RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULE:
Subchapter 9 Inspection and Copying of Final Orders, Decisions, Opinions and Open Records
595:1-9-3 Records of the Department of Public Safety [Amended]
595:1-9-3.1 Retention and Destruction of Department Records [New]
595:1-9-4 Fees established by the Department pursuant to law [Amended]
595:1-9-5 Obtaining open records [Amended]

SUMMARY:
Theses amended rules will clarify definitions pertaining to records of the Department. The amendments provide direction to the agency as to the time limits of Department records are to be maintained prior to being destroyed. They further instruct citizens in obtaining said records.

AUTHORITY:
Commissioner of Public Safety; 47 O.S. § 6-101, et seq.

COMMENT PERIOD:
Interested persons may present their views or questions regarding these rules in writing to the contact person referenced below. Comments will be accepted up to the close of the public hearing.

PUBLIC HEARING:
A public hearing regarding these proposed rules will be held at 3:00 P.M., January 6, 2015 in the Robert R. Lester Training Center, Class Room C, 3600 N. Martin Luther King Ave., Oklahoma City, OK. Anyone who wishes to speak must sign in at the door by 3:05 P.M.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:
Any business entity affected by these proposed rules is requested to provide the Department of Public Safety, in writing to the contact person and within the comment period or at the public hearing, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred due to compliance with theses proposed rules.

COPIES OF PROPOSED RULES:
A copy of the proposed rules may be obtained from the Department’s website, http://www.dps.state.ok.us/rules/ or from the contact person.

RULE IMPACT STATEMENT:
A Rule Impact Statement for the proposed rules will be prepared, as required by 75 O.S. § 303(D), and will be posted on the Internet at www.dps.state.ok.us/rules or may be obtained from the contact person.

CONTACT PERSON:
Kimberly D. Dammen, DPS Legislative Services Manager, Department of Public Safety, 3600 N. Martin Luther King Ave., PO Box 11415, Oklahoma City, OK 73136-0415. Phone: 405.425.2757. E-mail: kdammen@dps.state.ok.us
SUBCHAPTER 9. INSPECTION AND COPYING OF FINAL ORDERS, DECISIONS, OPINIONS AND OPEN RECORDS

595:1-9-3. Records of the Department of Public Safety

(a) General. The Department of Public Safety ("Department") is a "law enforcement agency," as defined under the Oklahoma Open Records Act, 51 O.S. § 24A.1, et seq., and also acts as is a "state department of motor vehicles," as used in department, as defined under the Driver's Privacy Protection Act (DPPA), 18 U.S.C. §2721, et. seq. Both of these acts place restrictions on the disclosure of Department records. These rules shall not replace, nor create, any obligation or requirement regarding the retention or disclosure of any record beyond those existing in current state and federal law.

(b) Exemptions. Records of the Department shall not be subject to the provisions of:
   (1) Sections 305 through 317 of Title 67 of the Oklahoma Statutes or be transferred to the custody or control of the State Archives Commission;
   (2) Section 590 of Title 21 of the Oklahoma Statutes; or
   (3) The Records Management Act, Sections 201 through 215 of Title 67 of the Oklahoma Statutes.

(c) Definitions. In addition to terms defined in 47 O.S. § 1-101, et seq., the following words or terms, when used in this subchapter, shall have the following meaning, unless otherwise defined or where the context clearly indicates otherwise. Use of the singular term includes the plural, and use of the plural term includes the singular.

   (1) "Record" means all documents, including, but not limited to, any book, paper, photograph, microfilm, data files created by or used with computer software, computer tape, disk, record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of the Department of Public Safety, or its representatives in connection with the transaction of public business, the expenditure of public funds or the administering of public property. Any document or other material specifically excluded from the definition of "Record" in the Oklahoma Open Records Act, 51 O.S. § 24A.1, et seq., shall not be considered a "record" under this definition.

   (2) "Ancillary record" means any record that is routine in nature, having no material connection with a motor vehicle record, the transaction of public business, the expenditure of public funds or the administering of public property. Such records have neither evidential nor informational value beyond the immediate use for which the record was created or received.

   (3) "Motor vehicle record" means a driving record, a motor vehicle report, and any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by the Department of Public Safety.

(bd) Records open for inspection. All records of the Department, as defined herein, other than ancillary records, or records declared by law to be confidential, or any record or information not subject to the Oklahoma Open Records Act, or any record to which access has been denied pursuant to the Department's statutory authority, shall be open to public inspection, copying, or mechanical reproduction during regular business hours, which are not designated as confidential by any provision or requirement of Oklahoma law, federal law or regulation, or rule of the Department [OAC 595], and which are kept in connection with the transaction of public business, expenditure of public funds, or the administering of public property are open records.
(e) **Records not open for inspection.** Records that are required by state and/or federal law to be confidential shall not be disclosed or open to inspection. In addition, the Department may deny access to certain records including, but not limited to, the following:

1. Law enforcement records, except where a court finds that the public interest or the interest of an individual outweighs the reason for denial;
2. Where access is denied pursuant to the Department's statutory authority;
3. Personnel records, where disclosure would constitute a clearly unwarranted invasion of personal privacy;
4. Internal personnel investigations;
5. Personal information within motor vehicle records. "Personal information" means information which identifies a person, including but not limited to, a photograph or image in a digitized or electronic format, social security number, residence address, mailing address, and medical or disability information. Records which contain personal or confidential information obtained in connection with a person's driver license, if kept in any form, are not open records, including, but not limited to:
   - Legal documents and materials prepared in anticipation of litigation and records protected by the state evidentiary privilege, including investigatory reports. These records are confidential and will not be released pursuant to the Open Records Act Minutes of meetings lawfully closed to the public, such as executive sessions as authorized by the Open Meeting Act [24 O.S. § 301 et seq.; 51 O.S. § 24A.5,1,b];
   - Records that, if disclosed, would give an unfair advantage or disadvantage to competitors; [51 O.S. § 24A.10,B]
6. Minutes of meetings lawfully closed to the public, such as executive sessions as authorized by the Open Meeting Act [24 O.S. § 301 et seq.; 51 O.S. § 24A.5,1,b];
   - Records that, if disclosed, would give an unfair advantage or disadvantage to competitors; [51 O.S. § 24A.10,B]
7. Confidential information obtained in connection with a person's driver license;
8. Implied consent audio tapes in actions which are set aside by the hearing officer.
9. Information concerning an individual where the driver license number or the name and date of birth is not provided;
10. the requestor is not a lawful recipient;
11. Collision reports, except to lawful recipients under 47 O.S. § 40-102 or § 6-117 or under rules of this subchapter.
14. Information contained on the Department's mainframe which would require programming or reprogramming in order to produce.
15. Magnetic tapes, reels, or computer disks which contain confidential or privacy information.
16. Citizen complaints prior to final disposition.
17. Radio logs other than those applicable to a specific event.

(d) **Destruction of records.** Records of the Department shall be deemed no longer of value to the Department and may be destroyed pursuant to the conditions specified in this subsection; provided, nothing in this subsection shall compel the Department to destroy any record.

1. **Record of conviction.**
   
   A. Any record of conviction of a holder of a Class D license or of an unlicensed operator of a Class D motor vehicle may be destroyed after five (5) years from the date of conviction.
   
   B. Any record of conviction of a holder of a Class A, B, or C commercial driver licensee or of an operator of a Class A, B, or C commercial motor vehicle who is not
licensed to operate such vehicle may be destroyed after ten (10) years; provided, any conviction for a major offense, as defined in 47 O.S., § 6-205.2, may not be destroyed until at least fifty-five (55) years from the date of conviction.

(2) Record of Department action. A record of Department action against any operator of a motor vehicle may be destroyed after five (5) years from the date of reinstatement or other closure of the action; provided, any Department action against a holder of a Class A, B, or C commercial driver licensee or against an operator of a Class A, B, or C commercial motor vehicle who is not licensed to operate such vehicle may not be destroyed until at least fifty-five (55) years from the date of reinstatement or other closure of the action.

(3) Collision reports and incident reports. A collision report or an incident report may be destroyed after five (5) years from the date the investigation of the collision or incident was completed.

(4) Other records related to driving privileges. Any other record related to driving privileges of a person may be destroyed after five (5) years from the last activity related to the record.

(5) Personnel records. Personnel records of a Department employee may be destroyed seven (7) years after the final date of employment.

(6) Other records. Any other record of the Department may be destroyed seven (7) years after the last activity related to the record.

595:1-9-3.1 Retention and Destruction of Department Records

(a) General. Records that are no longer of value to the Department in carrying out the powers and duties of the Department may be destroyed pursuant to the conditions specified in this subsection; provided, nothing in this subsection shall compel the Department to destroy any record. In the event there is uncertainty or ambiguity regarding what category or retention period applies to a particular record, the Commissioner of Public Safety, or the Commissioner’s designee, shall make the final determination.

(b) Records Retention and Disposal Schedule.

(1) Conviction.

(A) Any record of conviction of a holder of a Class D license or of an unlicensed operator of a Class D motor vehicle shall be retained for ten (10) years after the date of conviction.

(B) Any record of conviction of a holder of a Class A, B, or C commercial driver license or of an operator of a Class A, B, or C commercial motor vehicle who is not licensed to operate such vehicle shall be retained for ten (10) years; provided, any conviction for a major offense, as defined in 47 O.S. §6-205.2, shall be retained for fifty-five (55) years after the date of conviction.

(2) Department action. A record of Department action against any operator of a motor vehicle shall be retained for ten (10) years after the date of reinstatement or similar action; provided, any Department action against a holder of a Class A, B, or C commercial driver license or against an operator of a Class A, B, or C commercial motor vehicle who is not licensed to operate such vehicle shall be retained for fifty-five (55) years after the date of reinstatement or similar action.

(3) Collision reports and incident reports. A collision report or an incident report created or submitted by a law enforcement officer shall be retained for five (5) years after the date the investigation of the collision or incident is completed.
(4) **Other records related to driving privileges.** Any other record related to the driving privileges of a person shall be retained for ten (10) years after the date of the last activity relating to the record.

(5) **Personnel records.** Personnel records of a Department employee shall be retained for the term of employment plus an additional ten (10) years, unless a different time period is specified.

   (A) **Applications, resumes and materials submitted for Employment-Not Hired.** Records shall be retained for one (1) year after receipt by the Department.

   (B) **Applicant/Employee Drug Testing Records.** Records shall be retained for five (5) years after the date the test was administered to the applicant/employee.

   (C) **Discipline Records.** Records of the final imposition of informal and formal discipline shall be retained for the term of employment plus an additional ten (10) years.

   (D) **Graded examinations.** Examinations administered to Department employees, and the results of such examinations, shall be retained for the term of employment of the person tested plus an additional five (5) years.

(6) **Fitness for Duty Evaluations.** Records shall be retained for the term of employment plus an additional ten (10) years.

(7) **Audio and video recordings of the Department.**

   (A) Audio and video recordings of, or created solely for (1) training events, (2) maintenance or testing purposes, or (3) capability demonstrations, may be destroyed when no longer of value to the Department.

   (B) Audio and video recordings other than those listed in subsection 7(A) above, shall be maintained for three (3) years after the recorded event was captured.

(8) **Ancillary records** may be destroyed when no longer of immediate value to the Department.

(9) **Records relating to aircraft.** Records specified in 17 CFR § 91.417, such as records of maintenance, preventive maintenance, and inspections, shall be retained for the life of the aircraft.

   (A) All records specified in 14 CFR § 91.417(a)(1) shall be retained until the work is repeated or superseded by other work or for one (1) year after the work performed.

   (B) All records specified in 14 CFR § 91.417(a)(2) shall be retained and transferred with the aircraft at the time the aircraft is sold. The Department shall retain a copy of such records for five (5) years after the date of sale.

(10) **Property records.**

   (A) **Inventory.** Records relating to physical property, equipment, and materials shall be retained until the property is properly transferred or disposed of, plus an additional five (5) years.

   (B) **Evidentiary or Asset Forfeiture.** Records shall be retained until the case is closed plus an additional ten (10) years.

   (C) **Seized/confiscated property.** Records shall be retained until all seized property has been disposed of plus an additional one (1) year.

(11) **Use of Force Reports.** Records shall be retained for three (3) years after the date the report is created.

(12) **Administrative Investigations.** Records relating to administrative or internal investigations conducted by the Department shall be retained until the investigation is closed plus an additional three (3) years.
(13) **Criminal Investigative Files.** Records relating to criminal investigations conducted by the Department shall be retained until the investigation is closed plus an additional five (5) years.

(14) **Commercial Motor Vehicle Enforcement Records.** Records shall be retained for three (3) years after the date the record is created.

(15) **Driver License/Identification card.** Records relating to the application or issuance of a driver license or identification card, to include original application, issuance and history related information, compliance and enforcement actions, driver license photo files, driver license updates, medical and vision files; waivers, etc. shall be retained for fifty-five (55) years from the date of the last activity relating to the record.

(16) **Training Records.** Instructional materials, such as curricula, outlines, syllabuses, audio or visual training aids, handouts, computer presentations and other records associated with in-house training of Department personnel on policies and procedures, operations, job performance and other activities relating to the Department’s programs, services, or projects, shall be retained until superseded plus an additional ten (10) years.

(17) **Instructor certification.** Records shall be retained for the term of employment of the instructor plus an additional five (5) years.

(18) **Graded examinations.** Examinations administered to the public by the Department, whether graded or in the nature of a pass/fail examination, shall be retained until no longer needed by the Department.

(19) **Policies and Procedures.** Records relating to any internally posted or distributed manuals, guidelines, or similar records concerning the personnel, activity and operations of the Department, shall be retained until the record is superseded plus an additional ten (10) years.

(20) **Speed trap.** Records relating to the investigation of a speed trap shall be retained for three (3) years after the investigation is complete.

(21) **Grant Administration Information for Federal Grant Awards.** Grant awards, sub recipient agreements, expenditure details and approvals, reimbursement details and approvals, federal waiver requests, monitoring reports, and all other grant related documentation shall be retained for the current federal fiscal year plus three (3) years.

(22) **Contracts and Leases.** Records relating to contracts, leases and other binding instruments to include bid specifications, affidavits of publication of calls for bids, accepted and rejected bids, performance bonds, contracts, purchase orders, inspection reports, and correspondence, shall be retained until expiration or termination of the instrument according to its terms plus an additional seven (7) years.

(23) **Correspondence.** Records or copies of general or administrative correspondence shall be retained for one (1) year after the creation, receipt or transmittal of the record, whichever is a longer period of time.

(24) **Meeting agenda, minutes and notes.** Administrative records relating to meetings held or attended by Department personnel, to include personally created notes, shall be retained for one (1) year after the meeting is held.

(25) **Government Publications.** Internal Department publications and publications of the state or other governmental entities shall be retained until superseded or when obsolete.

(26) **Material Safety Data Sheets.** Records shall be retained until superseded or when the hazardous item is no longer stored by the Department.
(27) **Open Record Requests.** Requests for records and all related correspondence shall be retained until such request is fulfilled or denied plus an additional two (2) years. The original of any record provided in response to a record request shall be retained for the time period specified in these rules for that particular record, or for two (2) years after the request is fulfilled, whichever is longer.

(28) **Subpoenas.** Subpoenas and all related correspondence shall be retained until the subpoena has been routed to the correct custodian of records, fully complied with, withdrawn by the issuing entity, or quashed by a court. The original of any record provided in response to a subpoena shall be retained for the time period specified in these rules for that particular record, or for two (2) years after the subpoena is complied with, whichever is longer.

(29) **Public Relations Records.** Media or press releases issued by the Department shall be retained for three (3) years after being issued.

(30) **Other records.** Any other record of the Department not identified specifically herein, shall be retained for ten (10) years after the last activity related to the record.

595:1-9-4. **Fees established by the Department pursuant to law**

Pursuant to state statutes, as shown, the following fees are established by the Department of Public Safety:

(1) **Request for Motor Vehicle Report (MVR).**
   - (A) Request for a Motor Vehicle Report, $25.00 (per report) [47 O.S. §6-117(D)].
   - (B) Certified Motor Vehicle Report, $28.00 (per report) [47 O.S. §§ 2-110(B) and 6-117(D)].
   - (C) As used in this paragraph, "Motor Vehicle Report":
     - (i) shall include only pertinent data relating to a single person's record of traffic and driving offenses for the past three (3) years, as required by 47 O.S. §6-117(D),
     - (ii) shall not include any driving index required to be prepared and maintained by the Department pursuant to 47 O.S. §6-117(A), and
     - (iii) shall include a report which indicates that no driving record is on file with the Department based on the information in the request for the Motor Vehicle Report [47 O.S., §6-117(D)].

(2) **Collision report.**
   - (A) Collision report filed by an officer, $7.00 (per report) [47 O.S. §6-117(C)].
   - (B) Certified collision report filed by an officer, $10.00 (per report) [47 O.S. §§ 2-110(B) and 6-117(C)].

(3) **Other record.** Copy of a written or printed record, other than a record named in (1) or (2) of this section, no more than $0.25 per page [51 O.S. §24A.5.(3)].

(4) **Certification.** Certifying a copy of a record, other than a record named in (1) or (2) of this Section, $3.00 (per record), which shall be in addition to the copy fee per page in (3) of this Section [47 O.S.§2-110(B)].

(5) **Copy in a format other than written.** Copy of a record in a format which is not written may cost whatever is the direct cost to the Department of Public Safety for labor and expendable supplies actually used in copying [51 O.S. §24A.5.(3)].

(a) **General.** A fee shall be assessed for each individual record, or portion thereof, for recovery of the reasonable, direct costs of record copying, or mechanical reproduction.
(b) **Search fees.** If a request for records is either solely for commercial purposes or would clearly cause excessive disruption of the essential functions of the Department, a search fee may be charged to recover the direct cost of record search and copying.

(c) **Fee amounts.**

1. A record produced on a single sheet of paper with dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller: $0.25 per page. [51 O.S. §24A.5(3)]
2. Motor vehicle report: $25.00 per report. [47 O.S. § 6-117(D)]. Persons sixty-five (65) years of age or older shall not be required to pay a fee for their own Motor Vehicle Report furnished by the Department or tag agent.
3. Certified Motor Vehicle Report: $28.00 per report. [47 O.S. §§ 2-110(B) and 6-117(D)]
4. Collision report on file with the Department: $7.00 per report. [47 O.S. § 6-117(C)]
5. Certified collision report on file with the Department: $10.00 per report.[47 O.S. §§ 2-110(B) and 6-117(C)]
6. Certified copy of a record, other than a Motor Vehicle Report or a Collision report: $3.00 per report. [47 O.S. § 2-110(B)]
7. Compact disc (CD), DVD or similar optical storage disc: $2.50 per disc.
8. Search fee: The amount of the fee shall be for the cost of materials and labor directly attributable to fulfilling the request. [51 O.S. § 24A.5(3)(b); Okl. Atty. Gen. Opinion 1996 OK AG 26]
9. For any other record not specified herein, a fee may be assessed for recovery of the reasonable, direct costs of record copying or mechanical reproduction.

(d) **Motor vehicle report.** As used in this Chapter, "Motor Vehicle Report" is defined as:

1. A summary of the driving record of the person, including the enumeration of any motor vehicle collisions, reference to convictions for violations of motor vehicle laws, and any action taken against the privilege of the person to operate a motor vehicle, as shown by the files of the Department for the three (3) years preceding the date of the request. [Ref. 47 O.S. § 6-117(D)]
2. "Motor Vehicle Report" shall also include a report which indicates that no driving record is on file with the Department of Public Safety based on the information in the request for a Motor Vehicle Report.
3. "Motor Vehicle Report" shall not include any driving index required to be prepared and maintained by the Department pursuant to 47 O.S. § 6-117(A).
4. Persons sixty-five (65) years of age or older shall not be required to pay a fee for their own Motor Vehicle Report furnished by the Department or tag agent.

(e) **Format.** The final format in which a record will be produced shall be determined by the Department. If the Department does not maintain a record in an electronic or computerized format, the Department shall not be required to convert a record to any particular electronic format for the convenience of the person requesting record. [Okl. Atty. Gen. Opinion 2006 OK AG 35].

595:1-9-5. Obtaining open records

(a) **In-person.** Open records may be obtained from 8:00 A.M. to 4:00 P.M., Monday through Friday, excluding holidays, from the Records Management Division, Room 206, Department of Public Safety, 3600 North Martin Luther King Avenue, Oklahoma City, Oklahoma. A Motor Vehicle Report may be obtained from a motor license agent.
(b) **Written requests.** To ensure accuracy of a record request, a request for any Department open record shall be submitted in writing to the Records Management Division, in one of the following manners:

1. **United States mail.** Mailing address is: Department of Public Safety, Records Management Division, P.O. Box 11415, Oklahoma City, Oklahoma 73136-0415.
2. **Other mail delivery service.** Mailing address is: Department of Public Safety, Records Management Division, 3600 North Martin Luther King Avenue, Oklahoma City, Oklahoma 73111.

(c) **Mailing records.** The Department will provide copies of records by first-class United States mail unless the person requesting the record provides to the Department an alternative prepaid return mail delivery service. Pre-payment must be guaranteed and verifiable with the mail delivery service. The Department reserves the right to provide copies of records by first-class United States mail if pre-payment is not guaranteed or verifiable.

(d) **Electronic delivery of records.** The Department may provide certain records by electronic delivery, at its discretion. For the purposes of this subsection, "electronic delivery" shall mean delivery of a digitized or computerized file to the requesting person, entity, or agency by e-mail, hypertext transfer protocol, or file transfer protocol, or on physical media.

(a) **General guidelines.** Requests for records of the Department, as defined in 595:1-9-3, will be made available in accordance with rules 595:1-9-1 through 595:1-9-6. In the event there is a conflict between these rules and any applicable state or federal law, state or federal law will govern access. The Department requires persons making a request to inspect or obtain a copy of a record to submit such request in writing and describe the records with reasonable specificity. Requests may be submitted to the Department in person, by mail, facsimile, or email. Fees and charges may be collected for copies, certification, searches and other activities relating to records as allowed by law and in accordance with these rules. Requests that do not comply with these rules may not be fulfilled.

(b) **Subpoena.** Records sought pursuant to a subpoena or other court order will be processed in accordance with applicable state and federal law and court rules.

(c) **Principal place of business.** Records may only be obtained from the principal place of business of the Department of Public Safety, located at 3600 North Martin Luther King Avenue, Oklahoma City, OK 73111. However, a Motor Vehicle Report may be obtained from either the Department or from a motor license agent.

(d) **Availability.** Requests will be processed, and records will be made available, only during regular business hours. Regular business hours shall include only those dates and times that the Department is open to the public, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. Requests are processed in the order they are received by the Department; however, certain records may not be available until they have undergone a review by the Department's Legal Division.

(e) **Written requests.** A request for any Department record made pursuant to the Oklahoma Open Records Act, 51 O.S. § 24A.1, et seq., shall be submitted in writing to the Department, describing in as much detail as possible, the nature and extent of the record(s) being sought. Requests that are not in writing or that fail to provide sufficient information to allow the Department to identify the record will not be fulfilled. Requests may be submitted by one of the following methods:

1. **Hand delivery.** Requests may be presented in-person to the Department of Public Safety, 3600 North Martin Luther King Avenue, Oklahoma City, OK 73111.
(2) **United States mail.** Requests may be mailed to: Department of Public Safety, Attn: Legal Division, P.O. Box 11415, Oklahoma City, OK 73136-0415
(3) **Facsimile.** Requests shall be faxed to (405) 425-2660. Requestors shall clearly mark the facsimile with “Open Record Request.”
(4) **Electronic Mail (email).** Requests may be sent to the Department via electronic mail (email) to: recdmgmt@dps.state.ok.us. Requestors shall put “Open Record Request” in the subject line.

(f) **Delivery of records.**
(1) Any applicable costs or fees charged pursuant to these rules shall be paid prior to the delivery of any record. The Department will not fulfill a request until all applicable fee and costs have been paid.
(2) Records will be delivered to the requestor via U.S. Mail or may be made available for pick up at the Department's principal place of business. Some records may be made available through a third-party web-based service and may involve a fee for the use of such service.

(A) **Records less than seven (7) pages.** Records consisting of less than seven (7) pages will be delivered at no cost via U.S. Mail, to the address provided by the requestor.

(B) **Record seven (7) pages or more.** Records consisting of seven (7) or more pages, and records produced on an optical disc (CD or DVD) or similar storage media, must be picked up in person from the Department's principal place of business, unless the requestor provides the Department with a self-addressed, postage paid envelope or container.

(C) **Electronic delivery of records.** At its discretion, the Department may make certain records available via electronic means. For the purpose of this subsection, "electronic delivery" shall mean delivery of a digitized or electronic file to the requestor via email or by providing access to the record through a hyperlink.

(D) **Third-party web service.** Some records may be made available to authorized recipients through a third-party web service. Use of this service may require payment of a fee or charge that is separate from any fee or charge imposed by the Department.