

Chapter 292-10 WAC

PUBLIC RECORDS

WAC

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WAC 292-10-010 Purpose. The purpose of this chapter is to implement those provisions of RCW 42.56.040 through 42.56.550 relating to access to public records.

[Statutory Authority: Art. IV, § 31 of the state Constitution and chapters 42.56 and 2.64 RCW. 07-17-047, § 292-10-010, filed 8/9/07, effective 9/9/07. Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-010, filed 2/5/91, effective 3/8/91.]

WAC 292-10-020 Public records available. All commission public records are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 2.64.111 and 42.56.210. In accordance with chapter 256, Laws of 1990, work and home addresses of any person requesting in writing that their addresses be kept private because disclosure would endanger life, safety or property, shall be omitted from all documents in public files.

[Statutory Authority: Art. IV, § 31 of the state Constitution and chapters 42.56 and 2.64 RCW. 07-17-047, § 292-10-020, filed 8/9/07, effective 9/9/07. Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-020, filed 2/5/91, effective 3/8/91.]

WAC 292-10-030 Records index. The indexes developed by or for the agency shall be available to all persons under the same rules and under the same conditions as are applied to public records available for inspection and shall be available at the offices of the agency.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-030, filed 2/5/91, effective 3/8/91.]

WAC 292-10-040 Requests for public records. (1) All requests for inspection or copying made in person at the agency shall be made on a form substantially as follows:

REQUEST FOR PUBLIC RECORDS

Date..... Time

Name.....

Address.....

.....

Representing.....

Description of Records:

.....

.....

.....

(8/9/07)

REQUEST FOR PUBLIC RECORDS

I certify that lists of names obtained through this request for public records will not be used for commercial purposes.

.....

Signature

Number of copies

Number of pages

Per page charge \$

Total charge \$

(2) All requests made in person may be made to the agency at General Administration Building, 210 11th Ave. S.W., Suite 400, Olympia, WA 98504, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays.

(3) A request for inspection or copying of public records may be made by mail in a letter containing the following information:

- (a) The name and address of the person making the request;
- (b) The organization or group that the person represents;
- (c) The time of day and the calendar date on which the person wishes to inspect the public records;
- (d) A description of the public records requested;
- (e) A statement whether access to copying equipment is desired;
- (f) A phone number where the person can be reached in case the public records officer or designee needs to contact the person for further description of the material or any other reason;
- (g) A statement that the record will not be used for commercial purposes.

(4) All requests by mail should be received at the agency at least three business days before the requested date of inspection to allow the public records officer or designee to make certain the requested records are available and not exempt and, if necessary, to contact the person requesting inspection.

(5) The agency may in its discretion fill requests made by telephone.

[Statutory Authority: RCW 42.17.250, 42.17.260, Art. IV, § 31 of the state Constitution, and chapter 2.64 RCW. 05-01-021, § 292-10-040, filed 12/2/04, effective 1/2/05; 91-04-060 (Order 3), § 292-10-040, filed 2/5/91, effective 3/8/91.]

WAC 292-10-050 Fees. No fee shall be charged for inspection of public records. The agency may charge a reasonable fee, determined from time to time by the director, for providing copies. The fee shall be the amount necessary to reimburse the agency for its actual costs incident to such copying.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-050, filed 2/5/91, effective 3/8/91.]

WAC 292-10-060 Statement of reasons for denial of public records request. When the agency refuses, in whole or in part, a written request for inspection of any public record, it shall include a statement of the specific exemption authorizing the refusal and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-060, filed 2/5/91, effective 3/8/91.]

WAC 292-10-070 Protection of public records. In order to protect the public records of the agency, the following guidelines shall be adhered to by any person inspecting such public records:

(1) No public records shall be removed from the agency's premises.

(2) Inspection of any public record shall be conducted in the presence of a designated agency employee.

(3) No public records may be marked or defaced in any manner during inspection.

(4) Public records which are maintained in a file or jacket, or chronological order, may not be dismantled except for purposes of copying and then only by commission director or designee.

(5) Access to file cabinets, shelves, and other storage areas with public records is restricted to office personnel, unless other arrangements are made with the commission director or designee.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Art. IV, § 31 of the state Constitution. 91-04-060 (Order 3), § 292-10-070, filed 2/5/91, effective 3/8/91.]