

---

**SUBSTITUTE HOUSE BILL 2114**

---

**State of Washington**

**63rd Legislature**

**2014 Regular Session**

**By** House Local Government (originally sponsored by Representatives Kretz, Van De Wege, Takko, Nealey, Haler, Buys, and Lias)

READ FIRST TIME 01/20/14.

1       AN ACT Relating to clarifying the exemption in the public records  
2 act for customer information held by public utilities; and amending RCW  
3 42.56.330.

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

5       **Sec. 1.** RCW 42.56.330 and 2012 c 68 s 4 are each amended to read  
6 as follows:

7       The following information relating to public utilities and  
8 transportation is exempt from disclosure under this chapter:

9       (1) Records filed with the utilities and transportation commission  
10 or attorney general under RCW 80.04.095 that a court has determined are  
11 confidential under RCW 80.04.095;

12       (2) The ~~((residential))~~ addresses ~~((and residential))~~, telephone  
13 numbers, electronic contact information, and customer-specific utility  
14 usage and billing information in increments less than a billing cycle  
15 or monthly, whichever is greater, of the customers of a public utility  
16 contained in the records or lists held by the public utility of which  
17 they are customers, except that this information may be released to the  
18 division of child support or the agency or firm providing child support

1 enforcement for another state under Title IV-D of the federal social  
2 security act, for the establishment, enforcement, or modification of a  
3 support order;

4 (3) The names, residential addresses, residential telephone  
5 numbers, and other individually identifiable records held by an agency  
6 in relation to a vanpool, carpool, or other ride-sharing program or  
7 service; however, these records may be disclosed to other persons who  
8 apply for ride-matching services and who need that information in order  
9 to identify potential riders or drivers with whom to share rides;

10 (4) The personally identifying information of current or former  
11 participants or applicants in a paratransit or other transit service  
12 operated for the benefit of persons with disabilities or elderly  
13 persons;

14 (5) The personally identifying information of persons who acquire  
15 and use transit passes or other fare payment media including, but not  
16 limited to, stored value smart cards and magnetic strip cards, except  
17 that an agency may disclose personally identifying information to a  
18 person, employer, educational institution, or other entity that is  
19 responsible, in whole or in part, for payment of the cost of acquiring  
20 or using a transit pass or other fare payment media for the purpose of  
21 preventing fraud, or to the news media when reporting on public  
22 transportation or public safety. As used in this subsection,  
23 "personally identifying information" includes acquisition or use  
24 information pertaining to a specific, individual transit pass or fare  
25 payment media.

26 (a) Information regarding the acquisition or use of transit passes  
27 or fare payment media may be disclosed in aggregate form if the data  
28 does not contain any personally identifying information.

29 (b) Personally identifying information may be released to law  
30 enforcement agencies if the request is accompanied by a court order;

31 (6) Any information obtained by governmental agencies that is  
32 collected by the use of a motor carrier intelligent transportation  
33 system or any comparable information equipment attached to a truck,  
34 tractor, or trailer; however, the information may be given to other  
35 governmental agencies or the owners of the truck, tractor, or trailer  
36 from which the information is obtained. As used in this subsection,  
37 "motor carrier" has the same definition as provided in RCW 81.80.010;

1           (7) The personally identifying information of persons who acquire  
2 and use transponders or other technology to facilitate payment of  
3 tolls. This information may be disclosed in aggregate form as long as  
4 the data does not contain any personally identifying information. For  
5 these purposes aggregate data may include the census tract of the  
6 account holder as long as any individual personally identifying  
7 information is not released. Personally identifying information may be  
8 released to law enforcement agencies only for toll enforcement  
9 purposes. Personally identifying information may be released to law  
10 enforcement agencies for other purposes only if the request is  
11 accompanied by a court order; and

12           (8) The personally identifying information of persons who acquire  
13 and use a driver's license or identicard that includes a radio  
14 frequency identification chip or similar technology to facilitate  
15 border crossing. This information may be disclosed in aggregate form  
16 as long as the data does not contain any personally identifying  
17 information. Personally identifying information may be released to law  
18 enforcement agencies only for United States customs and border  
19 protection enforcement purposes. Personally identifying information  
20 may be released to law enforcement agencies for other purposes only if  
21 the request is accompanied by a court order.

--- END ---