

Rhode Island Public Transit Authority Policies and Procedures for Requests for Access to Public Records

The Rhode Island Public Transit Authority (“RIPTA” or the “Authority”) adheres to the Access to Public Records Act, R.I. Gen. Laws §§ 38-2-1, *et. seq.*, (“APRA” or the “Act”) and has instituted the following policies and procedures for the public to obtain public records maintained or held by RIPTA.

Disclosure of Records

RIPTA is committed to providing the public with access to public records in an expeditious and courteous manner.

It is the RIPTA’s policy that all records maintained or held by the Authority are to be made available for public inspection and/or copying unless exempted by state or federal law, regulation, rule of court, or unless otherwise ordered by a court of competent jurisdiction.

No original records shall be removed from the location of inspection by the requestor. The inspection of public records must be accomplished in a manner that will provide for general supervision by authorized RIPTA staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action which may impair the integrity of the public record.

Pursuant to R.I. Gen. Laws § 38-2-13, all records initially deemed to be public records that any person may inspect and/or copy will continue to be considered public records whether or not subsequent court action or investigations are held pertaining to the matters contained in the records.

RIPTA is not required to reorganize, consolidate, or compile data not maintained by the Authority in the form requested at the time of the request, except to the extent that such records are in electronic format and RIPTA would not be unduly burdened by providing such data.

RIPTA is not obligated to interpret or otherwise describe or comment on the information provided.

In the event that RIPTA determines that the requested records are exempt from disclosure for a reason set forth in the Act, RIPTA shall provide to the requesting party the reasons for the denial of the request, as well as the procedure for appealing the denial.

If RIPTA receives a request for records that do not exist or are not within its custody or control, the Authority will in responding to the request state that it does not have the requested records.

Procedures for Requesting Public Records

All requests for public records should be directed to the following:

Rhode Island Public Transportation
Attn: Public Records Officer
705 Elmwood Ave.
Providence, RI 02907
Telephone: 401-784-9500 ext 171
Facsimile: 401-784-9513
Email: PublicRecordsOfficer@RIPTA.com

A sample request letter is attached as Exhibit A. The requesting party is not required to provide identification or the reason for the request, and the right to access public records will not depend upon providing such identification or the purpose for the request. However, in the event that RIPTA is not provided with appropriate contact information, such as a telephone or facsimile number, mailing address or email address, any response to a request will be made available at the front desk of RIPTA at the address given above during normal business hours in accordance with applicable law.

RIPTA's regular business hours are Monday through Friday, 8:30 a.m. – 4:30 p.m., excepting state and federal holidays. Any request received after regular business hours, shall be deemed to have been received on the next following business day.

To reach RIPTA by telephone with any questions about how to make a request for public records, please call 401-784-9500 and ask to be connected to Public Records Officer.

A request for public records must reasonably describe the records sought in a way that will permit their identification and retrieval by RIPTA personnel.

If the description of the records sought in a request is not sufficient to allow RIPTA to identify and locate the requested records, RIPTA will notify the requesting party that additional information is needed in order to fulfill the request.

It is the requesting party's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome, and to enable the Authority to determine precisely which records are being requested. RIPTA may discuss with the requesting party the extent to which the scope of the request can be narrowed to serve these purposes.

RIPTA will make every reasonable effort to honor the request within ten (10) business days after receiving the request. Should it appear that the request cannot be honored within ten (10) business days, RIPTA will explain in writing the reasons needed for up to an additional twenty (20) business day period to comply with the request. Further, as discussed below, RIPTA may require pre-payment, which may delay the production of records.

Delivery of Records

At the option of the requesting party, RIPTA will provide copies of public records electronically, by facsimile or by mail, unless complying with that preference would be unduly burdensome to the Authority due to the volume of records requested or the costs that would be incurred.

The requesting party will be responsible for the actual cost of delivery, if any.

Cost

RIPTA may charge a fee not to exceed fifteen cents (\$0.15) per copied page for records that can be copied on common business or legal size paper.

RIPTA may charge no more than the reasonable actual cost for providing electronic records or retrieving records from storage where RIPTA has been assessed a retrieval fee.

A reasonable charge may be made for the search and retrieval of records. Hourly charges for a search and retrieval may not exceed fifteen dollars (\$15.00) per hour, but no costs will be charged for the first hour of a search or retrieval.

Upon request, RIPTA will provide an estimate of the costs. RIPTA may require that the requesting party pre-pay the estimated costs prior to engaging in the search and retrieval of records. As permitted by the Act, the production of records will not be deemed untimely if the Authority is waiting receipt of payment for costs properly charged under the Act.

Upon request, RIPTA will provide a detailed itemization of the costs charged for the search and retrieval of records.

To the extent that redaction of records is necessary to protect exempted information, the requesting party shall be responsible for the cost of redacting the records. The cost for such redaction shall not exceed fifteen dollars (\$15.00) per hour.

If the estimated costs are twenty dollars (\$20.00) or more for identification, search, retrieval, redaction and/or delivery of records then pre-payment shall be required to be made.

All payments are to be made in the form of a money order or certified check and made payable to RIPTA, c/o: Finance Department, 705 Elmwood Ave., Providence, Rhode Island 02907. Payments must be accompanied by sufficient written information referencing the public records request to ensure proper crediting of funds.

EXHIBIT A

SAMPLE REQUEST LETTER

Rhode Island Public Transportation Authority
Attn: Public Records Officer
705 Elmwood Avenue
Providence, Rhode Island 02907
Telephone: 401-784-9500 ext. 171
Facsimile: 401-784-9513
Email: PublicRecordsOfficer@RIPTA.com

Dear Public Records Officer:

Pursuant to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 et seq., I am requesting access to records, which I believe are public documents. Specifically, I am requesting records relating to **[be as specific as possible about your request]**.

In accordance with R.I. Gen. Laws § 38-2-7, the Rhode Island Public Transit Authority has ten (10) business days to provide the requested documents or to notify me in writing the specific reasons for denying me access to the requested records. If the exemption you are claiming applies only to a portion of the records that I seek, please delete that portion and provide photocopies of the remainder of the records. See R.I. Gen. Laws § 38-2-3(b). I understand that for “good cause” the ten (10) business day time period may be extended for an additional twenty (20) business days, provided that I am notified of the “good cause” in writing within the original ten (10) business days of my request.

I also agree to pay a maximum of \$0.15 per page for the cost of photocopying and a maximum of \$15.00 per hour for search and retrieval, with the first hour being free. Please notify me at the following phone number or address when the requested records are available for pickup.

Thank you for your assistance in this matter.

Sincerely,

Name, address, and telephone number **[optional]**