Division of Building Safety (DBS)
Public Records Request Policy

I. Introduction
The Public Records Law protects each citizen’s right to monitor the actions of state and local government entities by providing access to governmental records. Through the Public Records Law, the legislature continuously seeks to balance the competing interests of public access and an individual’s right to privacy by exempting certain records, or portions thereof, from the disclosure requirement.

II. Procedures
Most requests should be made in writing. Please contact the DBS at (800) 955-3044 to speak with an employee who will help you determine if a written request is necessary.

If a written request is appropriate, please use the Request for Public Records Form. Forms may be returned to the DBS via email, mail, fax, or in person.

Idaho Code §§9-337 – 9-350 contain the provisions of the Idaho Public Records Act. I.C. § 9-339 requires that public records requests be granted or denied “within three (3) working days of the date of receipt of the request for examination or copying.” If necessary, the public agency may take up to ten (10) working days to locate and retrieve the information. It is policy that as a public service agency every effort will be made by the DBS to fully comply with the Public Records Act by responding in a timely, accurate and courteous manner.

III. Fees and Charges
A fee for copying and/or actual labor costs associated with locating and copying documents may be established and/or charged if (1) the document exceeds 100 pages or (2) non-public information must be redacted (deleted) or (3) actual labor to respond to the request exceeds two (2) hours. § 9-338(10) (c), Idaho Code, provides that the fee charged for copying "may not exceed the actual cost to the agency of copying the record”.

Necessary costs will be applied in compliance with the guidelines set forth in the Act. If a copying or labor fee is to be charged, the following policies will apply:

A. There shall be no charge for providing copies of records that total 100 pages or less. A per page cost of ten cents ($.10) will be charged for each copied document in excess of 100 pages.
B. A labor fee will be charged if the agency is providing more than 100 pages of paper records or doing two (2) hours or more if work to complete the request. This fee shall be charged at the per hour rate of the lowest paid employee who is qualified to process the request.
C. If the request requires redactions to be made by the agency’s attorney, a fee may be charged in accordance with the Idaho Public Records Law Manual.
D. If records must be pulled from archive storage a minimum labor fee of $12.00 per box will be charged.
E. Postage costs may be charged, if mailed.
F. Payment is expected prior to filling the request for the public record. Payment shall be by cash or check only.

A requester may not file multiple requests for public records to avoid payment of fees. The agency may aggregate requests and charge the appropriate fees.

The agency shall not charge any fees for labor or copies when the requester demonstrates the examination and/or copying of records:
   A. Is likely to contribute significantly to the public’s understanding of the operations or activities of the government;
   B. Is not primarily in the individual interest of the requester including, but not limited to, the requester’s interest in litigation in which the requester is or may become a party;
   C. Will not occur if fees are charged because the requester has insufficient financial resources to pay such fees.

IV. Denial of Request
A public record request may be denied in whole or in part only by the administrator of the agency or his/her designee; and only after legal consultation (i.e. Office of Attorney General). Such determination must be provided in writing to the requester stating the statutory authority for denial, stipulating clearly the right to appeal and the time for doing so.

V. Important Links
Idaho Public Records Law Manual
DBS Request for Public Records Form