
SENATE BILL 5646

State of Washington 61st Legislature 2009 Regular Session

By Senators McDermott, Carrell, and Kline

Read first time 01/28/09. Referred to Committee on Judiciary.

1 AN ACT Relating to process servers; and amending RCW 18.180.010 and
2 46.12.370.

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

4 **Sec. 1.** RCW 18.180.010 and 1992 c 125 s 1 are each amended to read
5 as follows:

6 (1) A person who serves legal process for a fee in the state of
7 Washington shall be a resident of the state of Washington, be eighteen
8 years of age or older, and register as a process server with the
9 auditor of the county in which the process server resides or operates
10 his or her principal place of business.

11 (2) The requirement to register under subsection (1) of this
12 section does not apply to any of the following persons:

13 (a) A sheriff, deputy sheriff, marshal, constable, or government
14 employee who is acting in the course of employment;

15 (b) An attorney or the attorney's employees, who are not serving
16 process on a fee basis;

17 (c) A person who is court appointed to serve the court's process;

18 (d) An employee of a person who is registered under this section;

1 (e) A person who does not receive a fee or wage for serving
2 process.

3 **Sec. 2.** RCW 46.12.370 and 2005 c 340 s 1 are each amended to read
4 as follows:

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

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

14 (2) Any governmental agency of the United States or Canada, or
15 political subdivisions thereof, to be used by it or by its authorized
16 commercial agents or contractors only in connection with the
17 enforcement of motor vehicle or traffic laws by, or programs related to
18 traffic safety of, that government agency. Only such parts of the list
19 as are required for completion of the work required of the agent or
20 contractor shall be provided to such agent or contractor;

21 (3) A commercial parking company requiring the names and addresses
22 of registered owners to notify them of outstanding parking violations.
23 Subject to the disclosure agreement provisions of RCW 46.12.380 and the
24 requirements of Executive Order 97-01, the department may provide only
25 the parts of the list that are required for completion of the work
26 required of the company;

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

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

34 (6) A company or its agents operating a toll facility under chapter
35 47.46 RCW or other applicable authority requiring the names, addresses,
36 and vehicle information of motor vehicle registered owners to identify
37 toll violators; or

1 (7) Process servers registered under RCW 18.180.010.

2 Where both a mailing address and residence address are recorded on
3 the vehicle record and are different, only the mailing address will be
4 disclosed. Both addresses will be disclosed in response to requests
5 for disclosure from courts, law enforcement agencies, or government
6 entities with enforcement, investigative, or taxing authority, or
7 process servers, and only for use in the normal course of conducting
8 their business.

9 If a list of registered and legal owners of motor vehicles is used
10 for any purpose other than that authorized in this section, the
11 manufacturer, governmental agency, commercial parking company,
12 authorized agent, contractor, financial institution, toll facility
13 operator, or process server, or their authorized agents or contractors
14 responsible for the unauthorized disclosure or use will be denied
15 further access to such information by the department of licensing.

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