

## SUPPORT

### HB183 Equitable Access to Records Act Action Committee for Transit

The Action Committee for Transit a not-for-profit community advocacy group in Montgomery County that uses the Maryland Public Information Act (MPIA) to gain access to public records to serve the public interest and contribute significantly to the public's understanding of transportation issues.

We support this bill, because it will help to achieve the intent of the MPIA to provide all people with access to information about the affairs of government and the official acts of public officials and employees, with the least cost and least delay to the person or governmental unit that requests the access.

Here are some of the issues we have encountered in trying to gain access to public records:

- Lack of timely response, including
  - no ten-day letter
  - records not provided until exactly the 30th day after the request
  - records not provided until months later after many follow-ups
- Denial of fee waiver requests on questionable grounds, including
  - no reason provided (see Action Committee for Transit, Inc. et al. v. Town of Chevy Chase, No. 1204, Sept. Term, 2015)
  - agency has no policy on fee waiver requests
  - agency has a responsibility to taxpayers to recover its costs
- Use of fees as a barrier to timely access to public records
- Incorrect information about the information a requester must provide

There are currently no binding consequences for agencies who thus violate the language and/or intent of the MPIA, unless the requester is willing and able to sue. This bill would provide binding non-litigation remedies to requesters. That's why it's needed, and why we support it.



Montgomery County's Advocates for Better Transportation