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## Transportation Committee

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### HB 2440

**Brief Description:** Providing limited access to motor vehicle records by homeowners' associations in connection with matters of driver and pedestrian safety.

**Sponsors:** Representatives McCune, Campbell, Moeller, Liias, Williams, Finn, Sells and Hunt.

#### Brief Summary of Bill

- Authorizes homeowners' associations with at least 1,000 residences access to a vehicle owner's name and address.
- Requires homeowners' associations requesting the information to have certain speed limits stated in their governing documents.
- Requires individuals of the association requesting the information to have passed a fingerprint-based background check.

**Hearing Date:** 1/13/10

**Staff:** Jerry Long (786-7306).

#### Background:

Currently, the Department of Licensing (DOL) may furnish lists of registered and legal owners of motor vehicles to the following entities for the indicated purposes:

- motor vehicle manufacturers, for safety recalls;
- United States and Canadian governmental agencies, for use in enforcement of vehicle or traffic laws;
- commercial parking companies, to notify owners of outstanding parking violations;
- authorized agents or contractors of the DOL, to provide tax, licensing, title, and registration information to motor vehicle dealers;
- businesses making loans for the purchase of motor vehicles, to assist in determining whether to provide financing; and
- toll facilities, to identify toll violators.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The DOL may also release the name and address of an individual vehicle owner if the requesting party is a business entity that has entered into a disclosure agreement with the DOL and requests the information for use in the course of business.

When both a residential and a mailing address are on file with the DOL, only the mailing address may be disclosed unless the request for information is from: the courts, a law enforcement agency, or a government entity with enforcement, investigative, or taxing authority.

If a list of registered and legal owners of motor vehicles are used for any other purpose not authorized, the manufacturer, governmental agency, commercial parking company, authorized agent, contractor, financial institution, toll facility operator, or their authorized agents or contractors responsible for the unauthorized use will be denied further access to that information.

**Summary of Bill:**

The bill authorizes a homeowners' association to request information regarding the name and address of an individual vehicle owner in connection with driver and pedestrian safety. The requirements are:

- the Homeowners' association needs to contain at least 1,000 residences as of the effective date of the act;
- the governing documents of the association requires certain speed limits on the roads within the boundary of the association; and
- an individual of the requesting association with access to the disclosed information completes a fingerprint-based background check through the Washington State Patrol criminal identification system and the Federal Bureau of Investigation.

**Appropriation:** None.

**Fiscal Note:** Available.

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