



COUNTY
EMERGENCY MANAGEMENT

RECORDS RETENTION AND
DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Administration

Records Management Program

(605) 773-3589



DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PMB 01234

RECORDS MANAGEMENT PROGRAM
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MEMORANDUM

TO: County Officials

FROM: Dana Hoffer
State Records Manager

SUBJECT: **Records Retention and Destruction Schedule Manual**

DATE: December 22, 2016

The purpose of the guide is to provide uniform retention and destruction schedules so that County Emergency Management Offices' records can be managed efficiently and in compliance with state law, SDCL 1-27-18, which requires local governing bodies to "promote and implement the principles of efficient records management for local records." County officials must also maintain a list of documents which were destroyed.

County officials are required by administrative rule 24:52:11:04 to give the State Archivist 30 days' notice before destroying records the following types of records: "records more than 50 years old; records required by the Records Destruction Board to be kept 50 years or longer; annual reports, maps, minutes, and photographs." You may send your list to: State Archives, 900 Governors Drive, Pierre, SD 57501, or telephone: 605-773-5521.

Unless otherwise covered by specific statutes or County Commission policies, the record retention and destruction schedule in this guide apply to all County Emergency Management Offices of the State of South Dakota. They establish the "Minimum" amount of time the records must be retained before they can be legally be destroyed. It is up to the governing body of each respective County to set up final review and disposal procedures for records which have reached the end of their retention time.

Finally, if you have any questions about implementing this manual or about your records in general, please contact Records Management at 773-3589. We will welcome an opportunity to discuss the proper implementation of sound records management practices.

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Scott Burgi (name), acting in my position as President, South Dakota Emergency Management Association (title), requests that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the County Emergency Management (department) consists of 10 pages and contains record series number(s) EM-1 (consecutively re-numbered) through EM-21.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the County Emergency Management (department) record series numbers(s) EDS-3, EDS-7, EDS-9, EDS-12, EDS-17, EDS-18, EDS-19, and EDS-23.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Scott Burgi, President, SDEMA

11/08/2016

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



Dana Hoffer, State Records Manager

12-1-2016

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 20th day of December, 2016, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

12-20-16

Date

Procedure to Dispose of County Records Using this Manual:

- The County Commission must adopt this manual as its Records Management Policy.
- Each County is required by law to retain a permanent list of all records destroyed pursuant to SDCL 1-27-19.
- You may proceed immediately to dispose of records pursuant to this manual with the following exception:

Administrative Rule 24:52:11:04. Destruction of local government records—Archivist must be notified. Governing bodies or agencies of any county, city, town, township, district, authority, public corporation, or political subdivision planning to destroy local records, as defined in subdivision (1) of SDCL 1-27-9, shall notify the archivist 30 days before the date of the proposed destruction. Notification shall include the name or title of the records, inclusive dates, information content of the records, and quantity. If the archivist believes the records should be preserved, the archivist shall arrange for the transfer of the records to the archives or to a suitable public records storage facility. Transfer of the records may be made at the expense of the state archivist. This section applies only to the following types of records: records more than 50 years old; records required by the Records Destruction Board to be kept 50 years or longer; annual reports, maps, minutes, and photographs.

- This manual is also available on-line on Records Management's website. <http://boa.sd.gov/divisions/records/>
- Records Management will review a County's list of records that it plans to destroy to ensure the appropriate retention periods have been met. The list should include the following: **Record series number and record title as listed in this manual and the inclusive dates of the records being destroyed.**
- For records not listed in this manual, you must petition the State Records Destruction Board, which meets annually, for authority to dispose of records. Contact Records Management for assistance with this process:

Contact Information:

Records Management
Dana Hoffer, Director
104 S Garfield Ave. Bldg E
Pierre, SD 57501
Phone: (605) 773-3589
Fax: (605) 773-5955

State Archives
Chelle Somsen, State Archivist
Cultural Heritage Center
900 Governors Drive
Pierre, SD 57501
Phone: (605) 773-3615
Fax: (605) 773-6041

South Dakota Codified Laws:

1-27-1. Public records open to inspection and copying. Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in § 1-27-1.1, are hereby fully empowered and authorized to examine such public record, and make memoranda and abstracts there from during the hours the respective offices are open for the ordinary transaction of business and, unless federal copyright law otherwise provides, obtain copies of public records in accordance with this chapter.

Each government entity or elected or appointed government official shall, during normal business hours, make available to the public for inspection and copying in the manner set forth in this chapter all public records held by that entity or official.

1-27-1.1. Public records defined. Unless any other statute, ordinance, or rule expressly provides that particular information or records may not be made public, public records include all records and documents, regardless of physical form, of or belonging to this state, any county, municipality, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form remains a public record when maintained in any other form. For the purposes of §§ 1-27-1 to 1-27-1.15, inclusive, a tax-supported district includes any business improvement district created pursuant to chapter 9-55.

1-27-9. Records management programs--Definition of terms. Terms used in §§ 1-27-9 to 1-27-18, inclusive, mean:

(2) "Record," a document, book, paper, photograph, sound recording, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records as used in §§ 1-27-9 to 1-27-18, inclusive.

1-27-11. Board to supervise destruction of records--State records manager as ex officio member--Permission required for destruction. There is hereby created a board consisting of the commissioner of administration, state auditor, attorney general, auditor-general, and state archivist to supervise and authorize the destruction of records. The state records manager shall also serve as an ex officio member in an advisory capacity only. No record may be destroyed or otherwise disposed of by any agency of the state unless it is determined by majority vote of the board that the record has no further administrative, legal, fiscal, research, or historical value.

1-27-15. Destruction of non-record materials. Any non-record material not included within the definition of records as contained in § 1-27-9 may be destroyed at any time by the agency in possession of such materials without the prior approval of the commissioner of administration.

Definitions:

Superseded: To take the place of; replace.

Obsolete: No longer in use.

****Note: Records listed in this manual may be retained in paper form or electronically.**

****If retained only in electronic format, the records need to remain accessible for the entire retention requirement.**

****Records, whether electronic or paper, relevant to pending or reasonably anticipated litigation must be preserved even if the schedule allows for its destruction.**

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STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: County Emergency Management
RECORDS OFFICER: Director
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
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EM-1. ACTIVITIES REPORTS, QUARTERLY:

16-021

This series contains a copy of the reports sent quarterly to the State Office of Emergency Management. Reports are used to apprise the State of County Emergency Management Office activities and current projects. Information in the report includes the quarter submitted and a brief narrative; and statement of progress on various projects along with financial documentation.

RETENTION: Retain 2 years in office, then transfer to storage for 3 years. Destroy after 5 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

EM-2. AGREEMENTS, JOINT POWERS:

16-021

This series contains agreements between the County Commission and the State Bureau of Administration, Office of Procurement Management. The agreements stipulate that the county may purchase equipment or supplies at the state contract price and the original agreement. Joint Powers Agreements between the State and county agencies may also include purchases, transfers, or other arrangements where property is transferred between entities, but records of use, maintenance, and disposition is required to be reported and/or maintained between entities. The original agreement is maintained in the County Auditor's Office.

RETENTION: Retain current in office. Destroy superseded or obsolete.

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EM-3. BUDGET FILES:

16-021

This series may contain: budget requests, operating budget, and related working papers. Information is used for reference throughout the year in monitoring program activities and preparing future budget requests. The budgets are summarized in the "Minutes, County Commission."

RETENTION: Retain 3 years in office, then destroy.

EM-4. CORRESPONDENCE, FEDERAL:

16-021

This series contains both copies and originals of letters and memorandums sent to and received from any Federal agency. This record series is maintained for reference and for possible use when federal litigation, claims, or audits are pending.

RETENTION: Retain 1 year in office, transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

EM-5. CORRESPONDENCE, GENERAL:

16-021

This series contains both copies of letters and memorandums sent and the originals of letters and memorandums received. The files are used for occasional reference and documentation.

RETENTION: Retain 2 years in office, then destroy.

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EM-6. DAMAGE ASSESSMENT FORMS:

16-021

This series is arranged chronologically by application date and contains a copy of forms sent to the Federal Emergency Management Agency (FEMA) for requesting funds in the event of a county disaster. Information includes a detailed assessment of damage to a particular area. The County Auditor's Office maintains any fiscal records dealing with emergency funds.

RETENTION: Retain 3 years in office after disaster is closed, then destroy.

EM-7. ELECTRONIC COMMUNICATION RECORDS:

16-021

This series may contain e-mail messages, voicemail messages, recorded telephone conversations, instant messages, etc. created or received by employees of County Emergency Management Office.

RETENTION: Determine the record status of the message based on the content. If the message is an official record made or received pursuant to law or in connection with the transaction of official business, the retention period should be covered by an existing record series in the respective agency's retention manual. It is permissible to print record e-mails and file them with like paper records.

NON-RECORD MESSAGES: Retain until action has been taken, then destroy or delete.

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EM-8. EQUIPMENT FILE/INVENTORIES, CAPITAL ASSETS:

16-021

This series contains a file for each piece of equipment the County Emergency Management Office owns or leases. Information may include: a copy of inventory listings or printouts, file maintenance forms which reflect changes in the inventory, an inventory procedures manual, and surplus property received and transferred forms. This record series is used to keep current of prices, maintenance, and capabilities of the equipment. The County Auditor's Office maintains a list of all equipment assigned to the County Emergency Management Office.

RETENTION: Retain current in office. Destroy or transfer when respective equipment has been sold, transferred, or surplus.

EM-9. FCC LICENSES AND REGULATIONS:

16-021

This series is arranged numerically by frequency and contains the actual licenses issued and copies of FCC rules. Information may include: license information, type of radio service, call sign, FCC file number, mobile unit category identification, mailing address, technical specifications, effective dates, dates of issue, (FCC transmitter frequency, station class, number of units, emission designator, output power, effective radiated power, ground elevation, antenna height to tip, antenna latitude and longitude, area of operation for mobile units, control point telephone number), and special condition page. This record series is maintained to document the license process, to comply with FCC licensing regulations, and to document the authority received by the FCC to broadcast.

RETENTION: Retain 5 years in office, then destroy.

(Note: Every 5 years FCC licenses are renewed.)

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EM-10. GRANT FILES:

16-021

This series contains information concerning the administration of funded grants. Information may include: grant applications, working papers, grant documents, monitoring and accounting records. This record series is maintained for administering current grants, for reference when requesting new grants, and for audit purposes.

RETENTION: Retain in office 3 year after the grant performance period, then transfer to storage for 3 years. Destroy after 6 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

EM-11. INVENTORIES, HAZARDOUS MATERIAL:

16-021

This series contains records of hazardous materials stored in or being transported through the county. These records provide emergency responders, elected officials, and the public information regarding hazardous materials within the county in accordance with current hazardous materials regulations including Emergency Planning and Community Right-to-Know Act (EPCRA) Tier II reporting and Environmental Protection Agency Regulations.

RETENTION: Retain current in office. Destroy when material has been transported or removed as a site from the county.

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EM-12. MAP FILE:

16-021

This series may contain maps in a variety of formats including paper and electronic from received townships, municipalities, counties, or a map of the State. This record series is used by the County Emergency Management Office for reference when planning or responding to emergency or disaster situations within the county.

RETENTION: Retain current in office. Destroy superseded or obsolete.

EM-13. PERSONNEL FILES:

16-021

This series contains a folder for each employee in the County Emergency Management Office. Information in the file may include, but is not limited to: application for employment, personal data sheet, personnel action notices, authorizations for payroll deductions, letters of reprimand or commendation, resume', service record, notice of resignation, and supervisor's report of employee separation. The files serve as a history of the employee's service and are duplicated in the County Auditor's Office.

RETENTION: Retain active in office. Transfer terminated to storage for 3 years. Destroy 3 years after termination provided sufficient data on hours worked and compensation received has been maintained by the Department of Labor and Regulation, Division of Retirement and Insurance, and provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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EM-14. PLANS AND PROCEDURES:

16-021

This series contains various plans and procedures that establish the minimum standards and responsibilities of the office excluding plans that may be specifically regulated by another record series listed in this manual. Information may include, but is not limited to: administrative plans and procedures; Standard Operating Procedures (SOP's); Standard Operating Guides (SOG's); Field Operations Guides (FOG's); Local Emergency Operation Procedures (LEOP); Hazardous Materials Plans; Relocation Plans; Continuity of Operation Plans (COOP); Pre-disaster Mitigation Plans (PDM); and Emergency Management handbooks. This record series is maintained to govern day-to-day operations of the County Emergency Management Office.

RETENTION: Retain current in office. Destroy superseded or obsolete.

(Note: Review files yearly to avoid build-up of superseded or obsolete materials.)

(Note: Records are subject to screening by State Archives prior to disposal.)

EM-15. PURCHASING AGENTS, AUTHORIZED (LISTS):

16-021

This series is arranged alphabetically by agent's name contains a list of people who have been authorized by the county commission to purchase equipment and materials in an emergency or disaster situation. Information may include: county, designated agent name, address, and telephone number. The record series is maintained for reference.

RETENTION: Retain current in office. Destroy superseded or obsolete.

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EM-16. STATE AND LOCAL AGREEMENTS:

16-021

This series is arranged chronologically by date and contains a copy of the agreements between the State, County, Municipalities, and Townships. The agreements outline which programs or agencies will perform specific tasks in the event of an emergency or disaster. Information may include: jurisdictional information, plan, training, warning manpower statistics, public information, communications, and projected program activities.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Review all Federal and State programs, grants and agreements for specific retention guidance prior to destruction.)

EM-17. SURPLUS/LOAN PROPERTY FILES:

16-021

The series contains equipment loaned/donated to the county when it was declared surplus by the Federal Government. Information may include: copies of contracts for the property loaned, photographs of the property or equipment, serial and title numbers, detailed descriptions, and intended use. This records series is maintained to document property received on loan or deeded to the County Emergency Management Office by Federal Agencies. The County Auditor's Office maintains the titles and fiscal records to all equipment.

RETENTION: Retain 4 years in office after respective equipment has either been salvaged or transferred, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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EM-18. TIME AND WORK RECORDS, DAILY:

16-021

This series is arranged chronologically by day and is used to report to the county commission how personnel time was spent. Information includes: time, work record, date, hours, and worked performed. The report is used by the county commission to keep current on County Emergency Management personnel activities and is also maintained for satisfying 2 CFR Regulations.

RETENTION: Retain 2 years in office, then transfer to storage for 3 years. Destroy after 5 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

EM-19. TRAINING EXERCISE RESULTS:

16-021

This series contains training exercise results. Information may include: dates of exercise, type of exercise conducted, location of exercise, persons or agencies included in the exercise, equipment used, and a narrative critique of exercise results. This records series is maintained for convenience of reference to past training exercises when preparing new exercises and is used to assure that new training exercises are conducted with the most efficiency possible.

RETENTION: Retain 2 years in office, then transfer to storage for 3 years. Destroy after 5 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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EM-20. VEHICLE MILEAGE/MAINTENANCE RECORDS:

16-021

This file is used to keep the Director of County Emergency Management Office current as to motor vehicle maintenance performed. Information on the monthly record includes: odometer mileage, hours on air filter, oil filter hours/mileage, maintenance performed, and general condition of the vehicle. This record series is maintained in accordance with county policy unless other programs, such as Joint Powers Agreements or State and Local Agreements, require the same or greater documentation.

RETENTION: Retain current in office. Destroy when vehicle is transferred or salvaged.

EM-21. VEHICLE TITLES:

16-021

This series contains the owner's copy of the vehicle title issued by the State Division of Motor Vehicles. It is used as documentation to vehicle ownership and includes: owner name and address, description of the vehicle, and lien holder information. The State Division of Motor Vehicles maintains the original title.

RETENTION: Retain current in office. Transfer when respective vehicle has been sold or declared surplus.