

SHB 1900 - S COMM AMD
By Committee on Judiciary

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

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

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

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

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

15 (c) The requesting party enters into a disclosure agreement with
16 the department in which the party promises that the party will use the
17 information only for the purpose stated in the request for the
18 information; and that the party does not intend to use, or facilitate
19 the use of, the information for the purpose of making any unsolicited
20 business contact with a person named in the disclosed information. The
21 term "unsolicited business contact" means a contact that is intended to
22 result in, or promote, the sale of any goods or services to a person
23 named in the disclosed information. The term does not apply to
24 situations where the requesting party and such person have been
25 involved in a business transaction prior to the date of the disclosure
26 request and where the request is made in connection with the
27 transaction.

28 (2) Where both a mailing address and residence address are recorded
29 on the vehicle record and are different, only the mailing address will
30 be disclosed. Both addresses will be disclosed in response to requests

1 for disclosure from courts, law enforcement agencies, or government
2 entities with enforcement, investigative, or taxing authority and only
3 for use in the normal course of conducting their business.

4 (3) The disclosing entity shall retain the request for disclosure
5 for three years.

6 (4) Whenever the disclosing entity grants a request for information
7 under this section by an attorney or private investigator, the
8 disclosing entity shall provide notice to the vehicle owner, to whom
9 the information applies, that the request has been granted. The notice
10 also shall contain the name (~~and address~~) of the requesting party.
11 The disclosing entity shall send the notice to the vehicle owner no
12 earlier than thirty days after granting the request, unless, upon
13 review of the Washington state patrol criminal identification system
14 database and the judicial information system database, the disclosing
15 entity determines that the vehicle owner may be at an increased risk of
16 danger based on, but not limited to, the existence of a protective
17 order protecting the vehicle owner, or the existence of a criminal
18 conviction of a crime against persons involving the requester. In the
19 event of such a determination, the disclosing entity shall send the
20 notice to the vehicle owner at least thirty days prior to granting the
21 request.

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

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

30 (7) This section shall not apply to title history information under
31 RCW 19.118.170."

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1 On page 1, line 1 of the title, after "information;" strike the
2 remainder of the title and insert "and reenacting and amending RCW
3 46.12.380."

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