

WAC 200-01-075 Costs of providing public records. (1) There is no fee for inspecting public records. DES may ~~((impose-a))~~ charge for providing public records~~((. DES))~~ or waive charges for providing public records. DES will charge using the fees listed under RCW 42.56.120 and will maintain a fee schedule on its web site.

~~(2) ((The charge for providing public records may be the actual cost incident to providing the records.~~

~~(a) The charge may include the actual cost of the postage or delivery, including the cost of the shipping container, cost of duplicating tape recordings, videotapes, photographs, slides, disks or similar media.~~

~~(b)) There will be no charge for emailing electronic records to a requestor, unless another cost applies.~~

~~(3) ((If determining the actual cost is too burdensome or if the cost cannot be determined, DES may charge fifteen cents for each page, however produced.))~~ DES has determined calculating the actual costs for providing public records is unduly burdensome for the following reasons:

(a) The level of effort, supplies, and shipping costs incurred by DES vary widely for each records request and are unique to each records request;

(b) Recordkeeping needed to capture all allowed costs unnecessarily increases DES's administrative overhead; and

(c) Determining actual costs for each records request within the statutory response time frame requires a greater than normal level of administrative resources.

(4) Before beginning to copy public records, the public records officer may require:

(a) A deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor;

(b) The payment of the remainder of the copying costs before providing all the records; or

(c) The payment of the costs of copying an installment before providing that installment. The department will not charge sales tax when it makes copies of public records.

(5) Payment may be made by cash in the exact amount charged, check, or money order to the department of enterprise services.