

HOUSE BILL REPORT

HB 2271

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to the disclosure of personally identifying information on certain transit passes and fare payment media.

Brief Description: Concerning the disclosure of personally identifying information on certain transit passes and fare payment media.

Sponsors: Representatives Darneille, Jinkins and Moscoso.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/30/12 [DP].

Brief Summary of Bill

- Clarifies the Public Records Act's transit pass and fare payment media information exemption by providing a definition of "personally identifying information."

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Alexander, Condotta, Darneille, Dunshee, Hurst, McCoy and Miloscia.

Minority Report: Do not pass. Signed by 2 members: Representatives Taylor, Ranking Minority Member; Overstreet, Assistant Ranking Minority Member.

Staff: Thamas Osborn (786-7129).

Background:

The Public Records Act (PRA) requires all state and local government agencies to 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

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liberally, and the exceptions narrowly, in order to effectuate a general policy favoring disclosure.

The PRA identifies specified types of information relating to public utilities and transportation that are exempt from disclosure. Among the information relating to transportation that is subject to exemption is *personally identifying information* of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards. However, the exemption of such information is subject to several statutory exceptions that authorize disclosure to:

- a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud;
- the news media when reporting on public transportation or public safety; or
- law enforcement agencies if the request is accompanied by a court order.

Also, this information may be disclosed in aggregate form if the data does not contain any personally identifying information.

Summary of Bill:

The act clarifies the PRA's transit pass and fare payment media information exemption by providing a definition of "personally identifying information." With respect to a transit pass or other fare payment media, "personally identifying information" is defined to include acquisition or use information pertaining to a specific, individual transit pass or other fare payment media.

Also, information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This is a good bill whose purpose is to prevent the disclosure of personal information of those persons with transit passes. The bill protects the privacy of citizens in a way that is consistent with the intent of the PRA.

(Opposed) None.

Persons Testifying: Representative Darneille, prime sponsor; and Martin Flynn, Sound Transit.

Persons Signed In To Testify But Not Testifying: None.