

WAC 200-01-075 Costs of providing public records. (1) The following copy fees and payment procedures apply to requests to DES under the Public Records Act and received on or after July 8, 2019, date.

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

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

(b) To conduct such a study would interfere with other essential agency functions; and

(c) Through the 2017 legislative process the public and 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) DES will charge for the electronic delivery, copies of records, and for transfer and storage media pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). DES will charge the following additional applicable fees allowed pursuant to RCW 42.56.120:

(a) Customized services pursuant to RCW 42.56.120(3).

(b) Optional alternative fee agreements with a requestor pursuant to RCW 42.56.120(4).

The charges for copying and delivery methods used by DES are summarized in the fee schedule available on the DES website at www.des.wa.gov.

(4) Requestors are required to pay any or all applicable charges in advance of receiving records.

(5) DES accepts public records payment by cash, money order, or credit card. DES has limited resources to accept in-person payments. In-person payments are accepted by appointment only and during customary office hours. Using the tracking ID that DES assigns to each public records request, a requestor must identify with specificity and in advance, the record(s) to which payment applies. Whenever a requestor has more than one request pending, the agency must know which fees apply; for this reason the tracking number is required and is provided on the invoice DES sends when payment is due.

Cash is accepted in the exact amount. DES will assist the requestor in scheduling an appointment to pay for records during customary office hours and may propose convenient alternatives to an in-person visit.

(6) DES will close a request when a requestor fails by the payment date to pay in the manner prescribed.

[Statutory Authority: RCW 42.56.120 and 34.05.353 (1)(a) to (f). WSR 21-09-043, § 200-01-075, filed 4/14/21, effective 5/15/21. Statutory Authority: RCW 43.19.011 and 42.56.120. WSR 18-09-014, § 200-01-075, filed 4/9/18, effective 5/10/18. Statutory Authority: RCW 43.19.011 and chapter 42.56 RCW. WSR 12-02-004, § 200-01-075, filed 12/22/11, effective 1/22/12.]