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HOUSE BILL 1900

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State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Kelley and Hurst

Read first time 02/02/09. Referred to Committee on Transportation.

1            AN ACT Relating to the disclosure of vehicle owner information; and  
2 reenacting and amending RCW 46.12.380.

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

4            **Sec. 1.** RCW 46.12.380 and 2005 c 340 s 2 and 2005 c 274 s 304 are  
5 each reenacted and amended to read as follows:

6            (1) Notwithstanding the provisions of chapter 42.56 RCW, the name  
7 or address of an individual vehicle owner shall not be released by the  
8 department, county auditor, or agency or firm authorized by the  
9 department except under the following circumstances:

10            (a) The requesting party is a business entity that requests the  
11 information for use in the course of business;

12            (b) The request is a written request that is signed by the person  
13 requesting disclosure that contains the full legal name and address of  
14 the requesting party, that specifies the purpose for which the  
15 information will be used; and

16            (c) The requesting party enters into a disclosure agreement with  
17 the department in which the party promises that the party will use the  
18 information only for the purpose stated in the request for the  
19 information; and that the party does not intend to use, or facilitate

1 the use of, the information for the purpose of making any unsolicited  
2 business contact with a person named in the disclosed information. The  
3 term "unsolicited business contact" means a contact that is intended to  
4 result in, or promote, the sale of any goods or services to a person  
5 named in the disclosed information. The term does not apply to  
6 situations where the requesting party and such person have been  
7 involved in a business transaction prior to the date of the disclosure  
8 request and where the request is made in connection with the  
9 transaction.

10 (2) Where both a mailing address and residence address are recorded  
11 on the vehicle record and are different, only the mailing address will  
12 be disclosed. Both addresses will be disclosed in response to requests  
13 for disclosure from courts, law enforcement agencies, or government  
14 entities with enforcement, investigative, or taxing authority and only  
15 for use in the normal course of conducting their business.

16 (3) The disclosing entity shall retain the request for disclosure  
17 for three years.

18 (4) Whenever the disclosing entity grants a request for information  
19 under this section by an attorney or private investigator, the  
20 disclosing entity shall provide notice to the vehicle owner, to whom  
21 the information applies, that the request has been granted. The notice  
22 ~~((also shall contain the name and address of the requesting party))~~  
23 must also state that the information was requested by an attorney or  
24 private investigator under this section.

25 (5) Any person who is furnished vehicle owner information under  
26 this section shall be responsible for assuring that the information  
27 furnished is not used for a purpose contrary to the agreement between  
28 the person and the department.

29 (6) This section shall not apply to requests for information by  
30 governmental entities or requests that may be granted under any other  
31 provision of this title expressly authorizing the disclosure of the  
32 names or addresses of vehicle owners.

33 (7) This section shall not apply to title history information under  
34 RCW 19.118.170.

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