

WAC 323-10-070 Costs of providing copies of public records. (1) **Inspection.** There is no fee for inspecting public records.

(2) **Statutory default costs.** Pursuant to RCW 42.56.120(2), the department declares for the following reasons that it would be unduly burdensome for it to calculate the actual costs it charges for providing copies of public records:

(a) Funds were not allocated for performing a study to calculate such actual costs and the agency lacks the necessary funds to perform a study and calculations;

(b) Staff resources are insufficient to perform a study and to calculate such actual costs; and

(c) A study would interfere with and disrupt other essential agency functions.

(3) **Fee schedule.**

(a) The department will charge for copies of records pursuant to the default fees in RCW 42.56.120 and as published in the department's fee schedule available on the agency website at <https://mil.wa.gov/public-record-disclosure>.

(b) The department will charge the actual amount charged by an external vendor for records copied by an external vendor.

(c) The charges for copies under this subsection may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

(4) **Customized electronic access services.** At the department's sole discretion, the department may provide customized electronic access to public records if the department estimates that the request would require the use of information technology expertise to prepare data compilations or provide customized electronic access services when such compilations and customized access services are not used by the department for other agency purposes. The department will charge the actual costs, including staff time, necessary to reimburse the department for providing customized electronic access services.

(5) **Deposits.** The public records officer or designee may require an advance deposit of 10 percent of the estimated fees when preparing records for an installment or an entire request. The public records officer or designee may also require the payment of the remainder of the copying or scanning costs before providing all the records, or the payment of the costs of copying or scanning an installment before providing that installment. The department will not charge sales tax when it makes copies of or scans public records.

(6) **Payment of fees.** The department will not release any requested copies of public records unless and until the requestor has paid all copying and other charges as set forth in this section.

(7) **Waiver of fees.** The public records officer may waive the fee when the expenses of processing payment exceeds the costs of providing copies.

(8) **Costs of mailing.** The department may charge actual costs of mailing, including the cost of the shipping container.

(9) **Payment.** Payment may be made by cash, check, or money order to the department.

[Statutory Authority: RCW 42.56.120. WSR 22-13-155, § 323-10-070, filed 6/21/22, effective 7/22/22. Statutory Authority: RCW 42.56.040. WSR 14-22-096, § 323-10-070, filed 11/4/14, effective 12/5/14. Statutory Authority: RCW 42.56.010 and 42.56.100. WSR 12-09-089, § 323-10-070, filed 4/18/12, effective 5/19/12; § 323-10-070, filed 2/13/74.]