

# SENATE BILL REPORT

## SHB 1360

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As of March 26, 2019

**Title:** An act relating to abstracts of driving records.

**Brief Description:** Concerning abstracts of driving records.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Irwin and Fey).

**Brief History:** Passed House: 3/08/19, 94-1.

**Committee Activity:** Transportation: 3/20/19.

### Brief Summary of Bill

- Allows the Department of Licensing (DOL) to release driver abstracts of existing volunteer vanpool drivers to transit authorities.
- Permits DOL to enter into contractual agreements with a transit authority or a unit of local government, or a self-insurance pool of which either is a member, for the purpose of reviewing the driving records of existing vanpool drivers or employees for changes to the record.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** DOL may provide an abstract of a person's driving record under certain limited circumstances. The abstract, whenever possible, must include:

- information related to motor vehicle accidents in which the person was driving;
- any reported convictions, forfeitures of bail, or findings that an infraction was committed based on a violation of any motor vehicle law;
- the status of the person's driving privilege in the state; and
- any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served by an arresting officer.

The cost of a driver record abstract is \$13.

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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 abstract may only be provided to specified entities which include, but are not limited to, prospective employers, county prosecuting attorneys, insurance companies, transit authorities, units of local governments, and the Office of the Superintendent of Public Instruction. There are limitations on the purpose for which the abstract may be provided. For example, a transit authority employee or its agent are limited to checking prospective volunteer vanpool drivers for insurance and risk management needs.

Currently, DOL may contract with insurance companies to allow for monitoring driver record abstract changes. This service is provided for a fee set by DOL at an amount that will not result in a net revenue loss to the state.

Local government entities have the authority to individually or jointly self-insure against risks, jointly purchase insurance or reinsurance, and to contract for risk management, claims, and administrative services.

**Summary of Bill:** A transit authority may have access to the driver abstract for an existing volunteer vanpool driver for insurance and risk management needs.

DOL may enter into a contract with a transit authority, or its agent, to monitor driving record abstracts of existing volunteer vanpool drivers. DOL must set the fee for this service so it does not result in a net revenue loss to the state. A transit authority's agent includes an insurance pool, of which the transit agency is a member.

DOL may enter into a contract with a unit of local government, or its agent, to monitor driving record abstracts of existing employees for changes during a specific period of time. DOL must set the fee for this service so it does not result in a net revenue loss to the state. A unit of local government's agent includes an insurance pool, of which the unit of local government is a member.

For purposes of the release of driving record abstract, an "agent" means a representative of an authorized recipient that has contracted with the recipient to request driving records on its behalf and insurance pools of which the authorized recipient is a member.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: DOL let us know that a statutory fix was necessary to allow for risk pools and transit agencies to continue to receive driver record abstracts and monitoring information. This is really a technical fix that will allow us to make sure our drivers are safe. This bill will let us continue to do what we have been doing for 10 years.

**Persons Testifying:** PRO: Representative Morgan Irwin, Prime Sponsor; Michael Shaw, Washington State Transit Association.

**Persons Signed In To Testify But Not Testifying:** No one.