

OOR Confirms that Agencies are Not Required to Provide Original Documents When Responding to RTKL Request

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In *Steinheiser v. Southeastern Pennsylvania Transit Authority*, AP 2019-1877 (Nov. 6, 2019), the Requester sought the business card of SEPTA's Open Records Officer. In response, SEPTA provided a scanned copy of the card. Requester appealed, arguing that SEPTA was required to mail him an original copy of the card.

Section 701 of the RTKL provides that an agency must make public records accessible for inspection and duplication. 65 P.S. § 67.701. Accordingly, because the RTKL does not impose any obligation to provide originals of records, and because SEPTA granted access to the record via duplication, the OOR concluded that SEPTA satisfied its obligations under the RTKL and denied the appeal.

This is a relatively simple case, but serves as an important reminder that local agencies are only obligated to allow inspection and to provide copies of requested records. They are not obligated to provide originals, even for items that are routinely distributed like business cards.

If you have any questions or comments, please do not hesitate to contact Chris Voltz or any of the other Municipal and School Attorneys at Tucker Arensberg, P.C.