



## PUBLIC RECORDS ACCESS GUIDELINES

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The Massachusetts Legislature has declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The Massachusetts Public Records Law, Massachusetts General Law Chapter 66, requires the Central Massachusetts Regional Planning Commission (CMRPC) to make public records available for inspection by the public and to provide copies upon request. CMRPC has established the following guidelines to ensure that all persons understand and are afforded the opportunity to use their right to access public records. A copy of the Public Records Access Guidelines is available for inspection at the CMRPC office and website, [www.cmrpc.org](http://www.cmrpc.org).

### **WHAT ARE "PUBLIC RECORDS"?**

The word "record" in this chapter shall mean any written or printed book or paper, or any photograph, microphotograph, map or plan. All written or printed public records shall be entered or recorded on paper made of linen rags and new cotton clippings, well sized with animal sizing and well finished or on one hundred per cent bond paper sized with animal glue or gelatin, and preference shall be given to paper of American manufacture marked in water line with the name of the manufacturer. All photographs, microphotographs, maps and plans which are public records shall be made of materials approved by the supervisor of records. Public records may be made by handwriting, or by typewriting, or in print, or by the photographic process, or by the microphotographic process, or by electronic means, or by any combination of the same. When the photographic or microphotographic process is used, the recording officer, in all instances where the photographic print or microphotographic film is illegible or indistinct, may make, in addition to said photographic or microphotographic record, a

typewritten copy of the instrument, which copy shall be filed in a book kept for the purpose. In every such instance the recording officer shall cause cross references to be made between said photographic or microphotographic record and said typewritten record. If in the judgment of the recording officer an instrument offered for record is so illegible that a photographic or microphotographic record thereof would not be sufficiently legible, he may, in addition to the making of such record, retain the original in his custody, in which case a photographic or other attested copy thereof shall be given to the person offering the same for record, or to such person as he may designate.

Subject to the provisions of sections one and nine, a recording officer adopting a system which includes the photographic process or the microphotographic process shall thereafter cause all records made by either of said processes to be inspected at least once in every three years, correct any fading or otherwise faulty records and make report of such inspection and correction to the supervisor of records.

#### **RECORDS AVAILABLE ON OUR WEBSITE INCLUDE**

- Minutes and Agendas from:
  - Executive Committee
  - Transportation Planning Committee (T-Committee)
  - Physical Development Committee
  - Brownfields Program
  - Legislative Affairs Committee
  - CMMPO
  - Transportation Planning Advisory Group
  - Central Region Homeland Security Advisory Council (CRHSAC)
- Reports/Documents published by the following departments
  - Community Development and Planning
  - Regional Services
  - GIS
  - Transportation
  - Homeland Security

The Guidelines are also available on CMRPC's website at [www.cmrpc.org](http://www.cmrpc.org). It is the policy of CMRPC that records not exempt from disclosure by state law will be open for public inspection with the least possible delay. There is no charge to inspect records. However, CMRPC reserved the right to charge five

cents per black and white, double sided page (\$.05) and an hourly rate for staff beyond four (4) hours of work. A person who inspects CMRPC's public records shall not destroy, mutilate, deface, alter or remove any such record from the location designated for inspection. All public records shall be physically returned in the same condition as when received upon either the completion of the inspection or upon request of staff.

### **WHEN MAY PUBLIC RECORDS BE INSPECTED?**

Public records are open to inspection during CMRPC office hours, generally 8:00am – 5:00pm Monday through Friday, except for state holidays, but the times may vary. Public records will be available for inspection only at the location where they are regularly and routinely maintained. Advanced notice is not required to inspect public records; however, the inspection of records is subject to a rule of reason and must be consistent with the efficient functioning of CMRPC offices. It is advisable for any person who wishes to inspect public records to contact the CMRPC office to make sure that the records are available. An appointment may have to be scheduled if the records are being used by CMRPC staff, the records must be found and reviewed, or redaction of confidential information is necessary.

### **HOW MAY THE PUBLIC OBTAIN ACCESS TO PUBLIC RECORDS?**

Requests for inspection or copies of public records may be made orally or in writing (including email). Electronic communication is strongly encouraged and is the preferred method of correspondence.

If a request is made orally, staff should confirm the request in writing. Requests should be directed to

#### **CMRPC's Records Access Officer:**

CMRPC Records Access Officer  
2 Washington Square  
Union Station 2<sup>nd</sup> Floor  
Worcester, MA 01473  
Phone: (508) 459-3310  
Fax: (508) 792-6818  
**Email:** [rao@cmrpc.org](mailto:rao@cmrpc.org)

Please include the following information in your request, so that we may respond to your request in a timely manner:

1. Whether you are requesting to inspect and/or obtain copies of public records.
2. A clear and specific description of the information you are requesting. If possible, identify dates, subjects, titles and authors of the records requested. If needed, CMRPC staff will assist you in making a focused and effective request by helping you identify records, describing where they can be located and providing other suggestions for facilitating access. CMRPC may ask for additional information if the request is not specific enough to permit identification of the records sought.
3. Contact information (optional) so CMRPC can get clarifying information if needed and send you a response or copies of records.

### **HOW SOON WILL I GET A RESPONSE?**

CMRPC will notify the requestor within ten (10) days from the date the request is received, unless extended up to an additional five (5) days by written notice to the requester.

Unless otherwise provided, the computation of time referred to in 950 CMR 32.00 shall begin with the first business day following the date of receipt of any request, regardless of physical form. The computation of time for an oral request shall begin with the day the oral request was made to the custodian.

If CMRPC determines that it has disclosable records, the records will be made available upon payment of any applicable copying fees.

### **Records in Electronic Format**

Upon request, CMRPC shall make an electronic public record available in any electronic format in which CMRPC holds the information, or in the format requested if the requested format is one that has been used by CMRPC to create copies for its own use or for provision to other agencies.

### **WILL THERE BE A FEE FOR COPIES?**

The usual fee for copying records is five cents (\$.05) per standard 8 ½ x 11 inch page, black and white ink, and double-sided printing. Any staff time

over 4 hours can also be charged at a rate equal to the wage of the lowest paid employee capable of completing the request.

### **WHAT WILL CMRPC'S RESPONSE TO A RECORDS REQUEST INCLUDE?**

In responding to information requests, CMRPC will advise the person submitting the request of the following:

1. Whether CMRPC has disclosable records responsive to the request;
2. The location, date, and time at which the requested records may be inspected if an inspection was requested;
3. If copies of records are requested, the cost of providing such copies; and
4. Which of the records requested are exempt from disclosure pursuant to applicable provisions of the Massachusetts Public Records Law.

### **WHAT RECORDS ARE NOT REQUIRED TO BE DISCLOSED?**

In balancing the public's right to access public records with other rights and interests, including the individual right of privacy and the need for CMRPC to be able to competently perform its duties, the Legislature has established certain categories of records that may be exempt from public disclosure under specified circumstances. These include, but are not limited to, certain personnel records, investigative records, drafts, confidential legal advice, records prepared in connection with litigation, real estate appraisals and evaluations made relative to pending acquisition of property, cemeteries and sacred places, trade secrets, and information that is confidential pursuant to other state or federal statutes. If records are withheld, CMRPC shall demonstrate that the record in question is exempt under express provisions of the law and shall provide the name(s) and position(s) of person(s) responsible for the denial.

**These guidelines were created pursuant to M.G.L. c. 66 and 950 CMR 32.00. They are intended to incorporate the new Act to Improve Public Records and to engender a more open and accessible government. For more information and the full text of the relevant legislation, [click here](#) to visit the Massachusetts Secretary of State's website.**



Janet A. Pierce	Executive Director
Chris J. Ryan	Community Development
Mary Ellen Blunt	Transportation
Trish Settles	Municipal Collaboration
Dianna Provencher	Business Manager
Denny Drewry	Commission Chair

To ensure a complete and timely response, we ask that you fill out this form and send it to the Records Access Officer at CMRPC:

2 Washington Square  
Union Station 2nd Floor  
Worcester, MA 01473  
Phone: (508) 459-3310  
Fax: (508) 792-6818

Via email to:  
[rao@cmrpc.org](mailto:rao@cmrpc.org)

Name (and organization, if any):

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Please describe your request as thoroughly as possible. Include relevant dates, project names, programs or anything that may help us find the relevant materials.

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DATE OF RECEIPT (TO BE COMPLETED BY CMRPC RECORDS ACCESS OFFICER):

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