
HOUSE BILL 1298

State of Washington 59th Legislature 2005 Regular Session

By Representatives O'Brien, Roach, Ericks and Eickmeyer

Read first time 01/20/2005. Referred to Committee on Transportation.

1 AN ACT Relating to disclosure of addresses of vehicle owners; and
2 amending RCW 46.12.370 and 46.12.380.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.12.370 and 2004 c 230 s 1 are each amended to read
5 as follows:

6 In addition to any other authority which it may have, the
7 department of licensing may furnish lists of registered and legal
8 owners of motor vehicles only for the purposes specified in this
9 section to:

10 (1) The manufacturers of motor vehicles, or their authorized
11 agents, to be used to enable those manufacturers to carry out the
12 provisions of the National Traffic and Motor Vehicle Safety Act of 1966
13 (15 U.S.C. sec. 1382-1418), including amendments or additions thereto,
14 respecting safety-related defects in motor vehicles;

15 (2) Any governmental agency of the United States or Canada, or
16 political subdivisions thereof, to be used by it or by its authorized
17 commercial agents or contractors only in connection with the
18 enforcement of motor vehicle or traffic laws by, or programs related to

1 traffic safety of, that government agency. Only such parts of the list
2 as are required for completion of the work required of the agent or
3 contractor shall be provided to such agent or contractor;

4 (3) A commercial parking company requiring the names and addresses
5 of registered owners to notify them of outstanding parking violations.
6 Subject to the disclosure agreement provisions of RCW 46.12.380 and the
7 requirements of Executive Order 97-01, the department may provide only
8 the parts of the list that are required for completion of the work
9 required of the company;

10 (4) An authorized agent or contractor of the department, to be used
11 only in connection with providing motor vehicle excise tax, licensing,
12 title, and registration information to motor vehicle dealers;

13 (5) Any business regularly making loans to other persons to finance
14 the purchase of motor vehicles, to be used to assist the person
15 requesting the list to determine ownership of specific vehicles for the
16 purpose of determining whether or not to provide such financing; or

17 (6) A company or its agents operating a toll facility under chapter
18 47.46 RCW or other applicable authority requiring the names, addresses,
19 and vehicle information of motor vehicle registered owners to identify
20 toll violators.

21 Where both a mailing address and residence address are recorded on
22 the vehicle record and are different, only the mailing address will be
23 disclosed. Both addresses will be disclosed in response to requests
24 for disclosure from law enforcement agencies or government entities
25 with enforcement, investigative, or taxing authority and only for use
26 in the normal course of conducting their business. The residence
27 address may also be disclosed for use in court proceedings or
28 preparation for court proceedings.

29 If a list of registered and legal owners of motor vehicles is used
30 for any purpose other than that authorized in this section, the
31 manufacturer, governmental agency, commercial parking company,
32 authorized agent, contractor, financial institution, toll facility
33 operator, or their authorized agents or contractors responsible for the
34 unauthorized disclosure or use will be denied further access to such
35 information by the department of licensing.

36 **Sec. 2.** RCW 46.12.380 and 1995 c 254 s 10 are each amended to read
37 as follows:

1 (1) Notwithstanding the provisions of chapter 42.17 RCW, the name
2 or address of an individual vehicle owner shall not be released by the
3 department, county auditor, or agency or firm authorized by the
4 department except under the following circumstances:

5 (a) The requesting party is a business entity that requests the
6 information for use in the course of business;

7 (b) The request is a written request that is signed by the person
8 requesting disclosure that contains the full legal name and address of
9 the requesting party, that specifies the purpose for which the
10 information will be used; and

11 (c) The requesting party enters into a disclosure agreement with
12 the department in which the party promises that the party will use the
13 information only for the purpose stated in the request for the
14 information; and that the party does not intend to use, or facilitate
15 the use of, the information for the purpose of making any unsolicited
16 business contact with a person named in the disclosed information. The
17 term "unsolicited business contact" means a contact that is intended to
18 result in, or promote, the sale of any goods or services to a person
19 named in the disclosed information. The term does not apply to
20 situations where the requesting party and such person have been
21 involved in a business transaction prior to the date of the disclosure
22 request and where the request is made in connection with the
23 transaction.

24 (2) Where both a mailing address and residence address are recorded
25 on the vehicle record and are different, only the mailing address will
26 be disclosed. Both addresses will be disclosed in response to requests
27 for disclosure from law enforcement agencies or government entities
28 with enforcement, investigative, or taxing authority and only for use
29 in the normal course of conducting their business. The residence
30 address may also be disclosed for use in court proceedings or
31 preparation for court proceedings.

32 (3) The disclosing entity shall retain the request for disclosure
33 for three years.

34 ((+3)) (4) Whenever the disclosing entity grants a request for
35 information under this section by an attorney or private investigator,
36 the disclosing entity shall provide notice to the vehicle owner, to
37 whom the information applies, that the request has been granted. The
38 notice also shall contain the name and address of the requesting party.

1 (~~(4)~~) (5) Any person who is furnished vehicle owner information
2 under this section shall be responsible for assuring that the
3 information furnished is not used for a purpose contrary to the
4 agreement between the person and the department.

5 (~~(5)~~) (6) This section shall not apply to requests for
6 information by governmental entities or requests that may be granted
7 under any other provision of this title expressly authorizing the
8 disclosure of the names or addresses of vehicle owners.

9 (~~(6)~~) (7) This section shall not apply to title history
10 information under RCW 19.118.170.

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