
HOUSE BILL 2854

State of Washington

66th Legislature

2020 Regular Session

By Representatives Young, Barkis, Walsh, Orcutt, Shea, Boehnke, Chambers, and Volz

Read first time 01/27/20. Referred to Committee on Transportation.

1 AN ACT Relating to prohibiting the tracking of the movement of
2 individuals or vehicles for the purposes of determining taxes or fees
3 to be assessed; and adding a new chapter to Title 1 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature believes that the personal
6 privacy of an individual should not be infringed upon by the
7 government for the purposes of taxation and fee administration.
8 Therefore, it is the intent of the legislature that details regarding
9 when, where, and how an individual travels never be utilized by the
10 state to calculate any taxes or fees owed to the state. Any form of
11 technology currently in existence, or that is developed in the
12 future, that has the capability of tracking the movement of
13 individuals may not under any circumstances be collected by the
14 state, or by a third party working to collect information for the
15 state, to provide information to calculate taxes or fees for a per
16 mile road usage charge for motor vehicles, or for any other tax or
17 fee that could rely on such a calculation.

18 NEW SECTION. **Sec. 2.** No tax or fee assessed by the state may
19 rely, in whole or in part, on technology that is used to track the
20 movement of individuals or vehicles to collect information used in

1 the calculation of the tax or fee to be assessed. Such technology
2 could be hardware that is permanently or temporarily attached to a
3 vehicle, transportation device, or entity; software that is installed
4 on or can be configured on a vehicle, smartphone, or other
5 technological device transported by individuals; or any other type of
6 device that may be used to track the movement of individuals or
7 vehicles. This prohibition does not include a prohibition on
8 technology similar in function to a vehicle odometer, which is used
9 solely to collect information on distance traveled, and which does
10 not collect specific location information to determine distance
11 traveled. This prohibition also does not include a prohibition on
12 technology that has the capability to distinguish driving that occurs
13 in Washington from driving that occurs outside of Washington,
14 provided that: (1) This technology does not retain any location
15 information for a period of time longer than the amount of time
16 required to make this determination; and (2) this capability is not
17 activated unless a person selects the option to use it.

18 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a
19 new chapter in Title 1 RCW.

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