

SENATE BILL REPORT

SHB 1900

As of February 18, 2010

Title: An act relating to the disclosure of vehicle owner information.

Brief Description: Requiring a disclosing entity to send notice to a vehicle owner no earlier than thirty days after granting a request for vehicle owner information.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Kelley and Hurst).

Brief History: Passed House: 3/06/09, 94-1; 2/03/10, 91-0.

Committee Activity: Transportation: 2/17/10.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Janice Baumgardt (786-7319)

Background: Federal and state laws impose restrictions on the disclosure of personal information contained in motor vehicle records. The federal Driver's Privacy Protection Act (Act) generally requires states to protect the privacy of a vehicle owner's personal information, except for certain authorized purposes. Authorized purposes for disclosure under the federal Act include use in government agency functions; use in legitimate business needs to verify the accuracy of personal information; use in connection with a civil, criminal, administrative, or arbitral proceeding; and use by a licensed investigator or security service.

State law provides that the Department of Licensing (DOL) may release the name or address of an individual vehicle owner to a business entity if the request is for use in the course of business and the requestor enters into a disclosure agreement with the DOL promising not to use the information for other purposes. The entity requesting the disclosure must include in the request the entity's full legal name and address and the purpose for which the information will be used. The DOL must retain all requests for disclosure of a vehicle owner's name and address for a period of three years. Records of disclosure requests are themselves public records subject to disclosure upon request.

If the requestor is an attorney or private investigator, the DOL must provide notice to the vehicle owner that the request has been granted. The notice must also contain the name and address of the attorney or private investigator requesting the information.

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.

Summary of Bill: The notice sent to a vehicle owner when an attorney or private investigator has been granted a request for the owner's name and address must be sent no earlier than 30 days after the request for disclosure was granted.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: It can be a matter of life and safety for private investigators and attorneys, if potentially violent people find out they are about to be subpoenaed, etc.

Persons Testifying: PRO: Representative Kelley, prime sponsor; John Hays, Martha Modeen, Roger Montgomery, Washington Association for Legal Investigators.