

WAC 136-03-060 Copying fees—Payments. (1) The following copy fees and payment procedures apply to requests to the agency under chapter 42.56 RCW.

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

(a) The agency 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) The agency will charge for copies of records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). The agency will charge for customized services pursuant to RCW 42.56.120(3). Under RCW 42.56.130, the agency may charge other copying fees authorized by statutes outside of chapter 42.56 RCW. The agency may enter into an alternative fee agreement with a requestor under RCW 42.56.120(4). The charges for copying methods used by the agency are summarized in the fee schedule available on the agency's website at www.crab.wa.gov.

(4) Requestors are required to pay for copies in advance of receiving records. Fee waivers are an exception and are available for some small requests under the following conditions:

(a) It is within the discretion of the public records officer to waive copying fees when:

(i) All of the records responsive to an entire request are paper copies only and are 25 or fewer pages; or

(ii) All of the records responsive to an entire request are electronic and can be provided in a single email with attachments of a size totaling no more than the equivalent of 100 printed pages. If that email for any reason is undeliverable, records will be provided through another means of delivery, and the requestor will be charged in accordance with this rule.

(b) Fee waivers are not applicable to records provided in installments.

(5) The public records officer may require an advance deposit of 10 percent of the estimated fees when the copying fees for an installment or entire request, or customized service charge, exceeds \$25.

(6) All required fees must be paid in advance of release of the copies or an installment of copies, or in advance of when a deposit is required. The agency will notify the requestor when payment is due.

(7) Payment should be made by check or money order to the county road administration board. The agency prefers not to receive cash. For cash payments, it is within the public records officer's discretion to determine the denomination of bills and coins that will be accepted.

(8) The agency will close a request when a requestor fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.

[Statutory Authority: RCW 36.78.070 and 42.56.040. WSR 23-16-139, § 136-03-060, filed 8/2/23, effective 9/2/23. Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-03-060, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 42.17.250 through

[42.17].340. WSR 92-13-037 (Order 87), § 136-03-060, filed 6/10/92,
effective 7/11/92.]