

**RULES
OF
THE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD**

**CHAPTER 1230-01-04
RULES AND REGULATIONS ON PUBLIC ACCESS TO MEETINGS AND RECORDS**

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1230-01-04-.01 PUBLIC RECORDS REQUESTS.

- (1) Pursuant to T.C.A. § 10-7-503(g), the purpose of the following public records rule is to provide timely and efficient access to public records of the Board while at the same time preserving the confidentiality and protection of records or information as provided under state and federal law.
- (2) The Tennessee Public Records Act provides that all state public records shall, at all times during regular business hours, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law.
- (3) Through the Public Records Request Coordinator identified in this Rule, the Board shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Rule shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the Board, shall be protected as provided by current law. Questions about these Rules should be addressed to the Board's Public Records Request Coordinator or to the Tennessee Office of Open Records Counsel ("OORC").
- (4) The Board, having been established within the Commission by T.C.A. § 65-31-114(a), hereby adopts the Commission's Rules on Access to Public Records Held By the Commission, Tenn. R. & Regs. 1220-01-04-.01 et seq. and incorporates said rules as if restated verbatim herein.

Authority: T.C.A. §§ 10-7-503, 65-31-114, and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.

1230-01-04-.02 PUBLIC ACCESS TO MEETINGS.

- (1) The Board shall comply with the Tennessee Public Meetings law, T.C.A. Title 8, Chapter 44.
- (2) The Board shall have a minimum of two (2) regular meetings each year as required by T.C.A. § 65-31-115(b)(2).
- (3) Special meetings may be called by the Board Chair or by a quorum of the Board.
- (4) Reasonable advance notice of a meeting shall be given to all Board members, unless all Board members agree to waive notice, or unless exigent circumstances require meeting with less notice.
- (5) Members of the Board may request items to be addressed on the Meeting Agenda of the Board. Such requests to present information to the Board during a regularly scheduled Board meeting shall be submitted in writing to the Board Chair and the Board's staff, at least fourteen (14) days prior to the meeting. Exceptions may be made in extraordinary circumstances at the direction of the Chair. All requests are subject to review and approval by the Chair.

(Rule 1230-01-04-.02, continued)

- (6) Board staff shall keep a record of all regular meetings. The minutes shall be transcribed and presented for approval or amendment at the next regular meeting. The minutes or a true copy thereof, approved by the Board, shall be open to public inspection and maintained on the website for the Commission.
- (7) All regular meetings of the Board shall be open and public except for executive sessions as provided by the Tennessee Public Meetings law, T.C.A. Title 8, Chapter 44.

Authority: T.C.A. §§ 8-44-102, 65-31-114, and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.

1230-01-04-.03 PUBLIC COMMENTS.

- (1) Members of the public may submit written comment on any matter before the Board or its Executive Committee by sending such comments to: Underground Utility Damage Enforcement Board, ATTN: Board Counsel, 502 Deaderick Street, 4th Floor, Nashville, Tennessee 37243, or via email to Damage.Prevention@tn.gov.
- (2) All meetings of the Board and its Executive Committee shall include a designated time for members of the public to comment. Public comment must relate to an item on the Board's meeting agenda or the general business of the Board. The Board Chair may establish a time limit for comment.

Authority: T.C.A. §§ 8-44-102, 65-31-114, and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.