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**State Government Committee**

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**HB 1019**

**Brief Description:** Protecting the identity of electronic toll payers.

**Sponsors:** Representatives Nixon, Ruderman, Lantz, Woods and Upthegrove.

**Brief Summary of Bill**

- Exempts from public disclosure personal identifying information of persons who acquire and use a transponder to pay tolls. Information may be released to law enforcement agencies with a subpoena.

**Hearing Date:** 1/16/03

**Staff:** Marsha Reilly (786-7135).

**Background:**

A transponder, for purposes of toll collection, may be a card with an embedded radio chip containing payment information that can be read by a radio wave. Persons may purchase a transponder that can relay payment information to the toll collection station. There are various ways transponders work for payment. A person may elect to: 1) purchase a dollar amount of toll collection in advance; 2) be billed on a regular basis; or 3) automatically be billed to a credit or debit card. Information included on every transponder would include a name, address, and vehicle license. A credit or debit card number may also be on a transponder if an option for a credit card transaction was established in advance.

Toll systems using transponders are frequently used on the east coast. A transponder toll system will be put in place at the completion of the Tacoma Narrows bridge project. Other future transportation related projects may also use this type of toll system.

Each state and local agency is required under the Open Public Records Act to make all public records available for public inspection and copying unless the record is exempted from disclosure. Examples of records exempted in statute include:

- personal information on students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;
- information revealing the identity of persons who are witnesses to or victims of crime;

- test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;
- financial and valuable trade information; and
- credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers supplied to an agency for the purpose of electronic transfer of funds.

**Summary of Bill:**

Personally identifying information of persons who acquire and use a transponder or other technology for payment of tolls is exempt from public disclosure. The Department of Transportation may disclose aggregate information on toll collection to government agencies or groups concerned with public transportation or public safety as long as it does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only if the request is accompanied by a subpoena.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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