

Public Disclosure and GIS Digital Data in Washington

WA-URISA Conference

April 6, 2004

[Dave Rideout](#)

(509) 477-7251

David Rideout
Spokane County
Public Works Department
Division of Engineering and Roads
Geographic Information Manager

1026 W. Broadway Ave.
Spokane WA 99206

I. [Public Disclosure Act \(RCW 42.17.250 through 42.17.348\)](#)

“The people insist on remaining informed so that they may maintain control over the instruments that they have created. The public records subdivision of this chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy.”

[RCW 42.17.251 Construction.](#)

[RCW 42.17.258 Disclaimer of public liability.](#)

[RCW 42.17.310 Certain personal and other records exempt.](#)

Numerous exemptions in 42.17.312 through 42.17.31918

II. *Thomas Drummond v. City of Bellevue,*

King County Superior Court Cause No. 93-2-22537-7

Judge ruled that, under the Public Disclosure Act, the GIS data systems of the City of Bellevue were subject to full public disclosure.

[[Halfway down page - III. Public Disclosure of Geographic Information Systems](#)]

III. Office of the Attorney General

[Obtaining Public Records on-line brochure](#)

IV. Public Records WACs

Washington Administrative Code provides direction to State Agencies regarding public access to information and records through compliance with the Public Disclosure Act.

a. Title 136 WAC – County Road Administration Board

[WAC 136-03-010 Purpose and authority.](#)

[WAC 136-03-020 Public records officer.](#)

[WAC 136-03-030 Public records available.](#)

b. Title 226 WAC – Freight Mobility Strategic Investment Board

[WAC 226-02-010 Purpose.](#)

[WAC 226-02-020 Public records officer.](#)

[WAC 226-02-030 Public records available.](#)

c. Title 332 WAC – Natural Resources Board, and Department of

[WAC 332-10-010 Purpose of rules.](#)

[WAC 332-10-050 Public records available.](#)

[WAC 332-10-060 Public records officer for the department of natural resources.](#)

d. Title 468 WAC – Transportation, Department of

[WAC 468-06-010 Purpose.](#)

[WAC 468-06-050 Public records officer.](#)

[WAC 468-06-060 Public records available.](#)

e. Title 480 WAC – Utilities and Transportation Commission

WAC 480-04-010 Purpose. Repealed by 92-07-006

[WAC 480-04-070 Public records officer.](#)

[WAC 480-04-060 Public records available; hours for inspection and copying.](#)

V. [Statement from WA DNR Public Disclosure Coordinator](#)

“The Public Disclosure Act applies to all public entities, including local and state government agencies. It applies to DNR in the same manner and to the same extent as it does to any other agency.”

VI. [“How to request public data”, Schlosser Geographic Systems, Inc.](#)

Provides enlightening advice from a Seattle-based GIS Mapping company regarding obstacles in obtaining digital data and maps from public agencies.

VII. County Road RCWs

Powers regarding county roads exercised under the supervision and direction of the county road engineer and the records kept at that office shall be public records.

a. 36.75 – Roads and Bridges – General Provisions

[RCW 36.75.020 County roads -- ... -- Standards.](#)

[RCW 36.75.050 Powers -- How exercised.](#)

b. 36.80 – Roads and Bridges – Engineer

[RCW 36.80.015 Office at county seat.](#)

[RCW 36.80.040 Records to be kept.](#)

VIII. Miscellaneous County Code

County Codes provide direction to County Agencies regarding public access to information and records through compliance with the Public Disclosure Act.

a. [Spokane County Code Chapter 1.42](#)

– Inspection and copying of Public Records

b. [Pierce County Code Chapter 2.04](#)

– Public Records Inspection and Copying Procedures

IX. Miscellaneous Municipal Code

City Codes provide direction to City Agencies regarding public access to information and records.

a. [Charter of the City of Tacoma Section 9.2](#)

– Public Records

b. [Seattle Municipal Code Chapter 3.02.070](#)

– Public Information

X. [Sample Letter of Understanding, Navigation Technologies, Inc.](#)

“In order to avoid any possible misunderstanding, we understand that the GIS Data you are providing is owned by Spokane County and that the County considers the GIS Data to be “public record information”, which the County has made available to distribute to any requesting party.”

XI. [Request for Public Records Form, Spokane County](#)

Although not required by the Public Disclosure Act, many agencies have adopted official simple forms for the request for public records.

XII. [City of Federal Way – GIS Map and Data Request Process](#)

Published public record request process.

XIII. Associated Press statewide audit (2001)

[State audit: Public records often more closed than open in Washington](#)

Washington – Your right to know

[Project sought to test public’s access to records](#)

[Audit finds that compliance with open records law is a sometime thing](#)

[Tips make record gathering easier](#)

XIV. [Public Records Disclosure](#)

for Washington Cities and Towns

Municipal Research & Services Center

March 1996, Report No. 34

Page 31 – GIS Data requested for Commercial or Non-Commercial Purposes

XV. Guillen v. Pierce County

Case to US Supreme Court

Dealing with Accident Records

RCW 46.52.80 – Confidentiality of (Accident) Reports

RCW 42.17.310 1j – Exemption for Records relevant to a controversy
23 U.S.C. sec. 152 – (Highway) Hazard Elimination Program
23 U.S.C. sec. 409 – Materials “compiled” for 152 not admissible
[U.S. Supreme Court Syllabus and Opinion](#)
[Washington State Supreme Court Opinion](#)