

WAC 137-08-110 Fees—Inspection and copying. (1) The following copy fees and payment procedures apply to requests to the department under chapter 42.56 RCW and received on or after July 23, 2017.

(2) Pursuant to RCW 42.56.120 (2)(b), the department is not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) The department does not have the resources to conduct a study to determine all of its actual copying costs;

(b) Through the 2017 legislative process, the public including requestors have commented on and been informed of authorized fees and costs, including for electronic records, provided in RCW 42.56.120 (2)(b) and (c), (3) and (4).

(3) The department will charge for copies of records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). The department will charge for any customized services used pursuant to RCW 42.56.120(3). Under RCW 42.56.430, the department may charge other copy fees authorized by statutes outside of chapter 42.56 RCW. The charges for copying methods used by the department are summarized in the fee schedule available on the department's web site at www.doc.wa.gov.

(4) Requestors are required to pay for copies in advance of receiving the records.

(5) No fee will be charged for the inspection of public records.

(6) No fee will be charged to:

(a) Law enforcement agencies that have made a request to the department for the purpose of active criminal investigation and/or prosecution.

(b) Other state agencies.

(c) Additional waivers may be made at the discretion of the public records officer.

(7) The public records officer may require an advance deposit of ten percent of the estimated fees or customized service charge as allowable under RCW 42.56.120(4).

(8) Responsive records may be provided in installments as allowable under RCW 42.56.120(4). Each installment must be either paid for or inspected prior to fulfilling the remainder of the request.

(9) Payment should be made by check or money order to the department of corrections. If, at the discretion of the public records officer cash payment is permitted, then the public records officer will also determine the denomination of bills and coins that will be accepted.

(10) The department will close a request when the requestor fails within thirty days to pay for a request or an installment or for the required ten percent deposit.

[Statutory Authority: RCW 72.01.090. WSR 18-07-081, § 137-08-110, filed 3/19/18, effective 4/19/18. Statutory Authority: RCW 10.97.080, 42.17.250 and 72.01.090. WSR 85-13-020 (Order 85-06), § 137-08-110, filed 6/10/85. Statutory Authority: RCW 42.17.250. WSR 82-04-023 (Order 82-3), § 137-08-110, filed 1/26/82.]