



## **PUBLIC RECORDS REQUEST POLICY**

**Revised 4-21-23**

The purpose of the Public Records Act is to provide the public with full access to information and to provide a method for Pacific Transit System staff to respond to public records requests. The Public Records Act provides such a framework to respond.

### **Section 1 Purpose**

1. In accordance with RCW 42.56.070, identifiable public records shall be available for inspection and copying upon request. The Act defines “public record” to include any “writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepare, owned, used or retained” by the Agency. The Act is not limited to written records and includes all documents, including but not limited to paper records, video, photographs, and recordings, etc. Only records exempt by law will be withheld from disclosure. Pacific Transit System is not required to and does not retain every record if ever created or used. The state and local agency records as well as a schedule that applies to transit agency records. Pacific Transit System is responsible to retain its records in accord with such schedules.
2. Pacific Transit System will not intentionally destroy a public record, even if it is otherwise allowed to be lawfully destroyed under a retention schedule if a public records request has been made for that record. In such a case, Pacific Transit System will retain the record until the record request has been resolved.
3. The Rules provide information to persons wishing to request access to the public records of Pacific Transit System and established processes for both requestors and Pacific Transit System staff that are designed to best assist members of the public in obtaining such access.
4. The purpose of the Act is to provide the public full access to information concerning the conduct of government, mindful of individuals’ privacy rights and the desirability of the efficient administration of government. The Act and these Rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, Pacific Transit System will be guided by the provisions of the Act describing its purposes and interpretation.
5. The Act requires each agency to set forth “for informational purposes” every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency. In addition to the exemptions from disclosure under the Act, the Pacific Transit System Public Records Officer shall maintain and public an informational list that will be made available to any requestor of frequently cited laws or rules that limit or prohibit the disclosure the Pacific Transit System’s records. This list may be amended from time to time by the Public Records Officer. Failure to include a law or

rule on this list shall not constitute a waiver of the right to rely on such law or rule to limit or prohibit disclosure. A current version of this list is attached hereto as Exhibit A.

6. Pursuant to RCW 42.56.060, neither Pacific Transit System nor its Board of Commissioners, officers, employees shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of a public record if Pacific Transit System or its Board of Commissioners, officers, employees, or records custodian acted in good faith in attempting to comply with the Public records Act or these rules.
7. Nothing herein should be construed to be a waiver of Pacific Transit System's right to seek court determination as to whether any specific public record is subject to disclosure (including injunctive or expedited relief), or to seek declaratory judgments to the Agency's satisfaction of its records disclosure obligations.

## **Section 2 Responsibility and Authority**

The Clerk of the Board of Pacific Transit System is the Public Records Officer for the Agency. The Public Records Officer may assign a designee and have other staff fulfill the request.

## **Section 3 Public Records Requests-How Made**

1. Public records may be inspected and/or copies may be obtained under the following procedures:
  - A. A request for public records shall be directed to the Public Records Officer.
  - B. Requests for public records can be initiated in person, by mail, email, fax, over the phone, or hand delivered to the Public Records Officer. Requestors are encouraged to use Pacific Transit System's Public Records Form, available on the website [www.pacificttransit.org/Policies](http://www.pacificttransit.org/Policies) or at the Pacific Transit System's Office at 216 N 2<sup>nd</sup> Street, Raymond, WA.
2. A request for public records shall include the following:
  - A. The requestor's name, mailing address, and telephone number.
  - B. The date of the request.
  - C. Whether the request is to inspect the public records or copy the public records if known, or both.
  - D. A clear description of the public records requested for inspection and/or copying.
3. The Public Records Officer may require a written request if the request is for, or the response may include any of the following:
  - A. A list of individuals.
  - B. Categorical requests not identifying a specific public request.
  - C. Subjects pertaining to current, threatened or potential litigation.
  - D. Reproduction of oversized documents such as maps, surveys, large format photographs or color reproduction.
  - E. Public records or information exempt from disclosure.

### **Section 4 Index of Transit Records**

Pacific Transit System finds that it would be unduly burdensome for Transit staff to index each and every of the many varied records due to limited staffing levels.

Pacific Transit System finds that the creation of a single index providing the intricate detail described in RCW 42-56.070 would interfere with Transit operations in that it would take an inordinate amount of staff time to develop and maintain.

Pacific Transit System shall disclose all public records and indexes of public records maintained by Transit to the extent they are not exempt from disclosure pursuant to RCW Chapter 42.56 or other applicable laws.

### **Section 5 Response to Public Records Request**

1. Within five business days (day one is the first working day after the request is received) of receiving a public record request the Public Records Officer must respond by (1) providing the record; (2) acknowledging that Pacific Transit System has received the request and providing a reasonable estimate of the time Transit will require to respond to the request; (3) denying the public record request.
2. In acknowledging receipt of a public records request that is unclear, Pacific Transit System may ask the requestor to clarify the information they are seeking. If the requestor fails to clarify the request within thirty (30) days, Pacific Transit System is not obligated to respond to it and may close the file.
3. If Pacific Transit System does not respond in writing within five (5) business days of receipt of the request for disclosure, the requestor should contact the Public Records Officer to determine the reason for the failure to respond.
4. If the Public Records Officer provides an estimate of the time required to respond to the request and the requestor believes the amount of time stated is not reasonable, then the requestor may request that the Pacific Transit System Director review the estimate of time.
5. If requested records contain information that affect the rights of other, would clearly not be in the public interest and would substantially and irreparably damage any person, (including current or past Pacific Transit System employees) and/or may be exempt from disclosure, Public Records Officer, in their sole discretion, or designee may, prior to providing records, give notice to those persons (RCW 42.56.540) and allow time for action by the affected parties (RCW 42.56.520). If a Superior Court order preventing disclosure is sought, the records request shall be placed on hold until the Superior Court decides the matter. Other than providing such notice, Pacific Transit System will not contact the requestor and ask them to revise or withdraw the request, nor will Pacific Transit System seek an order from a court to prevent or limit the disclosure to protect the rights of third parties. Pacific Transit System may not be held liable for exercising its discretion to notify, or not notify, third parties of a public record request.
6. When a request for public records is received that concerns a subject known to involve litigation that is pending, threatened, or anticipated, the Public Records Officer should promptly notify the Pacific Transit System's Director of the request.

7. While requestors are not required to specifically name the Public Records Act in making their request, they must give fair notice that the request is being made pursuant to the Act. Requestors must request identifiable records or classes of records that the Pacific Transit System can reasonably locate even though they are not required to specifically state the exact record sought. For example, using inexact phrases such as “relating to” a topic will need clarification from the requestor to determine what records fairly and directly address the topic. A requestor should not submit a “stealth” request, which is buried in another document in an attempt to trick the agency into not responding.
8. A requestor is expected to follow Pacific Transit System’s reasonable procedures, inspect the assembled records, or pay for the copies, and be respectful to agency staff. Both Pacific Transit System and the requestor have a responsibility to communicate with each other when issues arise concerning a request.
9. Questions to Pacific Transit System are not public records requests. Though not required to answer questions about records or explain such records, in its discretion. Pacific Transit System may respond to such questions. Pacific Transit System will not conduct legal research for a requestor.
10. The Agency is not obligated to create new records to satisfy a records request; however, the Agency may, at its discretion, run a report or create such new records to fulfill the request where the Agency deems that method of response more expedient.
11. Some records are exempt from disclosure, in whole or in part. If Pacific Transit System believes that all or part of a record is exempt from disclosure and should be withheld, the Public Records Officer will state the specific exemption or other law or rule that prevents disclosure and provide a brief written explanation of why the records or a portion of the records are being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Agency will redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why portions of the record are being redacted. When Pacific Transit System withholds all or a portion of records, Pacific Transit System will produce an exemption log that identifies the type of record, date, page number, whether content was withheld or redacted, will set forth the basis for the withholding or redaction and a brief explanation of why such legal authority supports withholding or redaction of the record(s).

### **Section 6 Inspection of Public Records Request**

1. Public records shall be inspected at the Pacific Transit System office, 216 N. 2<sup>nd</sup> Street Raymond, WA. Public records shall be available for inspection during office hours, Monday-Friday 7:00a.m. to 7:00p.m. and Saturday 9:00a.m. to 5:00p.m.
2. The Public Records Officer may request that the person seeking to inspect public records schedule an appointment for inspection.
3. Pacific Transit System will promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents they wish the agency to copy.
4. The requestor must claim or review the assembled records within thirty (30) calendar days of Pacific Transit System’s notification to them that the records are available for inspection

or copying. The Agency will notify the requestor by phone or in writing of this requirement and inform the requestor that they should contact Pacific Transit System to make arrangements. If the requestor does not claim or review the assembled records within this time, Pacific Transit System may close the request and refile the assembled records, and consider the request closed and abandoned.

5. After inspection is complete, the Public Records Officer or designee shall make the requested copies or arrange for copying, pursuant to the cost schedule for copies as listed herein. Where Pacific Transit System charges for copies, the requestor must pay for the copies.
6. When the request is for a large number of records, or for records that become available for production over time, the Public Record Officer or designee will provide access for inspection and copying in installments, if they reasonably determine that it would be practical to provide the records in that way. If, within thirty (30) calendar days, the requestor fails to retrieve or inspect the entire set of records or one or more of the installments (whether in hard copy or electronic format), the Public Records Officer or designee may stop searching for the remaining records and close the request.
7. Pacific Transit System may ask a requestor to prioritize the records they are requesting so that the Agency is able to provide the most important records first. Pacific Transit System is not required to ask for prioritization, and a requestor is not required to provide it.
8. In the event that Pacific transit System is unable to produce records that contain all of the requested information but can produce partially responsive records, Pacific Transit System will do so.
9. Pacific Transit System will endeavor to provide a record(s) within the time provided in its reasonable estimate or communicate with the requestor that additional time is required to fulfill the request. Pacific Transit System's inability or failure to meet its own internal estimated deadline shall not be deemed to be a violation of the act or these rules, assuming that Pacific Transit System is working diligently to respond to the request. Pacific Transit System will promptly communicate with requestor when it determines its original estimate of time needs to be adjusted.
10. When the production or inspection of the requested records is complete, all the requested copies are provided, the Public Records Officer or designee will indicate that Pacific Transit System has completed a reasonable search for the requested records and made any located non-exempt records available or available for inspection and close the request.
11. When the requestor either, withdraws the request, fails to clarify an entirely unclear request, fails to fulfill their obligations to inspect the records, pay for the deposit, pay the required fees for an installment, or fails to make the final payment for the requested copies, the Public Records Officer will close the request and unless the Agency has already indicated in previous correspondence that the request would be automatically closed under the above circumstances, indicate to the requestor that Pacific Transit System has closed the request.
12. If, after Pacific Transit System has informed the requester that it had provided all available records, and the Public Records Officer later becomes aware of additional responsive

documents existing at the time of the request, the Public Records Officer will promptly inform the requestor of the additional documents and provide them on an expediated basis.

### **Section 7 Electronic Records**

When a requestor requests records in an electronic format, the Public Records Officer will provide the non-exempt records (or portions of such records) that are reasonably locatable in an electronic format that is used by the Agency, or in a format that is reasonably translatable from the format in which the Agency keeps the record. When locating the requested records or translating them into the requested format cannot be done without customized access or specialized programming, Pacific Transit System may assess a customized service charge if the Agency estimates that the request would require use of information technology expertise to prepare or compile the records when such customized access services are not used by the Agency for other business purposes.

### **Section 8 Exemptions of Other Basis for Denial**

1. The Public Records Act provides that several types of documents are exempt from public inspection and copying. *See Generally:* RCW 42.56.050, 42.56.110, 42.56.210, 42.56.510, 52.56.600, 42.56.610, and 42.56.615.
2. In addition, documents are exempt from disclosure if any “other statute” exempts or prohibits disclosure. Requestors should be aware of the exemptions or other limitations on disclosure outside the Public Records Act that restrict the availability of some documents held by Pacific Transit System for inspection and copying, a copy of which is attached hereto as Exhibit A. The listing at Exhibit A will be updated from time to time in the discretion of the Public Records Officer.
3. Pursuant to RCW 42.56.070(8), Pacific Transit System is prohibited by statute from disclosing lists of individuals for commercial purposes. Pacific Transit System may ask the requestor if they intend to use the records for a commercial purpose and require the requestor to provide information about the purpose of the use of the list.
4. Pacific Transit System may deny a “bot” request that is one of multiple requests from a requestor to the Agency within a twenty-four-hour period, if responding to the multiple requests would cause excessive interference with other essential Agency functions. A “bot” request means a records request that an Agency reasonably believes was automatically generated by a computer program or script.
5. Any person who objects to the initial denial of a records request may petition in writing (including email) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request.

### **Section 9 Cost of Providing Copies of Public Records**

1. Disallowed Charges
  - a. No fee will be charged for the inspection of a public record.
  - b. No fee will be charged for locating public records in response to a request and making the records available for inspection or copying.

- c. No fee charged for searching for public records, redacting portions of a record which are exempt from disclosure or preparing an index of exempt documents.
  - d. Pacific Transit System may not assess a customized service charge unless the Agency has notified the requestor of the customized service charge to be applied to the request, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimate of the cost of the charge. The notice also must provide the requestor the opportunity to amend their request in order to avoid or reduce the cost of a customized service charge.
  - e. Pacific Transit System will not impose copying charges for access to or downloading of records routinely posted on Pacific transit System's website. Prior to receipt of a request unless the requestor has specifically requested that Pacific Transit System provide copies of such records through other means.
  - f. Pacific Transit System will not charge sales tax when it makes copies of records.
2. Allowed Charges
- a. A reasonable fee will be charged to reimburse Pacific Transit System for the costs of providing copies. The fee for copying may be waived for a single request if the expense of processing the payment exceeds the cost of providing the copies.
  - b. A reasonable fee shall be charged to reimburse Pacific Transit System for the cost of delivering copies of public records to a requestor, including the cost of packaging the copies for delivery and the actual cost of postage or delivery.
  - c. Any request for which the response will be oversized documents, color photographs or reproductions, recordings and computer disks may be sent to a private copying service for copying, in which case the copying fee shall be the actual charge imposed for copying, applicable taxes and shipping costs and shall include staff (including benefits) for travel and mileage at the current rate set by Washington State Office of Financial Management.

The fee for searching records, research, and/or providing a copy of a public record may be set by statute. Unless a fee is fixed by another federal, state or county ordinance/resolution, the following fee schedule is applicable

- 3. Photocopies, printed copies of electronic records when requested by the requestor, up to 8" x 14", are 15 cents per page. Public records scanned from paper to an electronic document or for the use of Agency equipment to scan the records, are 10 cents per page. Records uploaded to email or cloud-based data storage service or other means of electronic delivery, are 5 cents per every four electronic files or attachments. Records transmitted in electronic format or for use of Agency equipment to send records electronically are 10 cents per gigabyte. Digital storage media services, containers or envelopes used to mail copies, postage or delivery charges, access to records from third-party vendors, and copied or scanned maps and photos charged at actual cost. Customized service for records sent to an outside vendor due to their unusual size or format or other factors making reproduction by Pacific Transit System unfeasible are charged at actual cost charged by the vendor to Pacific Transit System. Staff time necessary for preparing documents for scanning and loading electronic records into an email are charged at actual cost (Staff time includes hourly rate plus benefits).

4. Pacific Transit System may waive charges for copies of records if, in its sole discretion, it would be more administratively burdensome to charge for copies than to waive the request.
5. Pacific Transit System may charge a flat fee of up to two dollars for any request as an alternative to fees when Pacific Transit System reasonably estimates and documents that the costs allowed under this subsection are clearly equal or more than two dollars. An additional flat fee shall be charged for any installment after the first installment of a request produced in installments. If Pacific Transit System elects to charge the flat fee for an initial installment, it may not charge the fees authorized under Item B of this section on subsequent installments.
6. Payments may be made by cash, check, or money order made to Pacific Transit System.
7. A requestor may ask Pacific Transit System to provide, and if requested Pacific Transit System shall provide a summary of the applicable charges before any copies made, and the requestor may revise the request to reduce the number of copies to be made and reduce the applicable charges.
8. The Public Records Officer may require a deposit of up to 10% before copying requested public records. (RCW 42.56.120)
9. If records are provided on an installment basis, the Public Records Officer may charge and collect all applicable copying fees (not limited to the 10% deposit) for each installment. (RCW 42.17.300 and 42.56.120) The Public Records Officer may also require that copying and delivery fees be paid in full prior to the release of the final installment of records.
10. If an installment of a records request is not claimed or reviewed, Pacific Transit System is not obligated to fulfill the balance of the request. (RCW 42.56.120) However, Pacific Transit System will provide thirty days from the date of mailing for the requestor to claim or review the records. If the request is not claimed or reviewed within the given time frame, Pacific Transit System may close the file.

	<b>PUBLIC RECORDS FEE SCHEDULE</b>
<b>Charges</b>	Pacific Transit System has adopted the statutory fee schedule as set forth in RCW 42.56.120(2)(b), as set forth below.
<b>Copies</b>	
.15 cents/page	Photocopies, printed copies of electronic records when requested by the requestor, up to 8"x14".
.10 cents/page	Public records scanned from paper to electronic document or for the use of agency equipment to scan records.
.5 cents/per every 4 electronic files or attachments	Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery.
.10 cents gigabyte	Records transmitted in electronic format or for use of agency equipment to send records electronically



Actual Cost	Digital storage media devices (thumb drives, CD's, hard drives, etc.)
Actual Cost	Any container or envelope used to mail copies.
Actual Cost	Postage or delivery charges.
Actual Cost	Access records from third-party vendors.
Actual Cost	Copied or scanned maps & Photos
Actual Cost based on vendor cost to agency	Customized service for records sent to an outside vendor due to their unusual size or format or other factors making reproductions by agency feasible.
Actual Cost including employee benefits	Creation of records (includes staff time to copy and send requested public records).
	Copy charges above may be combined to the extent that more than one type of charge applies to copies responsive to a particular request. There is no fee for inspecting public records, including inspecting records on the Pacific Transit System's website. *Two-sided documents equal two (2) pages. *Pacific transit System waives fees for production of records if productions total less than \$2.00. Production of records does not include actual cost of digital storage media device, envelopes, and postage (if applicable).

## PACIFIC TRANSIT SYSTEM PUBLIC RECORDS ACT RULES

### EXHIBIT A

#### **Statutes and Exemptions Which May Prohibit Disclosure Other Than Those Listed in the Public Records Act**

Pursuant to RCW 42.56.070, Pacific Transit System lists the following exemptions and/or prohibitions to disclosure of all or portions of public records, other than those listed in the Public Records Act. This exhibit is a current list containing every law, other than those listed in the Public Records Act RCW 42.56, that Pacific Transit System believes are exempt or prohibits disclosure of specific records or information that could potentially be found in Pacific Transit System's files or records. The Agency's failure to list an exemption here shall not affect the efficacy of any exemption. This list is for illustration purposes only and is not exhaustive, and other legal prohibitions may prevent disclosure. Pacific Transit System reserves the right to amend this list, and this list should be construed to conform to any changes in the law. Pacific Transit System reserves the right to rely on any law or interpretation of law to withhold or redact all or part of a public record, whether that law is listed here or not.

<b><u>RCW</u></b>	<b><u>CRIME VICTIMS &amp; DOMESTIC VIOLENCE</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
7.68.140	Victims of Crimes-Compensation, Assistance	Information in records and files of victims
7.69A.030 (4) and .050	Child Victims	Name, address and photograph of child victim or child witness
10.52.100	Child Victims	Records identifying child victim of sexual assault
10.97.130	Child Victims	Information about victims of assault under age eighteen
13.60.020	Missing Children Clearinghouse	Information regarding missing children or endangered persons
40.24.070	Address Confidentiality for Victims of Domestic Violence and Sexual Assault	Records in program participant's files
<b><u>RCW</u></b>	<b><u>CRIMINAL RECORDS</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
4.24.550	Special Rights of Actions and Special Immunities	Information on sex offenders and kidnapping offenders for community protection
10.97.040.060	Washington State Criminal Records Privacy Act	Criminal history records
10.97.070	Washington State Criminal Records Privacy Act	Suspect's history
10.97.070	Criminal Justice Information Act	Arrest and fingerprint forms, national crime information center interstate identification index
43.43.710	Washington State Patrol	Information in files and records relating to the commission of any crime
43.43.832	Washington State Patrol	Conviction records for identified crimes (i.e., child abuse, financial exploitation), adjudications of child abuse in civil actions
43.43.834 (5)	Washington State Patrol	
43.43.836	Washington State Patrol	Individual's own record of civil adjudication, disciplinary board final decisions, and convictions
43.43.856	Washington State Patrol	Specific investigative information pertaining to activities related to organized crime
<b><u>RCW</u></b>	<b><u>EMPLOYMENT</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>

41.04.364	Public Employment, Civil Service, and Pensions- General Provisions	Individual employee's participation in wellness program and all individually identifiable information gathered in process of conducting program
41.06.160	State Civil Services Law	Salary and fringe benefits survey information collected from private employers. <i>See also</i> RCW 42.17.310(1)(b), RCW 42.56.230(2), RCW 42.17.310(1)(t), RCW 42.56.250(2) and RCW 42.17.210(1)(u), RCW 42.56.250(3)
41.06.455	State Civil Services Law	Identifying information on records relating to employee misconduct or alleged misconduct
42.52.050	Ethics in Public Service	Confidential information acquired by official or employee by reason of official's or employee's official position
49.12.240	Industrial Welfare	Individual's own personal file. <i>See also</i> RCW 49.12.260 (investigation of criminal offense)
<b><u>RCW</u></b>	<b><u>FINANCIAL INFORMATION AND TRADE SECRETS</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
39.10.470(2)-(3)	Alternative Public Works	Trade secrets or other proprietary information submitted by bidder in connection with alternative public works transaction if data identified and reasons in writing. Proposals submitted by design-build finalists until notification of highest scoring finalist is made
49.17.200	Washington Industrial Safety and Health Act	Information obtained by Department of Labor and Industries pursuant to inspection or proceeding which may contain or reveal trade secrets
49.17.210	Washington Industrial Safety and Health Act	Employer identity, employee identity, personal identifiers of voluntary participants in research, demonstrations, and experiments. <i>See Also</i> RCW 51.36.060
4.24.601 and .611	Hazards to the public	Trade secrets and confidential research, development or commercial information regarding products or business methods
<b><u>RCW</u></b>	<b><u>HEALTH CARE</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>

70.47.150	Basic Health Plan-Health Care Access Act	Records obtained, reviewed by, or on file with the basic health plan containing information concerning medical treatment of individuals; actuarial formulas, statistics, and assumptions submitted in support of a rate filing or at request of the basic health plan administrator
70.54.250	Cancer Registry Program	Cancer reporting to DOH IS confidential and protected except for authorized uses
70.96A.150	Treatment for Alcoholism, Intoxication, and Drug Addiction	Registration and other drug and alcohol rehabilitation records. <i>See also</i> 42 C.F.R. Pt. 2
71.05.390.440	Mental Illness	Fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to voluntary or involuntary recipients of mental health services at public or private agencies. All information and records obtained in course of voluntary/involuntary services at public or private agency
71.05.620	Mental Illness	Health care information from court or treatment records
71.05.630 and .640	Mental Illness	Treatment records
<b><u>RCW</u></b>	<b><u>INDUSTRIAL INSURANCE AND LABOR AND INDUSTRIES</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
51.28.070	Notice and Report of Accident-Application for Compensation	Information contained in claim files and records of injured worker
51.36.060	Medical Act	Medical information relevant to injury or disease which is the basis of a claim. <i>See also</i> RCW 51.04.050 and RCW 51.36.110
<b><u>RCW</u></b>	<b><u>MISCELLANEOUS</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
4.24.680	Personal Information of Law Enforcement and Court-Related Employees	Residential addresses, telephone numbers, birthdays, or social security numbers or any law enforcement, corrections officer, or court employee
4.92.210(2)	Actions and Claims Against the State	Documents contained in tort claim file

9.73.030	Violating Right of Privacy	Intercepted or recorded private communications, emergency communications, communications conveying threats or unlawful demands, communications occurring anonymously or repeatedly or at inconvenient hours, or relating to hostage holder, communications with news gathering media
9.73.090(1)(C)	Privacy	Law enforcement dash cam videos until final disposition of litigation
42.23.070(4)	Local Government Whistleblower Protection	Municipal officer disclosure and confidential information
42.40.040	State Employee Whistleblower Protection	Identify of whistleblower and investigations conducted by Auditor
42.41.045	Local Government Whistleblower Protection	Information related to whistleblower complaints
48.02.120	Insurance Commissioner	Actuarial formulas, statistics, and assumptions submitted to Insurance Commissioner at Commissioner's request or in support of a rate or form filing by insurer, health care service contractor, or health maintenance organization
48.03.050	Examinations	Examinations or investigation reports held by Insurance Commissioner
48.62.101	Local Government Insurance Transactions	Information related to funds or liability reserves; records of individual or joint self-insurance programs; information concerning the expense and performance of health and welfare benefits program
<b><u>RCW</u></b>	<b><u>PRIVILEGES</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
5.60.060(2)	Attorney-Client	Communications between attorney and client
5.60.060(5)	Public Officer-Official Confidence	Communications to public officer in official confidence
5.60.070 & 7.07.050	Mediation	Communications between mediator and parties to mediation
7.75.050	Dispute Resolution Centers	All memoranda, work note or work products, or case files of Dispute Resolution Center
<b><u>RCW</u></b>	<b><u>PUBLIC ASSISTANCE AND SOCIAL SERVICES</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>

74.04.060	Public Assistance-General Provisions-Administration	Records, files, papers, and communication of recipients of public assistance
74.04.062	Public Assistance-General Provisions-Administration	Current address and location of recipient of public assistance
<b><u>RCW</u></b>	<b><u>PUBLIC RECORDS</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
19.215.020	Disposal of Personal Information	Imposition of duty on state agencies to destroy personal financial and health information and personal identification numbers
40.14	Preservation and Destruction of Public Records	Procedures and requirements for public records maintenance and retention
43.105.310	Accuracy, Integrity, and Privacy of Records and Information	Duty of agency to ensure accuracy of records that are accessible to public obtained consent of identified persons and retain information only as long as needed to carry out purpose
<b><u>RCW</u></b>	<b><u>UNEMPLOYMENT INSURANCE</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
0.13.010	Records and Information-Privacy and Confidentiality	Individual and employing unit records maintained by the Department of Employment Security
50.13.015	Records and Information-Privacy and Confidentiality	Information provided to Department of Employment Security by another governmental agency; voluntarily provided information obtained by the Department for statistical analysis, research, or study purposes
50.1.020	Records and Information-Privacy and Confidentiality	Information or records relating to an individual or employing unit obtained by the Department of Employment Security pursuant to the administration of Title 50 RCW
50.13.040	Records and Information-Privacy and Confidentiality	Individual's or employing unit's own records
50.13.050	Records and Information-Privacy and Confidentiality	Records and information deemed material to issues in appeal proceedings
50.13.060	Records and Information-Privacy and Confidentiality	Records and information held by the Department of Employment Security required by other governmental agencies
50.13.070	Records and Information-Privacy and Confidentiality	Records and information required by parties to administrative proceeding

50.13.080	Records and Information-Privacy and Confidentiality	Records and information required by private person or organization contracting to Department of Employment Security to assist in operation and management of the Department
50.13.090	Records and Information-Privacy and Confidentiality	Records and information acquired by the Department of Employment Security through contracting to provide services to other government or private organizations
50.13.100	Records and Information-Privacy and Confidentiality	Records and information where identifying details are deleted or individual or employing unit consents to disclosures
<b><u>RCW</u></b>	<b><u>VEHICLE AND DRIVERS</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
46.12.380	Certificates of Ownership and Registration	Name and address of individual vehicle owner
46.20.041	Drivers Licenses-Identicards	Statement submitted by disabled person seeking a driver's license
46.20.157	Drivers Licenses-Identicards	Information provided to Department of Information Services by Department of Licensing; names of certified participant in Washington address confidentiality program
46.52.080	Accidents-Reports-Abandoned Vehicles	Traffic accident reports-confidentiality
46.52.083	Accidents-Reports-Abandoned Vehicles	Traffic accident reports-available to interested parties
46.52.120	Accidents-Reports-Abandoned Vehicles	Case records on motor vehicle drivers licensed in Washington, including conviction, finding of traffic infractions and accidents
46.52.130	Accidents-Reports-Abandoned Vehicles	Abstract of driving record
<b><u>U.S.C</u></b>	<b><u>FEDERAL STATUTES</u></b>	<b><u>AFFECTED DOCUMENTS, INFORMATION OR COMMUNICATIONS</u></b>
5 U.S.C. § 522 (a)	Privacy Act of 1974 (Freedom of Information Act)	Public information; agency rules, opinions, orders, records, and proceedings
18 U.S.C. § 2721-2725	Drivers Privacy Protection Act	Driver and license plate information
23 U.S.C. § 409	Highways	Evidence of certain accident reports

26 U.S.C. § 6103	Internal Revenue Code-Information and Returns	Tax returns and tax return information, including declaration of estimated tax, claim of refund, taxpayer's identity, the nature, source, or amount of taxpayer income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability, tax withheld, deficiencies, over assessments, tax payments, written determination, or any background file document or advance pricing agreement
42 U.S.C. 290dd-2	Public Health and Welfare	Substance abuse records
42 U.S.C. § 405©(2)(vii)(I)	Evidence, Procedure, and Certification for Payments	Limits on use and disclosure of social security numbers
Pub. L. 104-191, 110 Stat. 1936 (1996)	Health Insurance Portability and Accountability Act (HIPPA); Implementing Regulations; <i>see</i> Implementing Regulations, HIPPA Privacy and Security Rules, 45 CFR. Parts 160, 162, and 164	Providing for protection of confidential health care information by enforcing standards for privacy and security
42 CFR Part 2 (2.1-2.67)	Substance Abuse Records	Alcohol and drug abuse patient records
45 CFR 160-164	Standards for Privacy of Individually Identifiable Health Information	Information regarding individually identifiable health information





# **PUBLIC RECORDS REQUEST FORM**

216 Second St., Raymond WA 98577  
 Phone (360) 875-9418 Fax (360) 942-3193

[www.pacifictransit.org](http://www.pacifictransit.org)

REQUESTOR'S NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

MAILING/EMAIL ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

RECEIVED REQUEST VIA: ☐ Email ☐ Fax ☐ In person ☐ Phone ☐ Form Used

**RECORDS REQUESTED:** Please describe the SPECIFIC record(s) you are requesting and any additional information that will help us locate said records (dates, names, etc.). Please indicate whether you want to review the records or receive them electronically or have them copied. The Revised Code of Washington states that records must be made available in a reasonable length of time. Depending on the complexity of the request, Pacific Transit will respond to you regarding your request within a reasonable length of time.

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- ☐ I will inspect the documents at Pacific Transit prior to copying or scanning.
- ☐ I request the documents be copied and I will pick up the copies and pay the copy fees.
- ☐ I request the documents be sent to me electronically to the email address written above.
- ☐ I request the documents be mailed to me and I will pay the copy fees and the mail costs.

\*Please review the fees below and be prepared to provide 10% of the estimated cost in advance.

**If you are requesting a list that might be used for commercial purposes, please complete the declaration on the reverse of this form and return it to the Public Records Officer.** If we do not receive a completed declaration, we will be unable to process your request for the list and this public records request will be closed. We may need to contact you with further questions. Therefore, make sure you provide the contact information on the bottom of the declaration. This form and declaration are a public record.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\*\*\*\*\*FOR OFFICIAL USE ONLY\*\*\*\*\*

Date Received:	Received By:	Forwarded to:	Respond By (date):
<b>Fees:</b> Copies _____ pages @ \$0.15 \$ _____ Scanned _____ @ \$0.10 \$ _____ Electronic documents _____ @ \$0.05 per 4 documents \$ _____ Gigabyte _____ @ \$0.10 \$ _____ Mailing/Supplies \$ _____ Total \$ _____		<b>Comments:</b>	

- I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I certify under penalty of perjury that I have read this declaration form and I understand that a list of individuals cannot be provided to me or to my organization or business by a public agency if the list will be used for a commercial purpose. I certify under penalty of perjury that any list of individuals that I or my organization or business receive from Pacific Transit will not be used for any commercial purpose in violation of RCW 42.56.070(9).**

**Declarant's Contact Information (phone or email, or both):** \_\_\_\_\_