

Maryland Department of Transportation
Original Date: October 2, 1979
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Policy No.: MDOT 060
Effective Date: April 7, 2016

Approved by: 
Secretary

Date: 3-31-16

Public Information Act Request

Purpose

The purpose of this Policy is to:

1. Re-establish a Public Information Act (PIA) request process by which all MDOT Transportation Business Units (TBU) may release certain information to the public and comply with all applicable State statutory and regulatory requirements;
2. Assign responsibilities and timelines to respond to PIA requests;
3. Establish a process to assess and recover costs to protect the integrity of the Transportation Trust Fund (TTF) and authorize appropriate and reasonable fees for searching, preparing, and reproducing documents; and
4. Define certain terms within the context of PIA requests.

Reference(s)

General Provisions Article, § 4-101 et seq., Annotated Code of Maryland
COMAR 11.11.01.13 and 11.11.09.01
Maryland Public Information Act Manual (14Ed.) (October 2015),
TTF Constitutional Amendment

Scope:

This Policy is applicable to all MDOT employees and supersedes any Transportation Business Unit (TBU) procedures or processes related to PIAs. This Policy rescinds all previous *Release of Public Records* and *Public Information Act requests* policies.

Definitions

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Responsible Party:

Deputy Secretary of Policy, Planning, and Enterprise Services

POLICY

I. Policy Statement

- A. MDOT's policy is to comply both in letter and spirit to the Public Information Act as delineated in the General Provisions Article, § 4-101 et seq., Annotated Code of Maryland.
- B. MDOT maintains information about an individual if it is relevant and necessary to accomplish its purpose and which may be authorized by statute, executive order of the Governor, judicial rule, or other legislative mandate.
- C. Maryland law identifies the "Official Custodian" as the official or employee responsible for keeping the public record, whether or not that person has physical custody and control of the record. MDOT regulations further provide that the Official Custodian is whomever the Secretary appoints in "the Departmental headquarters

elements, the administrations, and the various Departmental boards and commissions.” For the purposes of this Policy, the following individuals are designated as MDOT PIA Custodians:

1. The Secretary’s Office (TSO): Deputy Secretary of Policy, Planning, and Enterprise Services;
2. Maryland Port Administration (MPA): Deputy Executive Director;
3. Maryland Transit Administration (MTA): Administrator;
4. Motor Vehicle Administration (MVA): Administrator;
5. Maryland Aviation Administration (MAA) Executive Director/CEO;
6. State Highway Administration (SHA): Administrator; and
7. Maryland Transportation Authority (MDTA): Executive Director.

II. Definitions

For the purposes of this Policy, the following words have the following meanings:

- A. Accountable means responsible for and required to explain the actions or decisions related to a specific PIA request.
- B. Administration means the Transportation Business Units, which is defined below.
- C. Applicant means any person requesting the disclosure of public records. This may include citizens, corporations, associations, public interest groups, private individuals, the media, universities, and governmental units.
- D. Enterprise means MDOT including all TBUs.
- E. Indigent means the Requester’s family household income is less than 50 percent of the median family income for the State, as reported in the Federal Register.
- F. MDOT PIA Manager means the Deputy Secretary of Policy, Planning, and Enterprise Services’ designee to oversee and manage the MDOT PIA policy process.
- G. PIA Custodian means the “Official Custodian” as outlined in Section I.
- H. PIA Representative means the individual that members of the public can contact to request public records from that unit or TBU.
- I. PIA Coordinator means the individual designated to support their TBU representative.
- J. Public Records means an original or copy of any documentary material in any form, to include written materials, books, photographs, photocopies, films, microfilms, recordings, tapes, computerized records, maps, and drawings created or received by MDOT in connection with the transaction of public business.
- K. Requester means applicant (see Definition C.)
- L. Transportation Business Unit (TBU) means The Secretary’s Office (TSO), Maryland Aviation Administration (MAA), Maryland Port Administration (MPA), Maryland Transit Administration (MTA), Motor Vehicle Administration (MVA), State Highway Administration (SHA), or Maryland Transportation Authority (MDTA).

III. Authorized/Supporting Documents

- MDOT 060.1 PIA Roles and Responsibilities
- MDOT 060.2 MDOT PIA Enterprise Procedures
- MDOT 060.3 Transportation Business Units (TBU) PIA Process
- MDOT 060.4 PIA Request Forms
- MDOT 060.5 MDOT PIA Fees Schedule and Collection
- MDOT 060.6 Denials, Appeals, and Administrative Reviews