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Oregon Department of Aviation
OAR Chapter 738
Division 1

738-001-0035

Public Records Access and Fees

All information in the custody of the Director of the Oregon Department of Aviation shall be disclosed or protected from disclosure in accordance with Chapter 192 of the Oregon Revised Statutes.

(1) Requests for records may be verbal; however, the Oregon Department of Aviation may require the request to:

- (a) Be in writing;
- (b) Be dated;
- (c) Be signed;
- (d) Adequately describe the records being requested; and
- (e) Indicate the date the records are needed.

(2) A reasonable period of time, as determined by the department, shall be allowed for the records custodian to locate and assemble the requested records.

(3) Unless otherwise provided by statute or other administrative rule, the fees shall be calculated as follows:

- (a) \$0.[20] **25** per page for photocopies;
- (b) Actual cost for use of material and equipment for producing copies of non-standard records. "Non-standard" records include, but are not limited to:

- (A) Audio tapes;
 - (B) Video tapes;
 - (C) Oversize maps; and
 - (D) Machine readable formats such as computer hard drives, diskettes and magnetic tape.
- (c) Costs for labor, which includes locating, compiling, editing or otherwise processing information and records. There shall be no charge for the first [30]**15** minutes of staff time. **Prorated fees are not available for less than a quarter-hour.** The labor rate assessed thereafter shall be [*\$15 per hour*];

(A) \$60 per hour for managerial staff time;

(B) \$50 per hour for professional staff time, and;

(C) \$15 per hour for clerical staff time.

(d) Costs may also include the cost of time spent by the Oregon Department of Aviation's attorney reviewing, redacting, and segregating records at the Oregon Department of Aviation's request, although the cost of the attorney's time spent determining the application of the Public Records Law is not a recoverable cost.

[(d)](e) The actual cost for delivery of records such as postage, FAX costs and courier fees; and

[(e)](f) \$5 for each true copy certification.

(4) Estimated payment or deposit may be requested in advance.

[(5) *An individual or entity may subscribe to receive copies of State Aviation Board and Board Committee agendas and meeting materials. A fee will be charged to obtain advance paper copies of the meeting materials, to cover the agency's cost for copying and mailing the materials. If the individual or entity receives the meeting materials electronically, there is no charge.*

(a) To obtain the paper copies of meeting materials, the individual or entity shall provide a name, contact person (if different), mailing address and daytime telephone number. The subscriber shall pay \$120 for twelve mailings (Agendas, meeting materials and any related committee meeting materials). The subscriber will receive the complete board meeting packet and board committee materials. No refund is available after the first mailing has been sent.]

[(b)](5) An individual or entity that chooses to receive meeting agendas and materials electronically may subscribe by sending an email request to aviation.mail@state.or.us. The email shall include a contact name, the email address of the individual or organization, and a daytime telephone number for the contact person. An email subscription continues until cancelled by the subscriber. There is no charge to subscribe electronically.

(6) The Department shall notify a requestor of the estimated costs of making records available for inspection or providing copies of records to the requestor. If the estimated costs exceed \$25, the Department shall provide written notice and shall not act further to respond to the request unless and until the requestor confirms that the requestor wants the Department to proceed with making the public records available. All estimated fees and charges must be paid before public records will be made available for inspection or copies provided.

Stat. Auth.: ORS 192.430, 192.440, 835.035, 835.112

Stats. Implemented: ORS 192.410 - 192.505