

FINAL BILL REPORT

SSB 5467

C 79 L 14
Synopsis as Enacted

Brief Description: Concerning vehicle owner list furnishment requirements.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King, Eide, Litzow and Harper).

Senate Committee on Transportation
House Committee on Transportation

Background: The Driver Privacy Protection Act (DPPA), enacted by Congress in 1994, regulates state governments' release of personal information contained in an individual's motor vehicle record. DPPA defines personal information as information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address – but not zip code, telephone number, and medical or disability information. There are 14 specified allowable uses of personal information by different entities listed in the DPPA.

Regarding the disclosure of lists of registered motor vehicle owners, current Washington State law is more restrictive than DPPA in that there are fewer permissible uses and entities identified. The Department of Licensing (DOL) may furnish lists of registered and legal owners of motor vehicles to the following entities for the specified purposes: (1) motor vehicle manufacturers, for safety recalls; (2) U.S. and Canadian governmental agencies, for use in enforcement of vehicle or traffic laws; (3) commercial parking companies, to notify owners of outstanding parking violations; (4) DOL agents, to provide certain information to motor vehicle dealers; (5) businesses making loans for the purchase of motor vehicles, to assist in determining whether to provide financing; and (6) the operator of a toll facility, to identify toll violators.

The following activities related to obtaining or the use of information contained in a vehicle record constitute a gross misdemeanor: unauthorized disclosure of information from a vehicle record; use of false representation to obtain information from a vehicle record; the use of information for a purpose other than what is stated in the request for information or disclosure agreement; or, the sale or other distribution of any vehicle owner name or address to another person not disclosed in the request or disclosure agreement.

Summary: The purposes for which DOL must provide a list of registered motor vehicle owners to the manufacturer of motor vehicles or their agents is broadened to reflect all of the

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disclosures required under the federal DPPA as well as include the manufacturers of vehicle component parts.

The purposes for which DOL may furnish lists of registered owners of motor vehicles to specified entities are expanded to include the following:

- subject to some limitations, vehicle manufacturers, legitimate businesses, or their agents for use in research activities and in producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact individuals;
- an insurer or insurance support organization or their agent for use in connection with claims investigation, antifraud, rating, or underwriting activities;
- local government entities or their agents for use in providing notice to owners of towed and impounded vehicles; and
- government agencies or their agents requiring the names and addresses of registered owners to notify them of outstanding parking violations.

Prior to the release of any information, DOL must enter into a contract with an authorized entity. The contract must contain provisions requiring DOL or its agent to conduct regular permissible use and data security audits. However, DOL must accept an audit from a data recipient if it was performed by an independent third party and it meets recognized national or international audit standards.

DOL must charge fees for lists of vehicle owners requested by private entities as follows:

	January 1, 2015	January 1, 2016	January 1, 2021
Bulk Data Purchase	\$10/1000 records	\$20/1000 records	\$25/1000 records
Regular Data Updates	\$0.01/record	\$0.02/record	\$0.025/record

DOL must deposit the fee revenue into the newly created DOL technology improvement and data management account. The monies in the account may be appropriated only for investments in technology and data management.

Personal information received by an authorized entity may not be released for direct marketing purposes. Highly restricted personal information may not be disclosed by DOL.

Votes on Final Passage:

Senate 30 17
House 94 3 (House amended)
Senate 40 6 (Senate concurred)

Effective: June 12, 2014