

SSB 5591 - H COMM AMD
By Committee on Transportation

ADOPTED AS AMENDED 04/16/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.01.130 and 2010 c 161 s 203 are each amended to
4 read as follows:

5 The director:

6 (1) Shall supervise and control the issuing of vehicle certificates
7 of title, vehicle registrations, and vehicle license plates, and has
8 the full power to do all things necessary and proper to carry out the
9 provisions of the law relating to the registration of vehicles;

10 (2) May appoint and employ deputies, assistants, representatives,
11 and clerks;

12 (3) May establish branch offices in different parts of the state;

13 (4) May appoint county auditors in Washington state or, in the
14 absence of a county auditor, the department or an official of county
15 government as agents for applications for and the issuance of vehicle
16 certificates of title and vehicle registrations; and

17 (5)(a) Shall investigate the conviction records and pending charges
18 of any current employee of or prospective employee being considered for
19 any position with the department (~~(that)~~) who has or will have:

20 (i)(A) The ability to create or modify records of applicants for
21 enhanced drivers' licenses and identicards issued under RCW 46.20.202;
22 and

23 (~~(+ii+)~~) (B) The ability to issue enhanced drivers' licenses and
24 identicards under RCW 46.20.202; or

25 (ii) Access to information pertaining to vehicle license plates,
26 drivers' licenses, or identicards under RCW 46.08.066, or vessel
27 registrations issued under RCW 88.02.330 that, alone or in combination
28 with any other information, may reveal the identity of an individual,
29 or reveal that an individual is or was, performing an undercover or

1 covert law enforcement, confidential public health work, public
2 assistance fraud, or child support investigative activity.

3 (b) The investigation consists of a background check as authorized
4 under RCW 10.97.050, 43.43.833, and 43.43.834, and the federal bureau
5 of investigation. The background check must be conducted through the
6 Washington state patrol criminal identification section and may include
7 a national check from the federal bureau of investigation, which is
8 through the submission of fingerprints. The director shall use the
9 information solely to determine the character, suitability, and
10 competence of current or prospective employees subject to this section.

11 (c) The director shall investigate the conviction records and
12 pending charges of an employee subject to this subsection every five
13 years.

14 (d) Criminal justice agencies shall provide the director with
15 information that they may possess and that the director may require
16 solely to determine the employment suitability of current or
17 prospective employees subject to this section.

18 **Sec. 2.** RCW 46.08.066 and 2010 c 161 s 211 are each amended to
19 read as follows:

20 (1) The department may issue confidential license plates to:

21 (a) Units of local government and agencies of the federal
22 government for law enforcement purposes only;

23 (b) Any state official elected on a statewide basis for use on
24 official business. Only one set of confidential license plates may be
25 issued to these elected officials;

26 (c) Any other public officer or public employee for the personal
27 security of the officer or employee when recommended by the chief of
28 the Washington state patrol. These confidential license plates may
29 only be used on an unmarked publicly owned or controlled vehicle of the
30 employing government agency for the conduct of official business for
31 the period of time that the personal security of the state official,
32 public officer, or other public employee may require; and

33 (d) The office of the state treasurer. These confidential license
34 plates may only be used on an unmarked state owned or controlled
35 vehicle when required for the safe transportation of either state funds
36 or negotiable securities to or from the office of the state treasurer.

1 (2) The use of confidential license plates on other vehicles owned
2 or operated by the state of Washington by any officer or employee of
3 the state is limited to confidential, investigative, or undercover work
4 of state law enforcement agencies, confidential public health work, and
5 confidential public assistance fraud or child support investigations.

6 (3)(a) The department may issue confidential drivers' licenses and
7 identicards to commissioned officers of state and local law enforcement
8 agencies and agencies of the federal government only for undercover or
9 covert law enforcement activities.

10 (b) Any driver's license or identicard issued under this subsection
11 shall display an expiration date that complies with the department's
12 rules, but a driver's license or identicard issued under this
13 subsection may be used only during the duration of the officer's
14 assignment to an undercover or covert operation.

15 (c) Any driver's license or identicard issued under this subsection
16 must be returned to the department within thirty days after the
17 earliest of either the end of the undercover or covert operation or the
18 end of the officer's assignment to or participation in such an
19 operation. Any driver's license or identicard issued under this
20 subsection must be returned to the department immediately upon the
21 officer's retirement, termination, dismissal, change in job assignment,
22 or leave from the agency.

23 (4) The director may adopt rules governing applications for, and
24 the use of, confidential license plates, drivers' licenses, and
25 identicards.

26 **Sec. 3.** RCW 42.56.230 and 2011 c 350 s 2 and 2011 c 173 s 1 are
27 each reenacted and amended to read as follows:

28 The following personal information is exempt from public inspection
29 and copying under this chapter:

30 (1) Personal information in any files maintained for students in
31 public schools, patients or clients of public institutions or public
32 health agencies, or welfare recipients;

33 (2) Personal information((~~7~~)) including, but not limited to,
34 addresses, telephone numbers, personal electronic mail addresses,
35 social security numbers, emergency contact and date of birth
36 information for a participant in a public or nonprofit program serving
37 or pertaining to children, adolescents, or students, including but not

1 limited to early learning or child care services, parks and recreation
2 programs, youth development programs, and after-school programs.
3 Emergency contact information may be provided to appropriate
4 authorities and medical personnel for the purpose of treating the
5 individual during an emergency situation;

6 (3) Personal information in files maintained for employees,
7 appointees, or elected officials of any public agency to the extent
8 that disclosure would violate their right to privacy;

9 (4) Information required of any taxpayer in connection with the
10 assessment or collection of any tax if the disclosure of the
11 information to other persons would: (a) Be prohibited to such persons
12 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance
13 authorized under RCW 35.102.145; or (b) violate the taxpayer's right to
14 privacy or result in unfair competitive disadvantage to the taxpayer;

15 (5) Credit card numbers, debit card numbers, electronic check
16 numbers, card expiration dates, or bank or other financial account
17 numbers, except when disclosure is expressly required by or governed by
18 other law;

19 (6) Personal and financial information related to a small loan or
20 any system of authorizing a small loan in RCW 31.45.093; and

21 (7)(a) (~~Documents and related materials and scanned images of~~
22 ~~documents and related materials~~) Any record used to prove identity,
23 age, residential address, social security number, or other personal
24 information required to apply for a driver's license or identicard.

25 (b) Information provided under RCW 46.20.111 that indicates that an
26 applicant declined to register with the selective service system.

27 (c) Any record pertaining to a vehicle license plate, driver's
28 license, or identicard issued under RCW 46.08.066 that, alone or in
29 combination with any other records, may reveal the identity of an
30 individual, or reveal that an individual is or was, performing an
31 undercover or covert law enforcement, confidential public health work,
32 public assistance fraud, or child support investigative activity. This
33 exemption does not prevent the release of the total number of vehicle
34 license plates, drivers' licenses, or identicards that, under RCW
35 46.08.066, an agency or department has applied for, been issued,
36 denied, returned, destroyed, lost, and reported for misuse.

37 (d) Any record pertaining to a vessel registration issued under RCW
38 88.02.330 that, alone or in combination with any other records, may

1 reveal the identity of an individual, or reveal that an individual is
2 or was, performing an undercover or covert law enforcement activity.
3 This exemption does not prevent the release of the total number of
4 vessel registrations that, under RCW 88.02.330, an agency or department
5 has applied for, been issued, denied, returned, destroyed, lost, and
6 reported for misuse.

7 (e) Upon request by the legislature, the department of licensing
8 shall provide a report to the legislature containing all of the
9 information in (c) and (d) of this subsection that is subject to public
10 disclosure.

11 NEW SECTION. Sec. 4. This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately."

15 Correct the title.

EFFECT: Clarifies that confidential license plates, drivers' licenses, and identicards may be issued for child support investigations; provides that undercover and covert drivers' licenses and identicards may be used only during an undercover or covert law enforcement operation; requires that the holders of such licenses return them to the department of licensing under certain circumstances; requires that, upon request by the legislature, the department of licensing provide a report summarizing certain data regarding confidential and undercover drivers' licenses, identicards, license plates, and vehicle and vessel registrations; adds an emergency clause providing that the bill would take effect immediately upon signing by the governor.

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