

29.01.02.13

.13 Fees.

A. Fee Schedule.

(1) The fee schedule for copying and certifying copies of records is provided in this section.

(2) Copies. The fee for each copy is 75 cents per page if reproduction is made by a photocopying machine within the Department. The Secretary or the Secretary's designee may charge a reasonable fee for the reproduction of photographs. If records cannot be adequately reproduced by photocopying (for example, punch cards, magnetic tapes, blueprints, and microfilm), the fee for copies is based on the actual cost of reproduction.

(3) Certification of Copies. If a person requests that a copy of a record be certified as a true copy, an additional fee of 75 cents per page shall be charged.

(4) Minimum Fee Charged. A charge is not made if the total amount of the fee would be \$1 or less.

B. Notwithstanding §A of this regulation, if the fee for copies, printouts, photographs, or certified copies of a record are specifically prescribed by a law other than the Act or this regulation, the prescribed fee shall be charged.

C. If the custodian is unable to copy a record within the Department, the custodian shall make arrangements for the prompt reproduction of the record at public or private facilities outside the Department. The custodian shall either collect from the applicant a fee to cover the actual cost of reproduction or direct the applicant to pay the cost of reproduction direct to the facility making the copy.

D. Before copying a record, the custodian shall estimate the cost of reproduction and either obtain the agreement of the applicant to pay the cost or demand prepayment of any estimated fee before reproducing the record.

E. Except as provided in §F of this regulation, the official custodian may charge reasonable fees for official or employee time expended searching for requested records or for any time expended preparing records for inspection and copying.

F. The official custodian may not charge any search or preparation fee for the first 2 hours of official or employee time that is needed to respond to a request for information.

G. Upon request, the official custodian may waive or reduce any fee charged pursuant to this regulation if the custodian determines that the waiver or reduction is in the public interest. The official custodian shall consider, among other relevant factors, the ability of the applicant to pay the cost or fee.

H. If the applicant requests that copies be mailed or delivered to the applicant, the custodian may charge the applicant for the cost of postage or delivery to the applicant.