

WSR 24-22-137

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed November 6, 2024, 11:12 a.m.]

Original Notice.

Expedited Rule Making—Proposed notice was filed as WSR 24-11-161.

Title of Rule and Other Identifying Information: WAC 468-06-060 Requesting public records.

Hearing Location(s): On December 10, 2024, at 3:00 p.m., virtual hearing in Microsoft Teams <https://bit.ly/WAC-468-06-060-Dec-10-2024>; or dial in by phone +1 206-531-0324, 838717424# for United States, Seattle.

You can use this link to find a local number <https://dialin.teams.microsoft.com/039e7852-bef4-4986-949b-6b82f4e2095f?id=838717424>. The phone conference ID is 838 717 424#.

For further details about joining a Microsoft Teams meeting, you can visit this web page <https://aka.ms/JoinTeamsMeeting?omkt=en-US>.

Date of Intended Adoption: December 10, 2024.

Submit Written Comments to: Ashley Holmberg, P.O. Box 47410, 310 Maple Park Avenue, Olympia, WA 98504-7410, email Ashley.holmberg@wsdot.wa.gov, fax 360-705-6805, beginning November 20, 2024, at 8:00 a.m., by December 9, 2024, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact the Washington state department of transportation (WSDOT) ADA office, toll free 855-362-4ADA(4232), TTY 711, email wsdotada@wsdot.wa.gov, by December 3, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: We are fixing a broken web address link, changing the fax number, and adding an email address where the public can submit a new request for records.

Reasons Supporting Proposal: The WAC has incorrect information on the ways a member of the public can submit a public records request to WSDOT. This proposal corrects that information and adds an alternative option.

Statutory Authority for Adoption: Chapter 42.56 RCW, Public Records Act.

Statute Being Implemented: Chapter 42.56 RCW, Public Records Act.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSDOT, governmental.

Name of Agency Personnel Responsible for Drafting and Enforcement: Ashley Holmberg, Olympia, Washington, 360-870-2869; Implementation: Sam Wilson, Olympia, Washington, 360-704-6366.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This is not required because WSDOT is not subject to RCW 34.05.328 (5)(a)(i) and has not made RCW 34.05.328 applicable to this rule.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Scope of exemption for rule proposal:

Is fully exempt.

November 5, 2024
Sam Wilson, Director
Business Support Services

OTS-5444.1

AMENDATORY SECTION (Amending WSR 19-24-068, filed 11/27/19, effective 12/28/19)

WAC 468-06-060 Requesting public records. (1) Submitting a request. Requests for public records to the department or the commission can be made by:

(a) Using the public disclosure request center ~~((7))~~ by ~~((clicking on the link on the website at <http://www.wsdot.wa.gov/Contact/PublicDisclosure>, or))~~ going to <https://wsdot.mycusthelp.com/WEBAPP/rs/supporthome.aspx>; or

(b) Submitting a written request to the department that includes:

(i) The name, address, telephone number, and email address of the person requesting the records;

(ii) The date and time of the request;

(iii) A description of the public records sought adequate for the department to identify and locate all responsive records;

(iv) Language stating that the request for records is intended as a public records request or a similar statement placing the department on fair notice that records are being sought under the ~~((PRA))~~ Public Records Act chapter 42.56 RCW; and

(v) A statement indicating whether copies ~~((or))~~ of the records are sought or if the requestor wants to arrange to inspect records.

Requests not submitted through the public disclosure request center identified in (a) of this subsection can be submitted via U.S. mail, hand delivery, email, or facsimile at:

Public Records Office
Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47410
Olympia, WA 98504-7410
Email: HQPDRCoordinators@wsdot.wa.gov
Facsimile: 360-705-~~((6808))~~ 6805

(2) A request not submitted in a manner identified in subsection (1) of this section will not be considered a public records request under chapter 42.56 RCW, but will be responded to as an informal routine inquiry or a general request for information.

(3) Requested production. Nonexempt records are available through inspection, paper copies, or electronic copies. The requestor should indicate the production preference and make arrangements to pay the fees, if any.