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34.05.04 - RULES GOVERNING PUBLIC ACCESS TO UCC FILES

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000.   LEGAL AUTHORITY AND REFERENCES.

01.   Section 28-9-403, I.C.   (7-1-93)

02.   Chapter 52, title 67, I.C.   (7-1-93)

001.   SCOPE.
This rule prescribes the conditions and fees for inspection and copying of Uniform Commercial Code (UCC) financing statements and related documents in the secretary of state's office, pursuant to subsections (4) and (5) of section 28-9-403, I.C.   (7-1-93)

002. -- 010.   (RESERVED).

011.   USE OF PUBLIC ACCESS COMPUTER TERMINAL.

01.   Use of Terminal. The secretary of state will maintain a computer terminal in the UCC office for the use of the public. The terminal will permit a client to locate and examine the data record of any UCC or Farm Products Central Filing System financing statement or any notice of seed or farm laborer's lien. It may further permit the client to view an image of any such document which may be stored on the secretary of state's optical disk imaging system.   (7-1-93)

02.   Availability. The terminal will be available only during normal business hours under the supervision of the UCC staff. A client may use the terminal for as long as necessary, provided there is no other person waiting to use it. If there is another person waiting to use the terminal, a client will be limited to a period of thirty (30) minutes from sign-on. The secretary of state may require clientele to sign in a user log to control contention among clientele for use of the terminal.   (7-1-93)

03.   No Charge. There is no charge to clientele for use of the terminal, provided that the only intervention of the UCC staff is an initial orientation or resolution of computer system problems.   (7-1-93)

012.   UCC STAFF INTERVENTION.

01.   Staff Assistance. A client may choose to have a member of the UCC staff locate the data records and images or copies of the financing statements and related documents pertaining to a debtor.   (7-1-93)

02.   Document Inspection. If a client wishes to inspect a financing statement or related document which is identified by use of the public access computer terminal, but which is not stored in the optical disk imaging system, the UCC staff will retrieve the documents for the client's inspection.   (7-1-93)

03.   Fee. The fee for the intervention of the UCC staff as described in Subsections 012.01 and 012.02 above is six dollars ($6) for each debtor about whom the client inquires or requires documents to be retrieved. The fee will be charged whether or not the client subsequently requests copies of any of the documents located or retrieved.
                                                                                          (7-1-93)

013.   COPIES OF FINANCING STATEMENTS AND RELATED DOCUMENTS.

01.   Copies. A client may procure copies of financing statements and related documents which are identified by use of the public access computer terminal or by intervention of the UCC staff. The client may either:
                                                                                          (7-1-93)

a.   List the documents to be copied by type and file number, and have a UCC staff member make the copies; or   (7-1-93)

b.   Use the print function key on the public access computer terminal to produce the copies, and have a UCC staff member retrieve them from the printer.   (7-1-93)

02.   Fee. The fee for copies of financing statements and related documents procured under this Section 013 is one dollar ($1) per printed page.   (7-1-93)

03.   Advance Notice. The client must decide before the copies are made that he or she will accept and pay the fee for them. Once a document is copied, the fee must be paid.   (7-1-93)

014.   DEFAULT.
If a client fails to pay for services rendered under Sections 012 and 013 above, that client will henceforth be required to pay in advance for such services.   (7-1-93)

015. -- 999.   (RESERVED).