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**IDAPA 34
TITLE 01
Chapter 02**

34.01.02 - RULES GOVERNING FACSIMILE SERVICES AND FEES

000. LEGAL AUTHORITY.

The Secretary of State is authorized under section 67-903, Idaho Code, to adopt rules generally, and under section 67-910, Idaho Code, to adopt rules setting fees. (5-9-93)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as Idaho Secretary of State Rules, Title 01, Chapter 02, "Rules Governing Facsimile Services and Fees." (5-9-93)

02. Scope. These rules provide for the facsimile services offered by the secretary of state and the fees charged therefore. (5-9-93)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of this chapter. (5-9-93)

003. ADMINISTRATIVE APPEALS.

There is no provision for administrative appeals under this chapter. (5-9-93)

004. DEFINITIONS.

As used in this chapter: (5-9-93)

01. Fax. Facsimile transmission of documents via telephone lines. (5-9-93)

02. SOS. Secretary of State. (5-9-93)

005. -- 010. (RESERVED).

011. FAX FROM SOS TO REQUESTING PARTY.

01. Fax Service. The SOS may upon request transmit by fax official records of his office, compilations of data, copies of certificates which will be mailed to the requesting party, letters, and any other public information in his office. (5-9-93)

02. Disclaimer. The SOS does not hereby represent that fax copies of certificates or official records should be treated as originals. (5-9-93)

03. Fee. The SOS shall charge a fee of fifty cents (\$.50) per page, not including the header sheet, for fax transmissions. (5-9-93)

04. Waiver. A fee shall not be required if the fax transmission is not requested by the recipient or is for the convenience of the SOS. (5-9-93)

012. TRANSMISSION BY THIRD PARTIES FROM SOS FAX FACILITIES.

01. Third Party Use. Any use of SOS fax facilities by anyone other than the office of the SOS shall be at the sole discretion of the SOS. (5-9-93)

02. Fee. The fee for such use shall be at the rate established in Rule Section 011, above, but shall be paid by the sender at the time of transmission. (5-9-93)

013. RECEIPT OF FAX DOCUMENTS BY SOS.

01. Fax Filing. A document may not be filed with the SOS by fax if there is a requirement for an original signature as a condition of filing. (5-9-93)

02. Third Party Receipt. If a document is transmitted by fax to a third party recipient at the SOS fax facility, the recipient shall pay to the SOS a fee of fifty cents (\$.50) per page at the time of receipt of the copy. (5-9-93)

014. WAIVER.

The SOS may in his sole discretion waive the fees required by Sections 011, 012 and 013, above, if the responsible party as defined therein is an agency or subdivision of the state of Idaho. (5-9-93)

015. DENIAL OF SERVICE.

The services described in this rule may be denied to any party which has an account for such service more than sixty (60) days past due. (5-9-93)

016. -- 999. (RESERVED).