

**SHB 2278 - H AMD 993**

By Representative Morris

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

3 "NEW SECTION. **Sec. 1.** (1) Each state agency that sells or  
4 charges for furnishing personally identifiable information must  
5 designate an agency privacy officer. In coordination with the state  
6 office of privacy and data protection, the agency privacy officer  
7 must:

8 (a) Develop an agency personally identifiable information  
9 minimization policy to reduce the use and retention of personally  
10 identifiable information wherever possible;

11 (b) Create a work plan that uses a Gantt chart or similar project  
12 planning tool for the following, including the estimated costs of  
13 execution:

14 (i) An inventory of all personally identifiable information  
15 prepared, owned, used, or retained by the agency, that would include  
16 the specific type of information, the purpose for its collection, and  
17 the extent to which the information is protected from unauthorized  
18 access; and

19 (ii) A map of the physical or digital location of all personally  
20 identifiable information collected by the agency, that would be  
21 indexed to the inventory created in (b)(i) of this subsection; and

22 (c) Report the work plan created under (b) of this subsection to  
23 the state office of privacy and data protection no later than  
24 December 15, 2018.

25 (2) Agency privacy officers designated under subsection (1) of  
26 this section must complete a training course provided by the state  
27 office of privacy and data protection on privacy best practices. The  
28 training course must be completed no later than sixty days after  
29 assuming responsibilities as an agency privacy officer, and at  
30 intervals of no more than four years as long as they maintain the  
31 designation.

1 (3) Any inventory or data map records created under subsection  
2 (1)(b) of this section that reveal the location of personally  
3 identifiable information or the extent to which it is protected may  
4 not be disclosed under the public records act, chapter 42.56 RCW.

5 (4) Any state agency that begins selling or charging for  
6 furnishing personally identifiable information must either comply  
7 with subsection (1) of this section or request and receive an  
8 exemption from the office of the chief information officer.

9 (5) In addition to any specific authority under law to sell or  
10 charge for furnishing personally identifiable information, any state  
11 agency selling or charging for furnishing personally identifiable  
12 information must include an additional charge up to the amount  
13 necessary to fund:

14 (a) The state agency's privacy officer position and duties, as  
15 required under this section; and

16 (b) The office of the chief information officer in:

17 (i) Providing assistance with the implementation and ongoing  
18 operation of this section, including the designation and training of  
19 a privacy officer; and

20 (ii) Identifying the amount of work and time as needed to create  
21 and maintain the inventory and location map of personally  
22 identifiable information collected by the state agency.

23 (6) On December 1st of each odd-numbered year, the department of  
24 licensing must report to the legislature on the implementation and  
25 maintenance of this section, including best practices and  
26 recommendations for developing and implementing the department's  
27 policy and plan under this section.

28 (7) By December 1st of each year, any state agency that furnishes  
29 or sells personally identifiable information must file a report to  
30 the appropriate legislative committees of the legislature. The report  
31 must include:

32 (a) A detailed description including the authorized recipients of  
33 the personally identifiable information;

34 (b) The authority, scope, and purpose for the disclosure of the  
35 personally identifiable information; and

36 (c) An explanation of whether and how the agency's disclosure of  
37 the personally identifiable information is limited or restricted by  
38 rule, contract, report, or other means.

39 (8) For purposes of this section, "state agency" has the same  
40 meaning as in RCW 40.07.020.

1        NEW SECTION.    **Sec. 2.**    (1) The office of the chief information  
2 officer must assess the scope of personally identifiable information  
3 furnished by the department of licensing related to driver's license  
4 and vehicle records, as authorized by law, including but not limited  
5 to RCW 46.12.635 and 46.52.130. The assessment must determine the  
6 scope of personally identifiable information the department of  
7 licensing is authorized to furnish, as compared to the scope of  
8 personally identifiable information the department is furnishing in  
9 practice. The assessment also must determine the scope of the use of  
10 such personally identifiable information by the person or entity  
11 receiving the information for any commercial or other purpose, as  
12 compared to any limitations or restrictions in law on the use of such  
13 information.

14        (2) By December 31, 2018, the office of the chief information  
15 officer must produce findings and recommendations to the appropriate  
16 standing committees of the legislature. The findings must include the  
17 identification of any personally identifiable information being  
18 furnished by the department of licensing that is broader than the  
19 information specifically authorized to furnish. The recommendations  
20 must include any proposed legislation or practices to ensure that  
21 personally identifiable information is only being furnished and used  
22 for authorized purposes.

23        (3) This section expires June 30, 2019.

24        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 19.215  
25 RCW to read as follows:

26        (1) A governmental entity is prohibited from furnishing, selling,  
27 or charging for:

28        (a) Personal financial and health information, except information  
29 furnished in an abstract driving record, pursuant to RCW 46.52.130;  
30 and

31        (b) Personal identification numbers issued by a government  
32 entity.

33        (2) This section does not apply to information furnished, sold,  
34 or charged to another governmental entity.

35        **Sec. 4.**    RCW 46.52.130 and 2017 c 43 s 2 are each amended to read  
36 as follows:

37        Upon a proper request, the department may furnish an abstract of  
38 a person's driving record as permitted under this section.

1 (1) **Contents of abstract of driving record.** An abstract of a  
2 person's driving record, whenever possible, must include:

3 (a) An enumeration of motor vehicle accidents in which the person  
4 was driving, including:

5 (i) The total number of vehicles involved;

6 (ii) Whether the vehicles were legally parked or moving;

7 (iii) Whether the vehicles were occupied at the time of the  
8 accident; and

9 (iv) Whether the accident resulted in a fatality;

10 (b) Any reported convictions, forfeitures of bail, or findings  
11 that an infraction was committed based upon a violation of any motor  
12 vehicle law;

13 (c) The status of the person's driving privilege in this state;  
14 and

15 (d) Any reports of failure to appear in response to a traffic  
16 citation or failure to respond to a notice of infraction served upon  
17 the named individual by an arresting officer.

18 (2) **Release of abstract of driving record.** An abstract of a  
19 person's driving record may be furnished to the following persons or  
20 entities, or to a designated entity that has a contract with the  
21 department, exclusively for the following authorized uses by such  
22 persons or entities:

23 (a) **Named individuals.** (i) An abstract of the full driving record  
24 maintained by the department may be furnished to the individual named  
25 in the abstract.

26 (ii) Nothing in this section prevents a court from providing a  
27 copy of the driver's abstract to the individual named in the abstract  
28 or that named individual's attorney, provided that the named  
29 individual has a pending or open infraction or criminal case in that  
30 court. A pending case includes criminal cases that have not reached a  
31 disposition by plea, stipulation, trial, or amended charge. An open  
32 infraction or criminal case includes cases on probation, payment  
33 agreement or subject to, or in collections. Courts may charge a  
34 reasonable fee for the production and copying of the abstract for the  
35 individual.

36 (b) **Employers or prospective employers.** (i)(A) An abstract of the  
37 full driving record maintained by the department may be furnished to  
38 an employer or prospective employer or an agent acting on behalf of  
39 an employer or prospective employer of the named individual for

1 purposes related to driving by the individual as a condition of  
2 employment or otherwise at the direction of the employer.

3 (B) Release of an abstract of the driving record of an employee  
4 or prospective employee requires a statement signed by: (I) The  
5 employee or prospective employee that authorizes the release of the  
6 record; and (II) the employer attesting that the information is  
7 necessary for employment purposes related to driving by the  
8 individual as a condition of employment or otherwise at the direction  
9 of the employer. If the employer or prospective employer authorizes  
10 an agent to obtain this information on their behalf, this must be  
11 noted in the statement. The statement must also note that any  
12 information contained in the abstract related to an adjudication that  
13 is subject to a court order sealing the juvenile record of an  
14 employee or prospective employee may not be used by the employer or  
15 prospective employer, or an agent authorized to obtain this  
16 information on their behalf, unless required by federal regulation or  
17 law. The employer or prospective employer must afford the employee or  
18 prospective employee an opportunity to demonstrate that an  
19 adjudication contained in the abstract is subject to a court order  
20 sealing the juvenile record.

21 (C) Upon request of the person named in the abstract provided  
22 under this subsection, and upon that same person furnishing copies of  
23 court records ruling that the person was not at fault in a motor  
24 vehicle accident, the department must indicate on any abstract  
25 provided under this subsection that the person was not at fault in  
26 the motor vehicle accident.

27 (D) No employer or prospective employer, nor any agent of an  
28 employer or prospective employer, may use information contained in  
29 the abstract related to an adjudication that is subject to a court  
30 order sealing the juvenile record of an employee or prospective  
31 employee for any purpose unless required by federal regulation or  
32 law. The employee or prospective employee must furnish a copy of the  
33 court order sealing the juvenile record to the employer or  
34 prospective employer, or the agent of the employer or prospective  
35 employer, as may be required to ensure the application of this  
36 subsection.

37 (ii) In addition to the methods described in (b)(i) of this  
38 subsection, the director may enter into a contractual agreement with  
39 an employer or its agent for the purpose of reviewing the driving  
40 records of existing employees for changes to the record during

1 specified periods of time. The department shall establish a fee for  
2 this service, which must be deposited in the highway safety fund. The  
3 fee for this service must be set at a level that will not result in a  
4 net revenue loss to the state. Any information provided under this  
5 subsection must be treated in the same manner and is subject to the  
6 same restrictions as driving record abstracts.

7 (c) **Volunteer organizations.** (i) An abstract of the full driving  
8 record maintained by the department may be furnished to a volunteer  
9 organization or an agent for a volunteer organization for which the  
10 named individual has submitted an application for a position that  
11 would require driving by the individual at the direction of the  
12 volunteer organization.

13 (ii) Release of an abstract of the driving record of a  
14 prospective volunteer requires a statement signed by: (A) The  
15 prospective volunteer that authorizes the release of the record; and  
16 (B) the volunteer organization attesting that the information is  
17 necessary for purposes related to driving by the individual at the  
18 direction of the volunteer organization. If the volunteer  
19 organization authorizes an agent to obtain this information on their  
20 behalf, this must be noted in the statement.

21 (d) **Transit authorities.** An abstract of the full driving record  
22 maintained by the department may be furnished to an employee or agent  
23 of a transit authority checking prospective volunteer vanpool drivers  
24 for insurance and risk management needs.

25 (e) **Insurance carriers.** (i) An abstract of the driving record  
26 maintained by the department covering the period of not more than the  
27 last three years may be furnished to an insurance company or its  
28 agent:

29 (A) That has motor vehicle or life insurance in effect covering  
30 the named individual;

31 (B) To which the named individual has applied; or

32 (C) That has insurance in effect covering the employer or a  
33 prospective employer of the named individual.

34 (ii) The abstract provided to the insurance company must:

35 (A) Not contain any information related to actions committed by  
36 law enforcement officers or firefighters, as both terms are defined  
37 in RCW 41.26.030, or by Washington state patrol officers, while  
38 driving official vehicles in the performance of their occupational  
39 duty, or by registered tow truck operators as defined in RCW  
40 46.55.010 in the performance of their occupational duties while at

1 the scene of a roadside impound or recovery so long as they are not  
2 issued a citation. This does not apply to any situation where the  
3 vehicle was used in the commission of a misdemeanor or felony;

4 (B) Include convictions under RCW 46.61.5249 and 46.61.525,  
5 except that the abstract must report the convictions only as  
6 negligent driving without reference to whether they are for first or  
7 second degree negligent driving; and

8 (C) Exclude any deferred prosecution under RCW 10.05.060, except  
9 that if a person is removed from a deferred prosecution under RCW  
10 10.05.090, the abstract must show the deferred prosecution as well as  
11 the removal.

12 (iii) Any policy of insurance may not be canceled, nonrenewed,  
13 denied, or have the rate increased on the basis of information  
14 regarding an accident included in the abstract of a driving record,  
15 unless the policyholder was determined to be at fault.

16 (iv) Any insurance company or its agent, for underwriting  
17 purposes relating to the operation of commercial motor vehicles, may  
18 not use any information contained in the abstract relative to any  
19 person's operation of motor vehicles while not engaged in such  
20 employment. Any insurance company or its agent, for underwriting  
21 purposes relating to the operation of noncommercial motor vehicles,  
22 may not use any information contained in the abstract relative to any  
23 person's operation of commercial motor vehicles.

24 (v) The director may enter into a contractual agreement with an  
25 insurance company or its agent for the limited purpose of reviewing  
26 the driving records of existing policyholders for changes to the  
27 record during specified periods of time. The department shall  
28 establish a fee for this service, which must be deposited in the  
29 highway safety fund. The fee for this service must be set at a level  
30 that will not result in a net revenue loss to the state. Any  
31 information provided under this subsection must be treated in the  
32 same manner and is subject to the same restrictions as driving record  
33 abstracts.

34 (f) **Alcohol/drug assessment or treatment agencies.** An abstract of  
35 the driving record maintained by the department covering the period  
36 of not more than the last five years may be furnished to an alcohol/  
37 drug assessment or treatment agency approved by the department of  
38 social and health services to which the named individual has applied  
39 or been assigned for evaluation or treatment, for purposes of

1 assisting employees in making a determination as to what level of  
2 treatment, if any, is appropriate, except that the abstract must:

3 (i) Also include records of alcohol-related offenses, as defined  
4 in RCW 46.01.260(2), covering a period of not more than the last ten  
5 years; and

6 (ii) Indicate whether an alcohol-related offense was originally  
7 charged as a violation of either RCW 46.61.502 or 46.61.504.

8 (g) **Attorneys—City attorneys, county prosecuting attorneys, and**  
9 **named individual's attorney of record.** An abstract of the full  
10 driving record maintained by the department, including whether a  
11 recorded violation is an alcohol-related offense, as defined in RCW  
12 46.01.260(2), that was originally charged as a violation of either  
13 RCW 46.61.502 or 46.61.504, may be furnished to city attorneys,  
14 county prosecuting attorneys, or the named individual's attorney of  
15 record. City attorneys, county prosecuting attorneys, or the named  
16 individual's attorney of record may provide the driving record to  
17 alcohol/drug assessment or treatment agencies approved by the  
18 department of social and health services to which the named  
19 individual has applied or been assigned for evaluation or treatment.

20 (h) **State colleges, universities, or agencies, or units of local**  
21 **government.** An abstract of the full driving record maintained by the  
22 department may be furnished to (i) state colleges, universities, or  
23 agencies for employment and risk management purposes or (ii) units of  
24 local government authorized to self-insure under RCW 48.62.031 for  
25 employment and risk management purposes.

26 (i) **Superintendent of public instruction.** An abstract of the full  
27 driving record maintained by the department may be furnished to the  
28 superintendent of public instruction for review of public school bus  
29 driver records. The superintendent or superintendent's designee may  
30 discuss information on the driving record with an authorized  
31 representative of the employing school district for employment and  
32 risk management purposes.

33 (3) **Release to third parties, or for commercial purposes,**  
34 **prohibited.** (a) Any person or entity receiving an abstract of a  
35 person's driving record under subsection (2)(b) through (i) of this  
36 section shall use the abstract exclusively for his, her, or its own  
37 purposes or as otherwise expressly permitted under this section, and  
38 shall not divulge (~~any information contained in the abstract~~),  
39 transfer, sell, trade, monetize, or otherwise furnish information in  
40 an abstract of a person's driving record to a third party.



1 (b) The department may not release the abstract of a person's  
2 driving record to any person or entity to be used for a commercial  
3 purpose.

4 (4) **Fee.** The director shall collect a (~~thirteen-dollar~~) fee for  
5 each abstract of a person's driving record furnished by the  
6 department. The fee must include:

7 (a) Thirteen dollars for each abstract, fifty percent of (the  
8 fee) which must be deposited in the highway safety fund, and fifty  
9 percent of (the fee) which must be deposited according to RCW  
10 46.68.038; and

11 (b) An additional amount for each abstract, as determined by the  
12 director, up to the amount necessary to fund:

13 (i) The department's privacy officer position and duties, as  
14 required under section 1 of this act;

15 (ii) The office of the chief information officer in:

16 (A) Providing assistance with the implementation and ongoing  
17 operation of section 1 of this act, including the designation and  
18 training of a privacy officer;

19 (B) Identifying the amount of work and time as needed to create  
20 and maintain the inventory and location map of personally  
21 identifiable information collected by the department; and

22 (iii) The preparation and submission of the biennial report  
23 required under section 1(4) of this act.

24 (5) **Violation.** (a) Any negligent violation of this section is a  
25 gross misdemeanor.

26 (b) Any intentional violation of this section is a class C  
27 felony.

28 (6) Effective July 1, 2019, the contents of a driving abstract  
29 pursuant to this section shall not include any information related to  
30 sealed juvenile records unless that information is required by  
31 federal law or regulation.

32 **Sec. 5.** RCW 42.56.120 and 2017 c 304 s 3 are each amended to  
33 read as follows:

34 (1) No fee shall be charged for the inspection of public records  
35 or locating public documents and making them available for copying,  
36 except as provided in RCW 42.56.240(14) and subsection (3) of this  
37 section. A reasonable charge may be imposed for providing copies of  
38 public records and for the use by any person of agency equipment or  
39 equipment of the office of the secretary of the senate or the office

1 of the chief clerk of the house of representatives to copy public  
2 records, which charges shall not exceed the amount necessary to  
3 reimburse the agency, the office of the secretary of the senate, or  
4 the office of the chief clerk of the house of representatives for its  
5 actual costs directly incident to such copying. When calculating any  
6 fees authorized under this section, an agency shall use the most  
7 reasonable cost-efficient method available to the agency as part of  
8 its normal operations. If any agency translates a record into an  
9 alternative electronic format at the request of a requestor, the copy  
10 created does not constitute a new public record for purposes of this  
11 chapter. Scanning paper records to make electronic copies of such  
12 records is a method of copying paper records and does not amount to  
13 the creation of a new public record.

14 (2)(a) Agency charges for actual costs may only be imposed in  
15 accordance with the costs established and published by the agency  
16 pursuant to RCW 42.56.070(7), and in accordance with the statement of  
17 factors and manner used to determine the actual costs. In no event  
18 may an agency charge a per page cost greater than the actual cost as  
19 established and published by the agency.

20 (b) An agency need not calculate the actual costs it charges for  
21 providing public records if it has rules or regulations declaring the  
22 reasons doing so would be unduly burdensome. To the extent the agency  
23 has not determined the actual costs of copying public records, the  
24 agency may not charge in excess of:

25 (i) Fifteen cents per page for photocopies of public records,  
26 printed copies of electronic public records when requested by the  
27 person requesting records, or for the use of agency equipment to  
28 photocopy public records;

29 (ii) Ten cents per page for public records scanned into an  
30 electronic format or for the use of agency equipment to scan the  
31 records;

32 (iii) Five cents per each four electronic files or attachment  
33 uploaded to email, cloud-based data storage service, or other means  
34 of electronic delivery; and

35 (iv) Ten cents per gigabyte for the transmission of public  
36 records in an electronic format or for the use of agency equipment to  
37 send the records electronically. The agency shall take reasonable  
38 steps to provide the records in the most efficient manner available  
39 to the agency in its normal operations; and

1 (v) The actual cost of any digital storage media or device  
2 provided by the agency, the actual cost of any container or envelope  
3 used to mail the copies to the requestor, and the actual postage or  
4 delivery charge.

5 (c) The charges in (b) of this subsection may be combined to the  
6 extent that more than one type of charge applies to copies produced  
7 in response to a particular request.

8 (d) An agency may charge a flat fee of up to two dollars for any  
9 request as an alternative to fees authorized under (a) or (b) of this  
10 subsection when the agency reasonably estimates and documents that  
11 the costs allowed under this subsection are clearly equal to or more  
12 than two dollars. An additional flat fee shall not be charged for any  
13 installment after the first installment of a request produced in  
14 installments. An agency that has elected to charge the flat fee in  
15 this subsection for an initial installment may not charge the fees  
16 authorized under (a) or (b) of this subsection on subsequent  
17 installments.

18 (e) An agency shall not impose copying charges under this section  
19 for access to or downloading of records that the agency routinely  
20 posts on its public internet web site prior to receipt of a request  
21 unless the requestor has specifically requested that the agency  
22 provide copies of such records through other means.

23 (f) A requestor may ask an agency to provide, and if requested an  
24 agency shall provide, a summary of the applicable charges before any  
25 copies are made and the requestor may revise the request to reduce  
26 the number of copies to be made and reduce the applicable charges.

27 (3)(a)(i) In addition to the charge imposed for providing copies  
28 of public records and for the use by any person of agency equipment  
29 copying costs, an agency may include a customized service charge. A  
30 customized service charge may only be imposed if the agency estimates  
31 that the request would require the use of information technology  
32 expertise to prepare data compilations, or provide customized  
33 electronic access services when such compilations and customized  
34 access services are not used by the agency for other agency purposes.

35 (ii) The customized service charge may reimburse the agency up to  
36 the actual cost of providing the services in this subsection.

37 (b) An agency may not assess a customized service charge unless  
38 the agency has notified the requestor of the customized service  
39 charge to be applied to the request, including an explanation of why  
40 the customized service charge applies, a description of the specific

1 expertise, and a reasonable estimate cost of the charge. The notice  
2 also must provide the requestor the opportunity to amend his or her  
3 request in order to avoid or reduce the cost of a customized service  
4 charge.

5 (4) An agency may require a deposit in an amount not to exceed  
6 ten percent of the estimated cost of providing copies for a request,  
7 including a customized service charge. If an agency makes a request  
8 available on a partial or installment basis, the agency may charge  
9 for each part of the request as it is provided. If an installment of  
10 a records request is not claimed or reviewed, the agency is not  
11 obligated to fulfill the balance of the request. An agency may waive  
12 any charge assessed for a request pursuant to agency rules and  
13 regulations. An agency may enter into any contract, memorandum of  
14 understanding, or other agreement with a requestor that provides an  
15 alternative fee arrangement to the charges authorized in this  
16 section, or in response to a voluminous or frequently occurring  
17 request.

18 (5) No fee authorized in this section may be charged if  
19 prohibited under section 3 of this act.

20 **Sec. 6.** RCW 42.56.420 and 2017 c 149 s 1 are each amended to  
21 read as follows:

22 The following information relating to security is exempt from  
23 disclosure under this chapter:

24 (1) Those portions of records assembled, prepared, or maintained  
25 to prevent, mitigate, or respond to criminal terrorist acts, which  
26 are acts that significantly disrupt the conduct of government or of  
27 the general civilian population of the state or the United States and  
28 that manifest an extreme indifference to human life, the public  
29 disclosure of which would have a substantial likelihood of  
30 threatening public safety, consisting of:

31 (a) Specific and unique vulnerability assessments or specific and  
32 unique response or deployment plans, including compiled underlying  
33 data collected in preparation of or essential to the assessments, or  
34 to the response or deployment plans; and

35 (b) Records not subject to public disclosure under federal law  
36 that are shared by federal or international agencies, and information  
37 prepared from national security briefings provided to state or local  
38 government officials related to domestic preparedness for acts of  
39 terrorism;

1 (2) Those portions of records containing specific and unique  
2 vulnerability assessments or specific and unique emergency and escape  
3 response plans at a city, county, or state adult or juvenile  
4 correctional facility, or secure facility for persons civilly  
5 confined under chapter 71.09 RCW, the public disclosure of which  
6 would have a substantial likelihood of threatening the security of a  
7 city, county, or state adult or juvenile correctional facility,  
8 secure facility for persons civilly confined under chapter 71.09 RCW,  
9 or any individual's safety;

10 (3) Information compiled by school districts or schools in the  
11 development of their comprehensive safe school plans under RCW  
12 28A.320.125, to the extent that they identify specific  
13 vulnerabilities of school districts and each individual school;

14 (4) Information regarding the public and private infrastructure  
15 and security of computer and telecommunications networks, consisting  
16 of security passwords, security access codes and programs, access  
17 codes for secure software applications, security and service recovery  
18 plans, security risk assessments, and security test results to the  
19 extent that they identify specific system vulnerabilities, and other  
20 such information the release of which may increase risk to the  
21 confidentiality, integrity, or availability of security, information  
22 technology infrastructure, or assets;

23 (5) The system security and emergency preparedness plan required  
24 under RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170,  
25 and 81.112.180; (~~and~~)

26 (6) Personally identifiable information of employees, and other  
27 security information, of a private cloud service provider that has  
28 entered into a criminal justice information services agreement as  
29 contemplated by the United States department of justice criminal  
30 justice information services security policy, as authorized by 28  
31 C.F.R. Part 20; and

32 (7) Personally identifiable information inventory or data map  
33 records created under section 1(1)(b) of this act, that reveal the  
34 location of personally identifiable information or the extent to  
35 which it is protected.

36 NEW SECTION. Sec. 7. Section 1 of this act constitutes a new  
37 chapter in Title 40 RCW."

38 Correct the title.

EFFECT: (1) Makes the privacy officer requirement only applicable to state agencies that sell or charge for furnishing personally identifiable information.

(2) Requires agencies that must designate a privacy officer to include an additional fee for furnishing personally identifiable information to the extent needed to fund the privacy officer position as well as the Office of the Chief Information Officer (OCIO) in providing training and assistance.

(3) Requires the OCIO to assess the personally identifiable information in driver's license and vehicle records furnished by the department of licensing and to submit findings and recommendations to the legislature by December 31, 2018.

(4) Provides that abstract driver's records may only be used by authorized entities for authorized purposes and may not be transferred, sold, traded, monetized, or otherwise furnished with a third party.

(5) Requires any state agency that furnishes personally identifiable information to report to the legislature annually.

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