

SENATE BILL REPORT

SB 5049

As Reported By Senate Committee On:
Transportation, January 29, 1997

Title: An act relating to lists of registered and legal owners of vehicles.

Brief Description: Providing vehicle owners' names and addresses to commercial parking companies.

Sponsors: Senators Wood, Prentice, Horn, Brown, Prince and Haugen.

Brief History:

Committee Activity: Transportation: 1/22/97, 1/29/97 [DPS, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5049 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prince, Chair; Benton, Vice Chair; Wood, Vice Chair; Goings, Haugen, Heavey, Horn, Jacobsen, Oke, Prentice, Rasmussen and Sellar.

Minority Report: Do not pass.

Signed by Senators Morton and Patterson.

Staff: Jennifer Joly (786-7305)

Background: Commercial parking companies have access to Department of Licensing (DOL) records to identify the owners of automobiles who use their parking lots without providing sufficient payment. Currently, these records are provided to the parking companies on printed forms.

The public disclosure law prohibits agencies from providing access to lists of individuals for commercial purposes, unless specifically authorized or directed by law. Although the law does authorize the disclosure of the names and addresses of vehicle owners for commercial purposes, it prescribes the manner of production. Under those procedures, DOL currently prohibits the disclosure of this information electronically (for example, magnetic tape) to commercial parking companies except when said companies are acting on behalf of a municipality or other governmental entity.

During the 1996 session, the Legislature unanimously passed legislation identical to SB 5049. However, Governor Lowry vetoed that legislation in the hopes that a more comprehensive policy governing the commercial use of public records might be developed. To facilitate this goal, the Governor established a joint Executive-Legislative Work Group on Commercial Access to Government Electronic Records. The work group issued its final report in November, which includes recommendations for administrative and legislative action. The primary focus of the recommendations is to advance the legitimate use of government-held

information for the benefit of the state and the public while protecting personally identifying information and other data from inappropriate or unwarranted dissemination or intrusion. Additionally, in January, the Governor issued Executive Order 97-01. The executive order instructs state agencies to adhere to a model contract for the release of information for commercial purposes.

Summary of Substitute Bill: Subject to the disclosure agreement provisions of RCW 46.12.380 and the requirements of Executive Order 97-01, the Department of Licensing (DOL) is permitted to furnish lists of registered owners electronically to commercial parking companies. If a registered owner list is used by a commercial parking company for any purpose other than notification of outstanding parking violations, DOL must deny further access to such information.

Substitute Bill Compared to Original Bill: The substitute specifies the commercial parking companies that are provided registered owner information are bound by a disclosure agreement, whereby the parking company agrees to use the information only for the purpose stated in their DOL request. Additionally, the substitute ensures that DOL abides by the procedures prescribed in Executive Order 97-01, governing the release of public records for commercial purposes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill helps bring parking fee enforcement into the technology age. Using magnetic tape to acquire the names and addresses of registered owners will diminish the cost and delay associated with paper shuffling.

Testimony Against: None.

Testified: Senator Wood, prime sponsor (pro); Davor Gjurasic, Ticket Track (pro); Paul Taylor, DIS, Staff Coordinator to Governor's Work Group on Commercial Access to Government Electronic Records (neutral).