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HOUSE BILL 1832

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Klippert, Liias, Bergquist, and Ryu; by request of Department of Licensing

Read first time 02/12/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to confidential license plates, drivers' licenses,  
2 identicards, and vessel registrations; amending RCW 46.01.130 and  
3 46.08.066; and reenacting and amending RCW 42.56.230.

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

5 **Sec. 1.** RCW 46.01.130 and 2010 c 161 s 203 are each amended to  
6 read as follows:

7 The director:

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

12 (2) May appoint and employ deputies, assistants, representatives,  
13 and clerks;

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

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

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

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

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

9 (ii) Access to information pertaining to vehicle license plates,  
10 drivers' licenses, or identicards under RCW 46.08.066, or vessel  
11 registrations issued under RCW 88.02.330 that, alone or in combination  
12 with any other information, may reveal the identity of an individual,  
13 or reveal that an individual is or was, performing an undercover or  
14 covert law enforcement, public health work, or public assistance fraud  
15 or support investigative activity.

16 (b) The investigation consists of a background check as authorized  
17 under RCW 10.97.050, 43.43.833, and 43.43.834, and the federal bureau  
18 of investigation. The background check must be conducted through the  
19 Washington state patrol criminal identification section and may include  
20 a national check from the federal bureau of investigation, which is  
21 through the submission of fingerprints. The director shall use the  
22 information solely to determine the character, suitability, and  
23 competence of current or prospective employees subject to this section.

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

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

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

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

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

36 (b) Any state official elected on a statewide basis for use on

1 official business. Only one set of confidential license plates may be  
2 issued to these elected officials;

3 (c) Any other public officer or public employee for the personal  
4 security of the officer or employee when recommended by the chief of  
5 the Washington state patrol. These confidential license plates may  
6 only be used on an unmarked publicly owned or controlled vehicle of the  
7 employing government agency for the conduct of official business for  
8 the period of time that the personal security of the state official,  
9 public officer, or other public employee may require; and

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

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

19 (3) The department may issue confidential drivers' licenses and  
20 identicards to the Washington state patrol, units of local government,  
21 and agencies of the federal government for law enforcement purposes  
22 only including, but not limited to, undercover or covert law  
23 enforcement activities.

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

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

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

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

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

1 or pertaining to children, adolescents, or students, including but not  
2 limited to early learning or child care services, parks and recreation  
3 programs, youth development programs, and after-school programs.  
4 Emergency contact information may be provided to appropriate  
5 authorities and medical personnel for the purpose of treating the  
6 individual during an emergency situation;

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

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

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

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

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

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

28 (c) Any record pertaining to a vehicle license plate, driver's  
29 license, or identicard issued under RCW 46.08.066 that, alone or in  
30 combination with any other records, may reveal the identity of an  
31 individual, or reveal that an individual is or was, performing an  
32 undercover or covert law enforcement, public health work, or public  
33 assistance fraud or support investigative activity.

34 (d) Any record pertaining to a vessel registration issued under RCW  
35 88.02.330 that, alone or in combination with any other records, may  
36 reveal the identity of an individual, or reveal that an individual is

1 or was, performing an undercover or covert law enforcement activity.

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