
**State Government Operations &
Accountability Committee**

HB 2530

Brief Description: Changing disclosure provisions for motor vehicle accidents.

Sponsors: Representative Nixon.

Brief Summary of Bill

- Requires that accident reports or portions thereof currently subject to disclosure be disclosed only to "interested parties." If such reports or portions thereof are requested by non-interested parties, all personal information related to interested parties must be removed prior to disclosure.
- Adds definitions for "interested party," "non-interested party," and "personal information."

Hearing Date: 1/27/06

Staff: Kathryn Leathers (786-7114).

Background:

Public Disclosure Act

The Public Disclosure Act requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally, and the exceptions narrowly, in order to effectuate a general policy favoring disclosure.

Accident Reports

A person involved in a motor vehicle accident must submit an accident report to the Washington State Patrol (State Patrol) if the accident involved injury, death, or property damage over a certain amount. The State Patrol is required to file, tabulate, and analyze all accident reports and publish statistical information based on the accident reports. The statistical information must show the number, location, frequency, and circumstances of accidents and other data that may be of assistance in determining the cause of vehicular accidents.

The State Patrol must make the accident reports and analysis thereof available to the Department of Licensing, the Department of Transportation, the Utilities and Transportation Commission, the

Traffic Safety Commission, and other public entities, for purposes including: further tabulation and analysis; consideration of pertinent data relating to the regulation of highway traffic, highway construction, vehicle operators; and to publish information as may be deemed of publication value.

In general, accident reports are confidential and may only be disclosed to law enforcement officers and other authorized public agencies. However, any authorized law enforcement officer must disclose to persons who have a "proper interest" in the reports:

- the names and addresses of persons reported as involved in an accident or as a witness to the accident;
- the vehicle license plate numbers and descriptions of the vehicles involved;
- the date, time, and location of the accident;
- all factual data submitted in report form by the officers; and
- the signed statements of all witnesses, except the reports signed by the drivers involved in the accident.

Persons with a "proper interest" in the reports are defined to include the driver or drivers involved in the accident or the legal guardian thereof; the parent of a minor driver; any person injured in the accident; the owner of vehicles or property damaged in the accident; or any authorized representative of such an interested party.

Except in limited circumstances, accident reports may not be used as evidence in any trial, civil or criminal, arising out of an accident.

Summary of Bill:

The accident reports or portions thereof currently authorized to be disclosed to persons with a "proper interest" must, instead, be disclosed to "interested parties." An "interested party" is defined to mean the driver or drivers involved in a vehicular accident, or the legal guardians of the driver or drivers; the parent of a minor driver; any person injured in a vehicular accident; the owner of vehicles or property damaged in a vehicular accident; or any authorized representative, attorney, or insurer of such an interested party.

If such reports or portions thereof are requested by non-interested parties, all personal information contained in the reports that relate to interested parties must be removed prior to disclosure. A "noninterested party" is defined to mean any person other than an interested party.

"Personal information" is defined to mean the name, address, telephone number, date of birth, driver's license number, and social security number of an interested party.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.