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34.01.03 - RULES GOVERNING THE PUBLIC ACCESS INFORMATION SYSTEM (PAIS)

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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 03, "Rules Governing the Public Access Information System (PAIS)." (5-9-93)

02. Scope. The secretary of state maintains several electronic data bases which include exclusively public information. This rule provides for access to those data bases for inquiry only, by using remote computers connected by telephone line to the secretary of state's computer. This rule prescribes the conditions under which users of the Public Access Information System (PAIS) may obtain the service, the services which are available, and the fees charged for the service. (5-9-93)

002. WRITTEN INTERPRETATIONS.

Written interpretation of the technical requirements of this chapter in the form of a user manual is available from the Office of the Secretary of State, Statehouse, Boise, Idaho 83720. (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. Public Access Information System (PAIS). The system comprised of telecommunications and computer software which permits access to the data bases of the secretary of state by members of the public who comply with the provisions of this chapter. (5-9-93)

02. Client. Any person or entity which uses the information services of the secretary of state (5-9-93)

005. -- 010. (RESERVED).

011. AVAILABILITY OF SERVICE.

01. Application. Any client of the secretary of state's office which has a pre-paid customer account may make application for PAIS service. Application will be made on a form prescribed by the secretary of state. (5-9-93)

02. Accounts. The fees for PAIS services to any client may be charged to only one pre-paid customer account. If an institution must have PAIS fees charged to pre-paid customer accounts for different branches or locations, each such branch or location must make a separate application and will be considered to be a separate client. (5-9-93)

03. Limitation on Service. Applications will be processed and service connections made in the order of receipt. Applications will be processed and connections made only until the capacity of the system to provide acceptable service is reached. Thereafter, applications will be processed only as capacity expands or existing users discontinue PAIS service. (5-9-93)

04. Sign-on. Each client which is connected to PAIS will be assigned only one sign-on and security password. Therefore, any client may be signed on only once at any given time; e.g. if one employee of a client is using PAIS, another employee cannot sign on until the first signs off. (5-9-93)

05. Hours. Hours of service will normally be 8:00 a.m. to 5:00 p.m. Mountain Time, Monday through Friday, but may be restricted or expanded as the operational needs of the secretary of state require. (5-9-93)

06. Types of Service. The minimum service available through PAIS is inquiry only into the Corporations and Liens data bases. The secretary of state may add other data bases and enhance the types of services as the capacity to do so becomes available. (5-9-93)

012. TECHNICAL REQUIREMENTS.

Technical requirements will be set forth in the secretary of state's PAIS user manual. (5-9-93)

013. (RESERVED).

014. FEES.

01. Charging of Fees. All fees will be charged to the client's pre-paid customer account. (5-9-93)

02. Base Fee. The base fee for PAIS service is ten dollars (\$10) per month. The base fee for the month in which the initial connection is made shall be thirty cents (\$.30) per day remaining in the month, including the day on which the connection is made. (5-9-93)

03. Time Fee. The fee for actual use of PAIS is ten cents (\$.10) per minute, from sign-on to sign-off. (5-9-93)

04. Failure to Sign Off. The client bears the risk of time charges which accrue due to its employee's failure to sign off. Charges will cease to accrue when the connection to PAIS is terminated. (5-9-93)

05. Risk of Unauthorized Use. The client bears the risk of charges for unauthorized use of PAIS under its sign-on and security password. To reduce the risk of such charges, the client may change its password using the password change option from the main menu of PAIS. (5-9-93)

015. -- 999. (RESERVED).