Technology-Driven Regulatory Transparency

Outdated and inefficient technology plagues bureaucratic agencies. Some states don't even bother to publish their regulations online, while others only publish scanned PDFs—making it nearly impossible for anyone to traverse the mountains of red tape.

Average citizens must spend inordinate time—and sometimes even hire expensive lawyers—to navigate and comply with the more than 416 million words[1] that impose, on average, 138,000 restrictions per state.[2] By the time one finds out about new rules, it's often too late, resulting in fines, fees, and possible jail time.

THE SOLUTION

Easy-to-Navigate Website

Every regulation and state regulatory proposal should be posted on one, easy-to-navigate website.

Machine-Readable Regulations

Every regulation must be made available in a plain-text machine-readable transcript that allows technology tools to analyze and navigate state rulebooks.

Centralized Meeting Information

Catalog and archive every public meeting for each state agency on the same website—including a plain-text machine-readable transcript.

Meeting Agenda Clarity

Publish every agency meeting agenda online in an easily accessible format along with proposals to be considered. And clearly notify the public at least five business days prior to any rulemaking meetings and actions, including those promulgated outside of normal processes and procedure.

Comprehensive Rulemaking Website

A state's regulatory website should include all agency rulemaking activities, including all documents required by their administrative procedure laws. Agency websites should prominently display all rulemaking information and links to the state's website.

Public Participation

States should require audio and video conferencing for public participation at board meetings and formal public hearings, with recordings made available online. This is especially important for Americans with Disability Act compliance.

Permanent Document Availability

Every document and video on the central regulatory website should be in a plain-text machine-readable transcript and available for easy download at no charge. Comments and agency responses should remain online indefinitely.

Online Public Comments

Establish an online platform for members of the public to submit comments and ensure those comments—and agency responses—are easily accessible to the public in a plain-text machine-readable transcript.

Accessible Guidance and Policies

All guidance and policy statements should be published online, free of charge, and in a plain-text machine-readable format.

Archived Rules

Deleted rules should be archived online indefinitely in the same location as the state rules register and clearly marked as no longer in effect.

WHY IT MATTERS

Transparency in the regulatory process **fosters public trust and ensures accountability**.

Technology makes it **easier for citizens** to take advantage of this transparency, **participate in rulemaking, stay informed about regulations, and hold agencies accountable**.

THE BOTTOM LINE:

Embracing technology to make regulatory processes transparent and accessible strengthens democracy by enabling informed public participation and ensuring accountability in government decision-making.

1. https://www.usnews.com/news/best-states/articles/2020-11-03/which-state-has-the-most-regulations
2. https://www.mercatus.org/regsnapshots24