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**IDAPA 34
TITLE 01
CHAPTER 04**

34.01.04 - RULES GOVERNING THE ELECTRONIC BULLETIN BOARD SERVICE

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. (4-1-94)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as Idaho Secretary of State Rules, IDAPA 34.01.04, "Rules Governing the Electronic Bulletin Board Service." (4-1-94)

02. Scope. The secretary of state maintains an electronic bulletin board service (BBS) to provide access by the public to selected data reports prepared pursuant to agreement. These rules prescribe the conditions under which users of the BBS may obtain the service, the services which are available, and the fees charged for the services. (4-1-94)

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. (4-1-94)

003. ADMINISTRATIVE APPEALS.

There is no provision for administrative appeals under this chapter. (4-1-94)

004. DEFINITIONS.

As used in this chapter: (4-1-94)

01. BBS. The electronic bulletin board on which the Secretary of State posts reports and information bulletins for download by clients. (4-1-94)

02. Client. Any person or entity which uses the information services of the Secretary of State. (4-1-94)

03. Report. A collection of information or data which meets one set of selection criteria. (4-1-94)

04. Information Bulletin. An item or collection of items of general interest posted on the BBS, which can be downloaded without cost. (4-1-94)

05. Download. The act of transmitting a report or information bulletin from the BBS to the client's computer via on-line connection. (4-1-94)

005. -- 010. (RESERVED).

011. AVAILABILITY OF SERVICE.

01. Eligibility. A client must have a pre-paid customer account as a condition of receiving a BBS sign-on and security password, and must have a positive balance in the account as a condition of downloading reports from the BBS. (4-1-94)

02. Agreement. The secretary of state will make reports available on the BBS pursuant to agreements with clients. Agreements will be in writing on an application form provided by the secretary of state. (4-1-94)

03. Hours. The BBS will be available twenty-four (24) hours per day, except for times when the secretary of state's computer is taken out of operation for maintenance. (4-1-94)

04. Format. Reports and information bulletins will be posted in ASCII text format except as may

otherwise be mutually agreed by the client and the Secretary of State. (4-1-94)

012. FEES.

01. Method of Payment. Fees will be charged to the client's pre-paid customer account. (4-1-94)

02. Rates. The fee for each report a client downloads shall be eight dollars (\$8) for the first megabyte of data in the report, plus one dollar (\$1) for each additional megabyte or part thereof. (4-1-94)

03. Risk of Unauthorized Use. The client bears the risk of charges for unauthorized use of the BBS under its sign-on and security password. (4-1-94)

013. -- 999. (RESERVED).

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