

Ohio Department of Transportation

Public Records Act Policy and Procedures

The purpose of this policy is to ensure that all public records requests are handled in a timely and uniform manner at the Ohio Department of Transportation (“ODOT”).

WHAT IS A PUBLIC RECORD?

A public record is any document, device, or item, regardless of physical form or characteristic, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state, which serves to document the organization, functions, policies, decisions, procedures, operations, and other activities of ODOT.

PROCEDURES FOR HANDLING A PUBLIC RECORDS REQUEST:

1. ODOT will respond to public records requests whether the request is written or verbal. Each district and central office will have a copy of its current retention schedule available.
2. ODOT will acknowledge receipt of the request verbally or in writing. You may be asked to put your request in writing, however, if you decline, ODOT must honor your verbal request.
3. If an ODOT employee believes it would help ensure the accuracy of the Department’s response, you may be asked for identification and the intended use of the information you request but you are not obligated to give this information.
4. If a request is ambiguous or overly broad, ODOT will give you an opportunity to revise the request and explain how the records are maintained and accessed at the Department.
5. If the requested record contains information that is exempt (as listed below), ODOT will make available the portion of the record that is not exempt and clearly redact the exempt portion of the record.
6. If a request is denied in whole or in part (by redaction), the Department shall provide you with an explanation of the denial, which includes the legal authority for the denial. If the original request was in writing, the explanation of the denial will also be in writing.
7. Documents will be promptly prepared and made available for inspection. If you want copies of the documents, ODOT may respond by electronic mail or other means if you have no objection. If you want hard copies, the standard charge is 5 cents per page. ODOT may charge 50 cents per page if the copies are larger than 8 ½ X 11. Postage may be included in the charges. The copying fee may be waived for requests under 10 pages. ODOT may require prepayment of the cost involved in providing the copy of the public record.
8. You are permitted to choose to have the public record copied on paper or upon any other medium in which it can reasonably be duplicated.
9. ODOT must respond to public records requests within a reasonable amount of time. What is a reasonable amount of time depends upon such factors as the extent of the request and physical location of the documents.

EXEMPTIONS FROM THE PUBLIC RECORDS ACT:

The following are examples of records exempt from disclosure under the public records act:

1. Cost estimates of projects until all bids have been received, R.C. 5525.15.
2. Information relative to bidder qualifications, R.C. 5525.04.
3. Sealed bids for construction projects, R.C. 5525.10.
4. Trade secrets, R.C. 1333.61(D).
6. Employee medical records, R.C. 149.43 (A).
7. Social Security numbers, R.C. 149.43 (A).
8. Certain selection devices used in making hiring and promotional decisions, R.C. 124.09(B).
9. Certain communications between ODOT employees and an attorney within the staff of ODOT’s Office of Chief Legal Counsel, the Attorney General, or special counsel appointed by the Attorney General, R.C. 149.43(A).
10. Files on current administrative investigations, R.C. 149.43 (A)(2).
11. Home addresses and home telephone numbers of state employees per State ex rel. Dispatch Printing Co. v. Johnson (2005), 106 Ohio St.3d 160.
12. Any records created or maintained by ODOT for security purposes and infrastructure records that disclose the configuration of the Department’s critical systems, including but not limited to, communication, computer, electrical, mechanical, ventilation, water, plumbing systems or security codes. This does not mean a simple floor plan that discloses the physical location of the components of the office, R.C. 149.433.