

TITLE 4 CULTURAL RESOURCES
CHAPTER 10 CULTURAL PROPERTIES AND HISTORICAL PRESERVATION
PART 6 SELECTION AND PREPARATION OF TEXT FOR OFFICIAL SCENIC HISTORIC
MARKERS

4.10.6.1 ISSUING AGENCY: Cultural Properties Review Committee. Contact State Historic Preservation Division, Office of Cultural Affairs.
[11/15/97; 4.10.6.1 NMAC - Rn, 4 NMAC 10.6.1, 10/31/07]

4.10.6.2 SCOPE: The cultural properties review committee, in consultation with the New Mexico state highway and transportation department and input from the general public, will determine the text and location of official scenic historic markers in New Mexico, according to the procedures and criteria established in this regulation.
[11/15/97; 4.10.6.2 NMAC - Rn, 4 NMAC 10.6.2, 10/31/07]

4.10.6.3 STATUTORY AUTHORITY: This regulation is created pursuant to the Cultural Properties Protection Act, NMSA 1978 Section 18-6-5, M(2), which requires the cultural properties review committee to review the accuracy and adequacy of proposed marking of cultural properties.
[11/15/97; 4.10.6.3 NMAC - Rn, 4 NMAC 10.6.3, 10/31/07]

4.10.6.4 DURATION: Permanent.
[11/15/97; 4.10.6.4 NMAC - Rn, 4 NMAC 10.6.4, 10/31/07]

4.10.6.5 EFFECTIVE DATE: 3/26/87, unless a later date is cited at the end of a section or paragraph. Reformatted to NMAC format effective 11/15/97.
[11/15/97; 4.10.6.5 NMAC - Rn, 4 NMAC 10.6.5, 10/31/07]
[Note: The words *or paragraph*, above, are no longer applicable. Later dates are now cited only at the end of sections, in the history notes appearing in brackets.]

4.10.6.6 OBJECTIVE: The purpose of this regulation is to establish a procedure for the preparation and selection of text for the official scenic historic markers.
[11/15/97; 4.10.6.6 NMAC - Rn, 4 NMAC 10.6.6, 10/31/07]

4.10.6.7 DEFINITIONS: [RESERVED]
[11/15/97; 4.10.6.7 NMAC - Rn, 4 NMAC 10.6.7, 10/31/07]

4.10.6.8 CRITERIA FOR THE SELECTION AND PREPARATION OF TEXT FOR OFFICIAL SCENIC HISTORIC MARKERS: The committee shall select and prepare the text for markers based on the following criteria:

- A. Markers shall be used exclusively for designating sites, districts, and other locations significant in the social, economic, political, scientific, architectural, and artistic history of New Mexico, the southwest, and the nation. The committee shall not approve markers for individual structures unless in its judgment their extraordinary significance or isolated location warrants such special consideration.
- B. Features of the natural landscape have frequently influenced the history of the state, and can be designated by official scenic historic markers, provided that their significance has been sufficiently documented.
- C. Markers shall not be used to mark contemporary government or private buildings or sites, except those used or constructed for cultural purposes, i.e., state or national monuments, educational institutions, etc., when the review procedures indicate that such is warranted.
- D. Markers shall not be used to commemorate any individuals presently or recently in government service or politics.
- E. Proposals for markers may be submitted by any person, group, government agency or corporation.
- F. All proposals for markers shall be referred to the committee, which shall consider each proposal in its own merits and decide if a proposed marker is appropriate to the historical or cultural site or event it recognizes, as well as to its proposed location.

G. Texts for all markers shall be prepared by the committee. Appropriate officials or individuals may be consulted regarding texts. Texts should not exceed 50 words, the approximate number of words that will fit on one side of an official scenic historic marker.

H. The NMSHTD, in consultation with the committee, shall determine where a marker shall be installed for maximum public benefit and safety, and in compliance with existing highway laws and regulations.

I. Unless specifically approved by the committee, and included in the marker layout, no other plaques, logos, trademarks or similar additions to the markers shall be permitted.

J. Markers shall not be placed at locations which would advertise sites that are unattended and vulnerable to vandalism.

K. Periodically, the committee shall review the text, placement of, and need for each marker, so as to assure that each marker continues to reflect accurate and relevant information concerning the historic site or event for which the marker was originally erected.

L. Whenever a marker must be renovated or replaced, the committee should be given the opportunity by the NMSHTD to make changes in texts and recommend relocation of the marker.

M. The text for markers, having been written by public officials, shall remain in the public domain and is not subject to copyright by any party other than the state.

[3/26/87; 4.10.6.8 NMAC - Rn, 4 NMAC 10.6.8, 10/31/07]

HISTORY OF 4.10.6 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records, state records center and archives under:

CPRC Rule 75-1, Historic Preservation Guidelines for Official Scenic Historic Markers, filed 7/1/75.

CPRC Rule 87-6, Regulations Pertaining to the Selection and Preparation of Test for Official Scenic Historic Markers, filed 3/26/87.

History of Repealed Material: [RESERVED]

Other History: CPRC Rule 87-6, Regulations Pertaining to the Selection and Preparation of Test for Official Scenic Historic Markers (filed 3/26/87) was renumbered, reformatted and replaced by 4 NMAC 10.6, Selection and Preparation of Test for Official Scenic Historic Markers, effective 11/15/97.

4 NMAC 10.6, Selection and Preparation of Test for Official Scenic Historic Markers (filed 11/03/97) renumbered, reformatted and replaced by 4.10.6 NMAC, Selection and Preparation of Test for Official Scenic Historic Markers, effective 10/31/07.