

CHAPTER 477

PUBLIC RECORDS - - FEES FOR PROVIDING, COPYING, ETC.

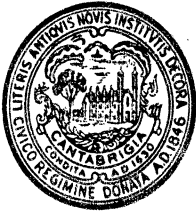
An act establishing the fee to be charged for furnishing certain public records.

Be it enacted, etc., as follows:

Paragraph (a) of section 10 of chapter 66 of the General Laws, as appearing in chapter 294 of the acts of 1978, is hereby amended by adding the following sentence: - The following fees shall apply to any public record in the custody of the state police, the capitol police, the Massachusetts Bay Transportation Authority police, the metropolitan district commission police or any municipal police department or fire department: for preparing and mailing a motor vehicle accident report, five dollars for not more than six pages and fifty cents for each additional page; for preparing and mailing a fire insurance report, five dollars for not more than six pages plus fifty cents for each additional page; for preparing and mailing crime, incident or miscellaneous reports, one dollar per page; for furnishing any public record, in hand, to a person requesting such records, fifty cents per page. A page shall be defined as one side of an eight and one-half inch by eleven inch sheet of paper.

Approved November 19, 1982, effective by act of Governor.

November 23, 1982.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

Tel. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

February 27, 1984

TO: ALL DEPARTMENT HEADS

Attached please find a copy of 950 Commonwealth Mass. Regulations: Office of the Secretary of the Commonwealth, outlining standard fee structures for copies of public records. Section 32.06(a) states "for copies of public records no more than twenty cents per page can be charged". Strict adherence to the above regulation must be carried out.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf

(1) Except where fees for copies of public records are prescribed by statute, a governmental entity shall charge no more than the following fees for copies of public records:

(a) for photocopies of a public record no more than twenty cents per page;

(b) for copies of public records maintained on microfilm or microfiche no more than twenty-five cents per page;

(c) for requests for non-computerized public records which take more than twenty minutes to complete, a prorated fee of six dollars per hour for search time and segregation time expenses, as defined by 950 CMR 32.03, may be assessed. In addition, a per page copying fee under 950 CMR 32.06(1)(a) and 950 CMR 32.06(1)(b) may be assessed;

(d) for computer printout copies of public records no more than fifty cents per page;

(e) for a search of computerized records the actual cost incurred from the use of the computer time may be assessed;

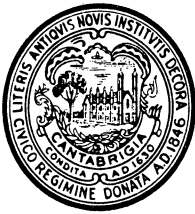
(f) for copies of public records not susceptible to ordinary means of reproduction, the actual cost incurred in providing a copy may be assessed.

(2) Estimates. A custodian shall provide, a written good faith estimate of the applicable copying, search time and segregation time fees to be incurred prior to complying with a public records request where the total costs are estimated to exceed ten dollars.

(3) Postage. A custodian may assess the actual cost of postage.

(4) Inspection of Public Records. A custodian may not assess a fee for the mere inspection of public records, unless compliance with such request for inspection takes more than 20 minutes in which case a fee under 950 CMR 32.06(1)(c) may be assessed.

(5) Waiver of Fees. Every custodian, unless otherwise required by law, is encouraged to waive fees where disclosure would benefit the public interest.



CITY OF CAMBRIDGE

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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

March 12, 1984

To the Honorable, the City Council:

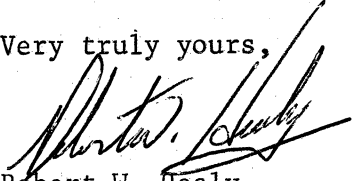
In response to Awaiting Report Item No. 2, a survey of operating departments indicated that the following departments were charging in excess of the maximum allowable rates for copying of public records:

Assessors	Inspectional Services
Traffic and Parking	Police (Authority Chap. 477, Acts of 82)
Public Works Dept.	Fire Dept. " " " " " "

Inasmuch as the fees charged by the above mentioned departments were found to be in excess of the Secretary of State's regulations, these departments have been ordered to cease immediately and to charge in accordance with the regulations. The exceptions are to be the Police and Fire Departments where statutory authority allows.

In addition the attached memo was circulated to all department heads and each departmental fiscal officer was contacted by phone to advise them of the Secretary of State's regulations for fees for copying public records.

Very truly yours,


Robert W. Healy
City Manager

RWH/b

Agenda Item Number Twelve

S-153

Re: response to Awaiting Report Item No. 2
regarding fees charged for photocopying public records.

In City Council,

March 12, 1984

3/12/84

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