

HOUSE BILL REPORT

HB 1158

As Reported By House Committee On:

State Government

Title: An act relating to truck, tractor, or trailer intelligent information systems.

Brief Description: Collecting information from truck, tractor, or trailer intelligent information systems.

Sponsors: Representatives Ogden, DeBolt, Cooper, Ericksen and Mielke.

Brief History:

Committee Activity:

State Government: 1/27/99, 2/19/99 [DPS].

Brief Summary of Substitute Bill

- Information obtained by government agencies from motor carrier intelligent transportation systems is exempt from public disclosure.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Dunshee; Haigh; Lambert and D. Schmidt.

Staff: Steve Lundin (786-7127).

Background:

The open public records law was approved by state voters in 1972 as part of Initiative Measure No. 276. All public records of state agencies and local governments are open to public inspection and copying, unless a law expressly excludes the public records from public inspection and copying. This disclosure requirement is liberally construed and any exception is narrowly constructed.

Among other express exclusions, the following public records are not available for inspection and copying by the public: (1) Personal information in files the disclosure of which would violate the right to privacy; (2) certain taxpayer information; (3) certain financial and commercial information supplied by individuals applying for various programs; and (4) residential addresses and residential telephone numbers of public utility customers.

In a few instances information in public records is provided with more extensive protection from public disclosure by being declared to be confidential or are prohibited from being disclosed. For example, drafts of legislation prepared by the Code Revisor's office are expressly declared to be confidential.

Summary of Substitute Bill:

Information obtained by government agencies collected by the use of a motor carrier intelligent transportation system or comparable information equipment is confidential and not subject to public disclosure. However, the information may be given to other governmental agencies or the owners of the truck, tractor, or trailer from which it was obtained.

Substitute Bill Compared to Original Bill:

Limits the exemption to apply to information obtained from motor carrier intelligent transportation systems rather than any intelligent transportation system.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is proprietary information that competitors may have interest in. The new technology allows trucks to proceed without stopping at a weigh station. This is good for industry.

Testimony Against: None.

Testified: Representative Val Ogden, prime sponsor; Larry Pursley, Washington Trucking Association; and Tim Erickson, Washington State Department of Transportation.