

SENATE BILL REPORT

SSB 5610

As Amended by House, April 15, 2009

Title: An act relating to the release of driving record abstracts for employment purposes.

Brief Description: Authorizing the release of driving record abstracts for employment purposes.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Haugen, Delvin, Sheldon, Berkey, Jarrett and Shin).

Brief History:

Committee Activity: Transportation: 2/03/09, 2/16/09 [DPS, DNP].

Passed Senate: 3/12/09, 33-15.

Passed House: 4/15/09, 97-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5610 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Berkey, Delvin, Eide, Jarrett, Kilmer, King, Ranker and Sheldon.

Minority Report: Do not pass.

Signed by Senators Kastama and Kauffman.

Staff: Janice Baumgardt (786-7319)

Background: The Department of Licensing (DOL) maintains a case record on every person licensed to operate a motor vehicle in Washington. These case records, or abstracts, contain information relating to a person's driving record. Current law restricts the distribution of abstracts to certain persons and uses.

Summary of Substitute Bill: The list of those who may receive abstracts is expanded to include an employer or prospective employer or volunteer organization, or an agent acting on their behalf, for employment and risk management purposes.

Appropriation: None.

Fiscal Note: Available.

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.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: State law is currently crafted more narrowly than federal law and most state laws. This is critical for employers to make employment decisions.

OTHER: Technical corrections are needed.

Persons Testifying: PRO: Terry Jennings, Reed Elsevier, Inc.

OTHER: Clark Holloway, DOL.

House Amendment(s): The availability of driving record abstracts to employers, prospective employers, and volunteer organizations is limited to circumstances where driving is a condition of the employment of the individual named in the abstract or will be engaged in by the named individual at the direction of the employer or organization.

Courts are allowed to provide a copy of a person's abstract to them if the person has a pending case before the court for a suspended license violation or an open infraction or criminal case that has resulted in the suspension of a person's driver's license.

DOL is required to permanently retain records of convictions for driving under the influence of intoxicating liquor or drugs.