

**WAC 1-06-090 Copying of public records.** (1) **Copying facilities available.** Subject to payment of copying and other charges, facilities will be made available to requestors for the copying of public records as set forth under WAC 1-06-086, except when and to the extent that this would unreasonably disrupt the operations of the agency.

(2) **Copying costs.** In accordance with RCW 42.56.070(7) and 42.56.120, the agency may charge fees for providing copies of public records. The agency has determined that calculating the actual costs for providing copies would be unduly burdensome. This determination is based on the large number of factors involved in calculating the actual cost and the frequency with which these factors change. The agency does not currently have accurate data regarding these factors, nor does it have the resources or appropriated funds to conduct an actual cost study. The agency cannot divert resources away from other critical agency programs in order to perform such a cost study. Additionally, such a study would likely need to be repeated on a regular basis. Therefore, the agency adopts the schedule of fees provided in RCW 42.56.120(2).

(3) **Other costs.** The agency may charge for nonpaper media (for example, without limitation, compact disks (CDs), digital versatile disks (DVDs), audiotape, or videotape) used to provide copies, packaging, postage, or other charges as allowed by law. Such charges will not exceed the amount necessary to reimburse the agency for actual costs.

(4) **Deposits.** The agency may require a ten percent deposit on copying or other charges. Any required deposit must be paid before the request is processed.

(5) **Prepayment.** The agency will not release any requested copies of public records unless and until the requestor has paid all copying and other charges. If payment is not received by the agency within fifteen business days of issuance of the agency's notice of availability, the agency may consider the request closed, and any records or copies responsive to such request are subject to disposition as provided under WAC 1-06-095.

(6) **Waiver.** The agency, in its sole discretion, may waive any fee assessed for providing copies of public records whenever the agency determines that collection of the fee would be contrary to the agency's mission or would not be in the public interest.

(7) **Customized publications.** The agency maintains a separate fee schedule for use with requests that seek creation of a customized publication or compilation. Because these requests seek creation of a new record, they are outside the scope of this chapter and chapter 42.56 RCW.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520 and 2017 c 304. WSR 17-24-026, § 1-06-090, filed 11/28/17, effective 12/29/17. Statutory Authority: RCW 42.56.040 and 42.56.120. WSR 06-17-010, § 1-06-090, filed 8/4/06, effective 9/4/06. Statutory Authority: RCW 42.17.250 and 42.17.300. WSR 78-08-010 (Order 19), § 1-06-090, filed 7/11/78; Order 8, § 1-06-090, filed 9/25/74, effective 10/25/74.]