

**DEPARTMENT OF RACING**  
**PUBLIC RECORDS REPRODUCTION REQUEST FORM**  
**INFORMATION AND INSTRUCTION SHEET**

**Requesting Party: Please read and note the following information and instructions.**

Pursuant to A.R.S. § 39-121.03, a person requesting copies, printouts or photographs of public records shall, upon making a request, provide a CERTIFIED STATEMENT setting forth the commercial purpose, if any, for which the copies, printouts or photographs will be used.

A person stating that the reproductions will not be used for a commercial purpose will be furnished such reproductions at a reasonable fee, not exceeding a commercial rate for like services. A person providing a certified statement setting forth the commercial purpose for which the reproduction will be used, may be furnished such reproductions by the custodian of records after having received approval from the Director or Deputy Director, as determined on a case by case basis. Charges shall be based on the following:

1. A portion of the cost to the State for obtaining the documents or records to be reproduced;
2. A reasonable fee covering the cost of time, equipment and personnel in making the reproduction,  
and;
3. The value of reproduction on the commercial market.

If the custodian of a public record believes that the commercial purpose of a reproduction is a misuse of public records or an abuse of the right to receive them, he or she may refuse a request for reproduction of such records for said commercial purpose and may request the Governor to prohibit the furnishing of reproductions for such commercial purposes by Executive Order. If an Executive Order is not issued within thirty (30) days of the custodian's application, the requesting party shall be furnished such reproductions for the commercial purpose set forth in his or her certified statement upon payment of the fee determined pursuant to the above guidelines.

"Commercial purpose" is broadly defined by statute as "any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public record."  
A.R.S. § 39-121.03(D).

"Commercial purpose" includes copies of records for sale or resale and copies of printouts of names and addresses for purpose of solicitation of business.

**IMPORTANT: A.R.S. § 39-121.03(C) and (D) state:**

A person who obtains a public record for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the use of such public record for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses it for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtained for damages in the amount of three times the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney fees or shall be liable to the state or the political subdivision for the amount of three times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtaining the records.

For the purposes of this section, "commercial purpose" means the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from public records for the purpose of solicitation or the sale of names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of the public record. Commercial purpose does not mean the use of a public record as evidence or as research for evidence in an action in any judicial or quasi-judicial body.

**PUBLIC RECORDS REPRODUCTION REQUEST**

**Requesting Party:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Please Print  
Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Description of Public Records requested: \_\_\_\_\_

Indicate whether the records are to be used for:  Non-Commercial Purposes  Commercial Purposes

If the records are to be used for commercial purposes, specifically state those purposes:

**CERTIFIED STATEMENT**

I, the requesting party, declare that I have read the information and instruction sheet accompanying this form and understand the contents therein. I further declare that the copies or other reproductions of the public records described above which I have requested are to be used solely for  Non-Commercial Purposes or  Commercial Purposes, as described above. I further declare that such copies or reproductions will not be used directly or indirectly for a different purpose other than described above.

I further declare under penalty of perjury that the foregoing is correct and true.

\_\_\_\_\_  
Signature of Requesting Party **Date:** \_\_\_\_\_

**FOR OFFICE USE ONLY**

**APPROVALS:**  
Director \_\_\_\_\_ Approved / Denied (circle one) Date \_\_\_\_\_

**REASON DENIED:**  Misuse of Public Records or  Abuse of the Right to Receive Public Records  
 Request Made to Governor for Executive Order Date \_\_\_\_\_  
 Executive Order Received within 30 days Date Received \_\_\_\_\_  
 No Executive Order Received - Reproductions Furnished Date \_\_\_\_\_

Custodian of Records: \_\_\_\_\_ Title \_\_\_\_\_

- Cost of Reproduction:
- Paper Copies 10 or less pages @ 50¢ per page
  - Paper Copies @ 25¢ each for all additional pages
  - Electronic Copies @ 10¢ each
  - Audio Tapes - \$5 per tape
  - Video Tapes – Actual market cost
  - Mailing Lists (Commercial Use) - \$1 per name
  - Delivery Charges – Actual cost of postage or delivery

# of Pages Reproduced/Provided: \_\_\_\_\_  
# of Pages @ 50¢: \_\_\_\_\_ = \$ \_\_\_\_\_  
# of Pages @ 25¢: \_\_\_\_\_ = \$ \_\_\_\_\_  
or Commercial Use Charges (if different): \$ \_\_\_\_\_  
Commercial Use Mailing Lists # of Names @ \$1 ea: \_\_\_\_\_  
# of Audio Tapes Reproduced @ \$5 ea: \_\_\_\_\_  
# of Video Tapes Reproduced @ Market Value: \_\_\_\_\_  
Postal or Other Delivery Charges: \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_  
TOTAL DUE FOR ALL RECORDS PROVIDED \$ \_\_\_\_\_

Payment Received:  Cash  Check # \_\_\_\_\_

Documents Mailed/Faxed/Emailed/Provided on (Date) \_\_\_\_\_ and Receipt Issued by \_\_\_\_\_