

RESOLUTION NO. 2017-36

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD
DECLARING THAT COMPUTING ALL ACTUAL COSTS TO RESPOND TO
PUBLIC RECORDS REQUESTS WOULD BE UNDULY BURDENSOME AND
CHARGING STATUTORY DEFAULT FEES.**

WHEREAS, pursuant to Chapter 42.56 RCW (the "PRA"), agencies are allowed to charge a requester for certain costs associated with providing copies of records in response to the requester's public records request, and are required to establish, maintain and make publicly available a statement of these costs; and

WHEREAS, under the law prior the 2017 amendments, agencies could charge for paper copies but not copies of electronic records. Currently a majority of records are provided in electronic format and in the 2017 legislative session, the legislature amended the provisions of the PRA that governs charges for providing public records. The 2017 amendments allow agencies to charge requestors for scanning records, providing electronic records by email or other electronic delivery means or providing records on a CD, thumbdrive or external hard drive; and

WHEREAS, Chapter 304, Laws of 2017, has been codified into Chapter 42.56 RCW relating to public records requests and assessing charges for providing responsive documents to public records requests and agencies are required to define whether or not it would be unduly burdensome to charge actual costs; and

WHEREAS, Mason Transit Authority (MTA) receives less than 30 public record requests annually and does not have a system set up to calculate those costs; and

WHEREAS, MTA believes that charging the statutory default fees would be in its best interest, as well as that of the public it serves;

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that it would be unduly burdensome for Mason Transit Authority to calculate actual costs to respond to public records requests; and

BE IT FURTHER RESOLVED that Mason Transit Authority will use the most reasonable cost-efficient method that is available to it as a part of normal operations to respond to the public records request and will not charge for records routinely posted on its website unless the requester requests copies through other means; and

BE IT FURTHER RESOLVED that Mason Transit Authority will charge statutory default fees in effect at the time the public records request is received. Current statutory charges in

effect are attached here to as Exhibit A, which charges may be changed in accordance with statutory law.

Adopted this 21st day of November, 2017.



Terri Drexler, Chair



John Campbell, Vice-Chair

Wes Martin, Authority Member



Tracy Moore, Authority Member

Randy Neatherlin, Authority Member

Deborah Petersen, Authority Member




Don Pogreba, Authority Member



Sandy Tarzwell, Authority Member



Kevin Shutty, Authority Member

APPROVED AS TO CONTENT: 

Danette Brannin, General Manager

APPROVED AS TO FORM: 

Robert W. Johnson, Legal Counsel

ATTEST: 

Tracy Becht, Clerk of the Board

DATE: November 21, 2017

EXHIBIT A

Statutory Default Fees for Public Records Requests

(Statutorily Effective as of July 23, 2017)

(RCW 42.56.120(2)(b), (c) and (e))

<u>RESPONSIVE RECORD FORMAT</u>	<u>STATUTORY DEFAULT FEE</u>
Paper page	15 cents each
Page scanned into electronic format	10 cents each
4 files or attachments provided by electronic delivery	5 cents
1 gigabyte of electronic records transmission	10 cents
Costs of storage media, container, envelope, postage/delivery charge	Actual cost

Charges can be combined if more than one type of charge applies.