

# HOUSE BILL REPORT

## HB 2482

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### As Reported by House Committee On: Transportation

**Title:** An act relating to creating a fee exemption for the disclosure of vehicle owner information.

**Brief Description:** Creating a fee exemption for the disclosure of vehicle owner information.

**Sponsors:** Representatives Klippert and Clibborn.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 1/29/14, 2/4/14 [DP].

#### **Brief Summary of Bill**

- Exempts a business entity that is licensed as a vehicle wrecker from the \$2 fee charged by the Department of Licensing for a name and address request of a vehicle owner.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 31 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Bergquist, Fitzgibbon, Freeman, Habib, Hawkins, Hayes, Johnson, Klippert, Kochmar, Moeller, Morris, Muri, Ortiz-Self, Pike, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Tarleton, Walkinshaw, Young and Zeiger.

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

#### **Background:**

The name or address of an individual vehicle owner can not be released by the Department of Licensing (DOL), county auditor, or agency or firm authorized by the DOL except under the following circumstances:

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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 requesting party is a business entity that requests the information for use in the course of business.
- The request is a written request that is signed by the person requesting disclosure that contains the full legal name and address of the requesting party, and that specifies the purpose for which the information will be used.
- The requesting party enters into a disclosure agreement with the DOL in which the party promises that the party will use the information only for the purpose stated in the request for the information; and that the party does not intend to use, or facilitate the use of, the information for the purpose of making any unsolicited business contact with a person named in the disclosed information.

If both a mailing address and residence address are recorded on the vehicle record and are different, only the mailing address will be disclosed. Both addresses will be disclosed in response to requests for disclosure from courts, law enforcement agencies, or government entities with enforcement, investigative, or taxing authority.

Any person who is furnished vehicle owner information will be responsible for assuring that the information furnished is not used for a purpose that is contrary to the agreement between the person and the DOL.

The DOL must charge a fee of \$2 for each record returned pursuant to a request made by a business entity and deposit the fee into the Highway Safety Account.

The disclosing entity must retain the request for disclosure for three years.

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**Summary of Bill:**

A business entity that is licensed as a vehicle wrecker means a person, firm, partnership, association, or corporation engaged in the business of buying, selling, or dealing in vehicles of a type required to be registered under state laws, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or who buys or sells integral secondhand parts of component material thereof, in whole or in part, or who deals in secondhand vehicle parts is exempt from the from the \$2 fee charged by the DOL for a name and address request of a vehicle owner.

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**Appropriation:** None.

**Fiscal Note:** Available.

**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) The \$2 fee was implemented due to changes last session for attorneys and private investigators when court orders are involved. The only information provided to the vehicle owner is whether the requestor of the vehicle information is an attorney or private investigator. The \$2 fee has no relationship to a vehicle wrecker that is requesting the information to make sure there is no lien holder or other encumbrances, for example, a Department of Social and Health Services lien prior to dismantling the vehicle. This request from the vehicle wreckers caused no additional work for the DOL. The \$2 fee brings in \$669,000 in revenue and only costs the State of Washington \$126,000 in expenses. Many times law enforcement calls the vehicle wreckers, and the vehicle wreckers are actually doing a service for the public; then the \$2 fee adds to the cost of doing business. Of all vehicles dismantled, 96 percent are recycled by the vehicle wrecker industry. The industry works on a very tight profit margin.

(In support with amendment(s)) Vehicle dealers use the Internet Vehicle Information Program to check for the owners of a vehicle along with encumbrances and would like to be exempt from the \$2 fee. Since the \$2 fee has no relationship to car dealers, car dealers would like to have an amendment exempting them also.

(Opposed) None.

**Persons Testifying:** (In support) Representative Klippert, prime sponsor; Gary Smith, Independent Business Association; and Don Phelps, Auto Recyclers of Washington.

(In support with amendment(s)) Scott Hazlegrove, Washington State Auto Dealer's Association.

**Persons Signed In To Testify But Not Testifying:** None.