948:2003, incorporated herein by reference, as amended or supplemented) for grayscale or color images, shall only be at the direction and with the review and approval of the Division of Archives and Records Management, upon written application by the agency to the Chief of the Bureau of Records Management in the Division of Archives and Records Management.

i. To be approved, the application must include the following:

(1) Copies of scanned images in both TIFF and PNG formats; and

(2) An attestation that using TIFF format to scan a record or group of records (ordinarily used for digital imaging of bitonal (black and white) records) cannot create legible and accurate reproductions of record or records in question and that scanning such record or records utilizing the PNG format to create grayscale or color images of the record or records will produce legible and accurate reproductions of such record or records.

3. Information on the issuing authority for these standards and how to obtain a copy of them is set forth at N.J.A.C. 15:3-4.2.

(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.

Amended by R.2006 d.446, effective December 18, 2006.  
See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

Rewrote (a).

#### 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 before they are permanently recorded onto optical or magnetic media.

(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 conduct an annual review of 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. Each agency employing image processing systems for keeping public records shall report any changes or addition to their system, annually, on the anniversary date of the original certification of their imaging system, or no later than 23 working days, excluding State holidays, following that date. Failure to make such an annual report may result, upon action of the State Records Committee, loss of certification of said system.

3. An agency shall submit an annual report to the Chief of the Bureau of Records Management as specified in N.J.A.C. 15:3-5.6.

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 recordkeeping 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.

#### 15:3-4.10 Scanning legacy records; best evidence

(a) Pursuant to the provisions of N.J.A.C. 15:3-4.6(h), in the event an image processing system created or maintained for the management of public records by a State or local government agency contains images of records that do not conform to State standards pursuant to the requirements of this subchapter, scanned images from uncertified microfilm

that does not conform to State standards pursuant to the requirements of N.J.A.C. 15:3-3, or scanned documents that are not original records that conform to State standards due to loss, theft, destruction, natural disasters or human causes, the agency shall petition the State Records Committee to declare such records as the best available evidence of the action or transaction the records document.

(b) If, upon review of an agency's petition, the State Records Committee approves the designation of any images of records that do not conform to State standards as the best available evidence of the action or transaction the records document pursuant to (a) above, the declaration of a record series or series of records as the best available evidence shall be documented in the proceedings of the Committee and maintained in the files of the Committee for the duration of the retention schedule for such records.

(c) Upon approval of an agency's petition by the State Records Committee and the declaration of the images a record series or series of records as the best available evidence, each image of such records shall bear or be caused to bear a watermark, imprint, header or footer permanently associated with each image identifying it as best available evidence.

New Rule, R.2006 d.446, effective December 18, 2006.  
See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

## SUBCHAPTER 5. CERTIFICATION OF IMAGE PROCESSING SYSTEMS

### 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) Non-compliance. 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 the changes that must be made to achieve compliance as required by N.J.A.C. 15:3-4.7(e)5.

1. An image processing system created or maintained for the management of public records by a State or local government agency shall not be certified or maintain its certification, if it contains:

- i. Images of records that do not conform to State standards pursuant to the requirements of N.J.A.C. 15:3-4;
- ii. Scanned images for uncertified microfilm that does not conform to State standards pursuant to the requirements of N.J.A.C. 15:3-3; or
- iii. Scanned documents that are not original records that conform to State standards.

2. System certification or maintenance of certification cannot occur unless or until such records are deleted from the system or are approved by the State Records Committee as “best available evidence” and are identified as such pursuant to the provisions of N.J.A.C. 15:3-4.10.

(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.2006 d.446, effective December 18, 2006.

See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

In introductory paragraph of (e), inserted "Non-compliance."; and added (e)1 and (e)2.

### 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) In conformance with N.J.A.C. 15:3-5.4(c), an agency shall submit a completed annual report, being an annotated copy of the original evaluation form per N.J.A.C. 15:3-5.6, to the Chief of the Bureau of Records Management annually, upon the anniversary date of the original certification of the image processing system by the State Records Committee, but no later than 23 working days (Monday through Friday, excluding State holidays), after the anniversary date of said certification.

(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.

**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.

#### **15:3-5.8 Notification of stakeholders; public notices**

(a) In order to provide adequate public comment on applications for the use of image processing systems for public records in a State or local agency, N.J.A.C. 15:3-5, Certification of Image Processing Systems, as amended, specifically, N.J.A.C. 15:3-5.4(f) and 5.5, and N.J.A.C. 15:3-4, Image Processing Systems for Public Records, as mandated by P.L. 1994, c. 140, requires the posting and publication of a public notice notifying the public and other stakeholders that the agency has applied for certification of an image processing system for public records and that the application is scheduled for consideration by the State Records Committee.

(b) The Division of Archives and Records Management may provide an agency with a sample public notice, but no standard language shall be required, so long as adequate information is conveyed to the public. Publication and posting shall be conducted according to the common practice of the agency for similar public notices of meetings, etc. where the public would expect to find such notices (that is, bulletin boards, publication in legal notices in the local newspaper(s), or calendars of events). Publication of a legal notice in at least one newspaper shall be regarded as adequate notice.

(c) The Chief of the Bureau of Records Management shall notify an agency when their application for certification has been recommended for certification and the scheduled time and place for the public meeting of the State Records Committee when the application will be considered for approval. A sample of a public notice and a statement that posting and publication of such a public notice must be made 23 working days before the scheduled meeting of the relevant State Records Committee shall be included with the formal notification from the Division. The Bureau Chief shall notify the Secretary of the State Records Committee and/or the Records Analyst or other designee of the Secretary of the scheduled appearance of the agency and their vendor(s).

(d) Upon publication of the public notice, the requesting agency shall secure a dated and signed affidavit of publication by a qualified newspaper or a notarized Declaration of Posting/Publication of Public Notice. A copy of the affidavit of publication or the equivalent shall be faxed and mailed to the Division of Archives and Records Management. Copies of this document shall be kept in the records of the State Records Committee and the master file of certified image processing systems maintained by the Division.

(e) An affidavit of publication or declaration of posting/publication of the public notice must be received by the Division before the official agenda for the State Records Committee is posted. In accordance with the provisions of the Open Public Meetings Act, P.L. 1975, c.231 (N.J.S.A. 10:4-6 et seq.), the agenda of any public meeting must be posted 48 hours before a scheduled meeting. If proof of publication has not been received before that date, the Records Analyst or other designee of the Secretary of the State Records Committee responsible for preparation and posting of the agenda shall attempt to contact each agency whose image processing system is scheduled for consideration by the State Records Committee to verify that the required public notice has been published 23 or more working days before the scheduled meeting of the Committee and request proper verification of publication of the public notice.

(f) If an agency fails to publish the required public notice 23 working days or more before the scheduled meeting of the Committee or to provide adequate proof of such publication before the agenda for the meeting of the State Records Committee is posted, the application will be withdrawn from the agenda and rescheduled for the next available public meeting of the State Records Committee. The appointed Records Analyst or other designee of the Secretary of the State Records Committee shall notify the Bureau Chief of any cancellation and shall be responsible for scheduling the agency for the next available meeting of the Committee.

(g) It shall be the responsibility of the agency to publish the required public notice 23 working days before the relevant public meeting of the State Records Committee and to provide adequate documentation of such publication. The State Records Committee shall not approve the certification unless an agency fulfills this requirement.

## SUBCHAPTER 6. STORAGE OF PUBLIC RECORDS

### 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, microphotographing, 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 safekeeping 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.

“FEMA” means the Federal Emergency Management Agency, a former independent agency that became part of the new Department of Homeland Security in March 2003, is responsible for responding to, planning for, recovering from and mitigating against disasters. The address of the agency is as follows:

Federal Emergency Management Agency  
Federal Center Plaza  
500 C Street S.W.  
Washington, DC 20472

“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.

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 232-2000. Standard for the 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;
- xx. NBS Technical Notice 839. Fire Protection; and
- xxi. NFPA 909-1997, Standard for the Protection of Cultural Resources Including Museums, Libraries, Places of Worship, and Historic Properties.

2. All building and construction in the State of New Jersey, undertaken by any State or local government agency, subdivision, district or authority must comply with the provisions of the Uniform Construction Code (UCC), N.J.A.C. 5:23, as adopted by the Department of Community Affairs, Division of Codes and Standards.

(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 used for the storage of public records shall be of a nature that minimizes the potential for and the resultant effects of fire. Records storage facilities shall be Type I, II, or III construction per the International Building Code (IBC-2000), Section 602.1, as amended by N.J.A.C. 5:23, that are those types of construction in which the exterior walls are of noncombustible materials and the interior building elements are of fire-resistive materials permitted under the provisions of IBC-2000.

i. For new construction, reference the Uniform Construction Code, N.J.A.C. 5:23, including, but not limited to:

(1) IBC-2000, Chapter 2, Use and Occupancy Classification, Section 311, Storage Group S;

(2) IBC-2000, Chapter 7, Fire-Resistant Rated Construction; and

(3) IBC-2000, Chapter 9, Fire Protection Systems.

ii. For general requirements and existing buildings considered for use as record storage facilities, reference:

(1) ANSI/NFPA 232-2000, Standard for the Protection of Records; and

(2) ANSI/NFPA 909-1997, Standard for the Protection of Cultural Resources Including Museums, Libraries, Places of Worship, and Historic Properties.

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/

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 audiotapes by thermal and hydropscopic 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 audiotapes 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. Audiotape 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.

### SUBCHAPTER 7. NEW JERSEY PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT (PARIS) GRANTS

#### 15:3-7.1 Purpose

This subchapter constitutes the rules of the New Jersey Public Archives and Records Infrastructure Support (PARIS) grant program for the award of grants on the basis of need and specific competitive evaluative criteria to county and municipal governments for the management, storage and preservation of public records pursuant to the provisions of P.L. 2003, c.117, sections 38 and 39.

#### 15:3-7.2 Definitions

The words and phrases used in this subchapter shall have the same meaning as defined in N.J.A.C. 15:3-1.2, as amended and supplemented, except the following words and phrases which shall have the designated meanings, unless the context clearly indicates otherwise.

“Applicant” means the duly chartered and incorporated county, city, township, town, borough, and village government in New Jersey.

“Approved project period” means the amount of time during which the grant recipient shall complete satisfactorily the approved project to be eligible for the full funding authorized for the project.

“Division of Archives and Records Management,” “Division” or “DARM” means the Division of Archives and Records Management in the Department of State as established by the Governor’s Reorganization Plan filed April 25, 1983 as set out under N.J.S.A. 18A:73-26.

“Grant award recipient not in good standing” means a county or municipal government that was awarded a PARIS grant in a previous grant cycle but failed to complete all requirements of the grant.

“Preservation” or “records preservation” means the provision of adequate facilities, processes and procedures to protect, care for, or maintain records, including conversion of records to another media for migration of data or to ensure long-term preservation, and specific measures to maintain, repair, restore or protect records.

“Project Manager” means the full-time management-level executive or officer designated by the governing body to have the authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk or his or her designee shall serve as project manager for any application for a PARIS grant for a municipality.

“Records storage” means the housing and safekeeping of public records as provided in N.J.A.C. 15:3-6.

“State Records Committee” means the body established by P.L. 1953, c.410, Section 6 et seq. (N.J.S.A. 47:3-20), comprised of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management in the Department of State, or their designee.

Amended by R.2006 d.446, effective December 18, 2006.

See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

Substituted definition “ ‘Division of Archives and Records Management,’ ‘Division’ or ‘DARM’ ” for definition “DARM”; and in definition “Project Manager”, inserted “or his or her designee”.

### 15:3-7.3 Eligible applicants

(a) An application shall be eligible for a PARIS grant if the following conditions are satisfied:

1. The applicant meets the definition of the term “applicant” found in this subchapter;
2. The applicant’s project manager has personally attended in its entirety at least one mandatory training session on PARIS grant applications presented by DARM during the current grant cycle; and
3. The applicant is in good standing under the PARIS grant program.

Amended by R.2006 d.210, effective June 5, 2006.

See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

In (a)2, inserted “during the current grant cycle”.

### 15:3-7.4 Grant categories eligible for funding

(a) Inventory and planning grants that include the following subcategories are eligible for funding:

1. Records inventory, including government-wide or special focus inventories of active and inactive records;
2. Records retention scheduling, as provided by procedures, guidelines and standards established by the State Records Committee per N.J.A.C. 15:3-2.1(e) through (g); or
3. Records survey and program planning, which provides a governmental entity with helpful information about its records by conducting an intensive inventory of the same. The survey shall result in a strategic plan and the development of records management policies and procedures

to form a basic framework for on-going records management.

(b) Active records grants that include the following subcategories are eligible for funding:

1. Files management projects to reorganize files, implement classification systems, and develop written policies and procedures to train staff;
2. Planning projects to develop, test and implement disaster prevention, response and recovery plans and systems and projects to inhibit damage and/or restore records damaged in a disaster;
3. Projects to index or improve access to any active records;
4. Imaging and document management needs assessment and implementation projects;
5. Needs assessments and implementation projects for electronic records management systems;
6. “e-Government” projects to enhance the ability to transact business over the internet;
7. Business process analysis (BPA) projects for the analysis and improvement of business processes that create or maintain records;
8. The development of needs assessments or implementation of records conversion systems not covered under another category; or
9. Projects that use local government records as teaching tools in the classroom.

(c) Inactive records grants that include the following subcategories are eligible for funding:

1. Planning and design projects to conduct feasibility studies and to develop plans for records storage and an inactive records management program;
2. Implementation of programs and provision of facilities for the improvement of storage, management and preservation of inactive records; or
3. Design studies to provide county archival and records storage facilities, including county-wide needs assessment for shared services with municipal governments, user requirements, feasibility study, schematic drawings and estimate of construction costs.

(d) Historical records grants that include the following subcategories are eligible for funding:

1. Needs assessment and planning;
2. Historical records storage facility improvement projects that support alarm systems, fire detection and suppression systems and other environmental controls and monitoring equipment.

“Project Manager” means the full-time management-level executive or officer designated by the governing body to have the authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk shall serve as project manager for any application for a PARIS grant for a municipality.

“State Records Committee” means the body established by P.L. 1953, c.410, Section 6 et seq. (N.J.S.A. 47:3-20), comprised of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management in the Department of State, or their designee.

### **15:3-8.3 Eligible applicants**

County and municipal governments are eligible to apply for these emergency grants.

### **15:3-8.4 Eligible costs**

(a) Costs attendant to the following shall be eligible for grants:

1. Personnel such as conservation/preservation consultants, clerical workers, and laborers;

2. Purchased services such as freeze drying, micro-filming, freezer storage, transportation and rental;

3. Supplies, such as acid free boxes, folders, and other enclosures, cleaning materials, plastic milk crates, and storage boxes; and

4. Lease or rental of temporary office space or records storage for disaster recovery, upon approval by the State Records Committee, upon written application, by the agency to the head of the PARIS grant program in the Division of Archives and Records Management and review and approval by the State Records Committee. Such office space must meet the requirements set forth at N.J.A.C. 15:3-6.

Amended by R.2006 d.446, effective December 18, 2006.

See: 38 N.J.R. 3495(a), 38 N.J.R. 5403(a).

In (a)2, deleted “and” from the end; in (a)3, substituted “; and” for a period at the end; and added (a)4.

### **15:3-8.5 Procedures for applying for a grant**

(a) Applicants shall immediately contact DARM after damage caused by fire, water, man-made or natural phenomena where immediate response is necessary to prevent the irretrievable loss of vital, permanent or archival records.



(b) A DARM representative will make a site visit to determine the nature and scope of the emergency and the immediate danger to vital, permanent or archival records.

(c) Upon recommendation of DARM staff, the Director of DARM may authorize the immediate disbursement of certain Records DIRECT funds and supplies established by the State Records Committee pursuant to the provisions of N.J.A.C. 15:3-8.9.

(d) The DARM representative may assist the applicant in preparing a Records DIRECT grant application developed by DARM. The application form shall be available at the address below and posted on the DARM website [www.njarchives.org](http://www.njarchives.org).

(e) Applications for Records DIRECT grants must be submitted to DARM within 23 working days of an emergency.

(f) The signatory on the application shall be a full-time management-level executive or officer designed by the governing body, with authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk shall serve as signatory for any application for a Records DIRECT grant for a municipality. The designated signatory shall also serve as project manager responsible for implementation and reporting for a grant.

(g) An original and either four copies or an electronic version of the completed application on a compact disc shall be submitted to:

Records DIRECT Grants Administrator  
Division of Archives and Records Management  
PO Box 307  
Trenton, NJ 08625-0307  
Fax: (609) 530-6121  
Email: [recordsdirect.grants@sos.state.nj.us](mailto:recordsdirect.grants@sos.state.nj.us)  
Delivery: 2300 Stuyvesant Avenue, Ewing Township, Trenton, NJ 08618-3226

(h) Completed applications shall include:

1. The amount of grant and completion date;
2. The project period;
3. The project scope;
4. Special requirements;
5. A projected completion date;
6. Personnel and budget, including an organizational chart and resumes;
7. Governing body authorizations;
8. Annual or most recent fiscal action plan; and
9. Authorized signature.

#### 15:3-8.6 Awarding of Records DIRECT grants

(a) The application shall be reviewed and acted upon by the State Records Committee within five working days of receipt.

(b) The State Records Committee reserves the right to award less or more funding than requested.

(c) The State Records Committee will notify the applicant by fax, telephone or e-mail whether the application has been approved or denied. A formal notification letter shall follow.

(d) All grant decisions of the State Records Committee shall be final.

#### 15:3-8.7 Criteria for review

(a) Grant applications shall be reviewed based on the following:

1. Recommendations of DARM staff based on site visit(s) and other information gathered by the same;
2. Recommendations of preservation/conservation consultants, if any;
3. All expenditures shall be fully described and justified as to need, cost and choice of method for responding to the emergency; and
4. Applicants shall account for any associated insurance or other funds received in compensation from any liable parties.

#### 15:3-8.8 Commencement of project and payment

(a) Payment of up to 90 percent of the grant award shall be issued upon receipt by DARM of a resolution of the governing body of the applicant and an executed agreement accepting the award.

(b) The remainder of the total grant shall be awarded after submission of a final report on a form provided by DARM.

(c) Grant award recipients who fail to submit a final report shall be ineligible to apply for other Records DIRECT grants.

#### 15:3-8.9 Grant amounts

(a) The State Records Committee shall establish minimum and maximum amounts for Records DIRECT grant awards based on the funds available pursuant to P.L. 2003, c.117, sections 38 and 39, and shall post these amounts on the DARM website [www.njarchives.org](http://www.njarchives.org) and publish them in a public notice in the New Jersey Register.

(b) DARM shall establish and maintain a stock of emergency disaster supplies for distribution to a county or municipality in response to a natural or man-made disaster where immediate response is necessary to prevent the irretrievable loss of vital, permanent or archival records.

(c) DARM shall provide a full accounting to the State Records Committee for supplies and funds expended for each Records DIRECT award.