DEPARTMENT OF TRANSPORTATION

GUIDE FOR MEMBERS OF THE PUBLIC REQUESTING INFORMATION

This document explains the process used to obtain data from MnDOT. This document is required by Minnesota Statutes §13.03, subd. 2(a).

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Right to Access Public Data

The Minnesota Government Data Practices Act ("MGDPA" or Minnesota Statutes Chapter 13) presumes that all government data are public unless a state or federal law or temporary classification provides that the data are not public. "Government data" is a term that means all recorded information a government entity has, including paper, electronic files, e-mail, CD-ROMs, photographs, etc.

The MGDPA requires all state agencies to keep all government data in a way that makes it easy for members of the public to access public data. Members of the public, including MnDOT employees, have the right to inspect, free of charge, all public data that MnDOT maintains and to receive copies of public data. The MGDPA allows us to charge for copies. See the discussion below about the cost of copies.

What is a Data Practices Request?

A data practices request is a request made by anyone seeking data held by a government entity. Examples of requested information include: reports, maps, certified payrolls, or investigative files, etc.

How to Make a Data Request

To inspect data at MnDOT or to request copies of MnDOT data, you can make a written request several ways:

1. Send a letter to the Data Practices Staff
2. Send an email to the Data Practices mailbox at: datapractices.dot@state.mn.us
3. Use the webform located at http://www.dot.state.mn.us/information/datapractices/submit-request.html

Your written request should include:

- A statement that describes what data you are seeking. The more detailed the request the more accurately and quickly MnDOT will be able to respond.
- A statement that describes how you would like to receive the data. Explain if you would like to inspect the data, receive copies of the data, or both.

TIP → Send your request directly to the Data Practices Office using one of the options listed above. Sending your request to an office, or the generic MnDOT address may cause your request to be lost or delay our receipt of it.

Can I Make an Anonymous Request?

MnDOT cannot require anyone to identify themselves or explain the reason for their data request. If someone wants MnDOT to mail copies of the data to them, an address is needed. If someone decides not to provide MnDOT with any identifying information, MnDOT will provide the person with contact information necessary to check on the status of the request. If MnDOT does not understand the request and has no way to contact the requester, MnDOT will be unable to process the request.

How Does MnDOT Respond to a Data Request?

Upon receiving a request, the MnDOT Data Practices Compliance Officer or Data Practices Coordinator will determine if MnDOT has responsive data. If so, MnDOT then identifies which of its employees have the data, how much data exists, in what form it exists in (electronic or physical) and how long it will take to collect, review, and produce. After the data is collected and reviewed by a MnDOT attorney for not public information (e.g., social security numbers, home addresses, security information, etc), MnDOT makes the data available for inspection or copies the data. MnDOT can provide copies of data via email, FTP site, or US Mail. MnDOT can also make arrangements for data to be picked up. Delivery of data may be made in installments as it becomes available. Whenever possible, MnDOT will provide data in electronic format.

- If MnDOT does not have any data, it notifies the requester as soon as reasonably possible.
- If MnDOT has the data, but the data are not public, MnDOT notifies the requester as soon as reasonably possible. The MGDPA requires that when MnDOT withholds data as not public, it is required to state the specific law that classifies the data as not public.
- If MnDOT has the data and the data are public, MnDOT responds to the request within a reasonable amount of time as follows:

    ♦ If the request is to inspect the data, MnDOT will arrange a date and time to inspect the data for free.
    ♦ If copies are requested, MnDOT will provide copies as soon as reasonably possible.
    ♦ MnDOT will prepare an invoice for costs over a minimum cost.

If you do not understand some of the data such as technical terminology, abbreviations, or acronyms, please let us know and MnDOT will assist you.

How long will it take to get the information I have requested?

Fulfillment of a data practices request can take a day or several months depending on the volume of responsive data, the workload of the MnDOT employees collecting the information, and the number of data requests MnDOT is processing at the time.

> **TIP → the more specific and concise you make your request, the faster MnDOT will be able to locate and produce the data. Broad or unclear requests often yield high volumes of data which can take weeks or months to review and produce.**

Creating New Data or Providing Data in a Specific Form

The MGDPA does not require MnDOT to create or collect new data in response to a data request. That is, if the data does not exist at MnDOT, MnDOT cannot produce it. If MnDOT does agree to create data in response to a request, MnDOT will discuss the details of the request, including the cost for doing so, with the requester.

The MGDPA also does not require MnDOT to create new formats of the requested data. For example, if the data requested is only in paper form, MnDOT is not required to create electronic documents to respond to the request.

The MGDPA does not require MnDOT to answer questions that are not requests for data. But MnDOT attempts to answer all questions from the public as part of its customer service mission.

DATA PRACTICES CONTACTS

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COPY COSTS – MEMBERS OF THE PUBLIC

MnDOT may charge members of the public for copies of government data. These charges are authorized under
Minnesota Statutes §13.03, subd. 3(c).

MnDOT does not charge for copies if the cost is less than $10.00.

For 100 or Fewer Paper Copies – 25 Cents per Page
One hundred or fewer pages of black and white, letter, or legal size paper copies cost 25 cents per page for a one-sided copy or 50 cents per page for a two-sided copy.

Most Other Types of Copies – Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by e-mail).

In determining the actual cost of searching for and retrieving data and making copies, MnDOT factors in employee time, the cost of the materials onto which MnDOT is copying the data (paper, CD, DVD, etc.), and any mailing costs. If your request is for copies of data that MnDOT cannot reproduce internally, such as large maps, MnDOT will charge you the actual cost MnDOT must pay an outside vendor to produce the copies.

MnDOT will assign the retrieval and copying tasks to the lowest salaried employee appropriate to each task.