



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 3, 2016

Alison Walsh
69 Garfield Ave, Floor 1
Easthampton, Mass 01027

FREEDOM OF INFORMATION ACT NOTICE

Dear Ms. Walsh:

The Michigan Department of State acknowledges receipt of your letter dated April 12, 2016 in which you submitted a request for public records pursuant to the Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 et.seq. Your request was received by the Department on April 27, 2016.

One of your requests could be granted as there is no cost for the response. The current fee to reinstate a driver's license suspended under MCL 333.7408a is \$125.00.

It is estimated that the other requests you made will cost the department \$1559.82 to *query and* compile the information. The cost will be in excess of \$50.00. Please pay the amount of \$779.91. This amount is one half of the cost to fulfill your request. Additionally, you requested *an estimate* for the cost of each request. The second and third requests are contingent upon the data from the first request. Due to the need to query the entire Michigan driving population and subdivide the drivers as they relate to requests one and two, the cost will be the same. Gathering the data for the first request is more involved and requires a lot of labor and CPU time. This query is the most costly. FOIA authorizes the Department to charge for mailing costs, copying, searching, reviewing, deleting and separating exempt information. Upon the receipt of your nonrefundable deposit, the Department will complete the processing of your request. The Department will notify you in writing when completed and mail the records upon receipt of your final payment of \$779.91.

Your request for a waiver of fees due to your non-profit status is denied as your agency does not meet the criteria prescribed in section 4 of the FOIA, MCL 15.240. Under section 10 of the FOIA, MCL 15.240, the Department is obligated to inform you that you may do the following:

1. Appeal this decision in writing to the Secretary of State's designee:

William R. Kordenbrock
Chief Legal Counsel

Legal Services Administration
Michigan Department of State
P.O. Box 30204
Lansing, Michigan 48918

The writing must specifically state the word "appeal" and must identify the reason or reasons you believe the denial should be reversed. The department must respond to your appeal within 10 business days of its receipt. Under unusual circumstances, the time for a response may be extended by 10 business days.

2. File an action in the Court of Claims within 180 days after the date of *the final* determination to deny your request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, disbursements and possible damages.

Also enclosed is a Freedom of Information Act Detailed Itemization of Fees form. The form outlines the cost of providing the requested information. Please submit your check or money order in the amount of \$779.91 made payable to the State of Michigan – Cashier Unit, 7064 Crowner Drive, Lansing, MI 48918. To ensure proper credit, please enclose a copy of this letter with your payment in the enclosed envelope.

If you have any questions, please contact me at (517) 636-4166.

Sincerely,

Keitha Cameron, FOIA Coordinator
Michigan Department of State of Michigan
Bureau of Driver and Vehicle Programs

Enclosure

Freedom of Information Act Detailed Itemization of Fees

Requestor's name and address: Alison Walsh 69 Garfield Easthampton, Mass 01027	
Fee calculation	Amount
1. Labor costs* to search, locate, and examine: 30 Hours x \$23.33 (hourly wage) x 30% (multiplier for fringe benefits, not to exceed 50% or actual cost of fringe benefits)	\$909.87
2. Labor costs* for review and separation of exempt from non-exempt material: ____ Hours x \$_____ (hourly wage) x ____% (multiplier for fringe benefits, not to exceed 50% or actual cost of fringe benefits)	\$
3. Nonpaper physical media: Describe (e.g. CD's, DVD's, flash drive, etc) and list actual costs. The department would need to do complete four separate queries that will require a large data grab and then narrow down the results through subsequent queries. The cost for CPU run time to obtain these queries is \$43.33 per minute. It is estimated that the query will take 15 minutes or more. The amount is based on the 15 minute time estimate.	\$649.95
4. Duplication and publication: Describe (copying, scanning, etc) \$____ (cost per page) x _____ number of pages	\$
5. Labor costs* to duplicate or publish: ____ Hours x \$_____ (hourly wage) x ____% (multiplier for fringe benefits, not to exceed 50% or actual cost of fringe benefits)	\$
6. Mailing: Describe and list actual costs.	\$
Less waiver for indigent persons (\$20.00)**	
Less reduction for untimely response: \$____ subtotal x 5% reduction per day x ____ days	\$
Make check payable to State of Michigan and mail to: Michigan Department of State, Cashier Unit, 7064 Crowner Drive, Lansing, MI 48918	Total fee: \$1559.82
If the total fee is more than \$50.00, you will be asked to pay a deposit of one-half of the amount of the total fee. The total fee and deposit are estimates, and your final costs may vary from these amounts.	Deposit: \$779.91

Freedom of Information Act Detailed Itemization of Fees

Part or all of the documents requested are available online at: N/A	
If you prefer to have copies of these documents sent to you, please forward payment to the Department for processing.	\$
Balance to be paid:	\$

*Labor costs will be calculated using the lowest paid Department employee capable of each task. If more than one hourly rate is used, they will be listed on other copies of this form.

**You must submit an affidavit of indigency to qualify for this fee waiver.