

# PORT AUTHORITY OF ALLEGHENY COUNTY

## RIGHT-TO-KNOW POLICY

In accordance with the applicable provisions of Pennsylvania's Right-to-Know Law, 65 P.S. § 67.101, *et seq.* (the "Law"), it is the policy of the Port Authority of Allegheny County (the "Authority") that the following procedures be followed for requests for records made pursuant to the Law:

1. All requests for records must be in writing, signed by the requester, along with his/her home address and telephone number. The Authority is required to provide a requester with access to a public record only if the requester is a legal resident of the United States or an agency thereof that requests a record pursuant to the Law.

2. All requests for public records of the Authority shall be specific in identifying and describing each public record requested. Requesters may use the sample request form available on the website of Pennsylvania's Office of Open Records, <http://openrecords.state.pa.us/>. In no case shall the Authority be required to create a public record which does not exist or to compile, maintain, format or organize a public record in a manner in which the Authority does not currently compile, maintain, format or organize the public record.

3. All requests for public records of the Authority must be directed to the Authority's designated Open Records Officer, between the hours of 8:00 and 4:00 p.m., Monday through Friday (except holidays), as follows:

- a. *Via hand delivery or first-class U.S. mail:*  
Port Authority of Allegheny County  
Heinz 57 Center  
345 Sixth Avenue, Third Floor  
Pittsburgh, PA 15222-2527  
Attention: Director of Legal and Consulting Services/Open Records Officer
- b. *Via facsimile:*  
(412) 237-8765  
Attention: Director of Legal and Consulting Services/Open Records Officer

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EFFECTIVE: January 1, 2009

ISSUED BY: Legal and Consulting Services Department

- c. *Via e-mail:*  
[MCetra@PortAuthority.org](mailto:MCetra@PortAuthority.org)  
Re: Right-to-Know Request

The Authority will not accept oral or anonymous requests for records and reserves the right to reject all requests not directed to the Authority's designated Open Records Officer.

4. If a written request for records is granted, the following fees may be charged to the requester:

- a. Photocopying: 25 cents (\$0.25) per single sided page.
- b. Duplication of public electronic and/or tape records: actual cost.
- c. Postage: actual cost.
- d. Specialized Documents, including drawings, blueprints, or records requiring redaction: actual cost.

The Authority may, in its discretion, waive fees and will provide electronic responses if requested by the requester, to the extent feasible.

In the event that the estimated cost of fulfilling a request submitted under the Law is expected to exceed one hundred dollars (\$100.00), the Authority's designated Open Records Officer shall obtain fifty percent (50%) of the expected cost in advance of fulfilling the request to avoid an unwarranted expense impact on the Authority's resources.

No copies of public records will be released, including by mail, without pre-payment of the fees designated above. All fees must be paid by check or money order made payable to "Port Authority of Allegheny County."

5. To the extent a requester seeks to inspect the public records of the Authority pursuant to the Law, the Authority will make its public records accessible for inspection during the Authority's regular administrative business hours in a place of the Authority's choosing and in the presence of a designated employee of the Authority. Under no circumstance will a requester be permitted to remove original public records of the Authority from the Authority's offices.

6. The Authority must provide a response to a request within five (5) business days of the receipt of a request, unless the Authority's designated Open Records Officer gives the requester written notice that additional time will be required to fulfill the request based on one or more specific conditions. The circumstances in

which the Authority may obtain an extension of time in which to provide a response are as follows:

- a. The request requires potential redaction of a public record.
- b. The request requires retrieval of a public record stored at an off-site location.
- c. A response within the five (5) business day period cannot be accomplished due to a bona fide staffing limitation (including those resulting from business disruptions caused by weather and other occurrences).
- d. A legal review is necessary to determine whether the record requested, in whole or in part, is subject to access under the Law.
- e. The requester has not complied with the Authority's policies regarding access to public records.
- f. The requester has not complied with a demand for prepayment of fees.
- g. The extent or nature of the request precludes a response within the required time period.

7. If all or part of a request for records is denied, appropriate notification will be provided as required under the Law, including the reason for the denial and the contact information for appealing the denial to Pennsylvania's Office of Open Records within fifteen (15) days of the mailing date of the Authority's designated Open Records Officer's denial to the requester.

8. The Authority reserves the right to amend or otherwise modify its Right-to-Know Policy, without notice, to the extent changes in the Law make it necessary to do so and/or to otherwise comply with an Order of Court or directive/advisory opinion issued by Pennsylvania's Office of Open Records.