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**HOUSE BILL 2067**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representatives Davis, Chambers, Jinkins, Dufault, Riccelli, Doglio, Tarleton, Kilduff, and Pollet

Read first time 02/15/19. Referred to Committee on Transportation.

1 AN ACT Relating to prohibiting the disclosure of certain  
2 individual vehicle and vessel owner information of those  
3 participating in the address confidentiality program; amending RCW  
4 46.12.635; and adding a new section to chapter 40.24 RCW.

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

6 **Sec. 1.** RCW 46.12.635 and 2016 c 80 s 2 are each amended to read  
7 as follows:

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

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

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

19 (c) The requesting party enters into a disclosure agreement with  
20 the department in which the party promises that the party will use  
21 the information only for the purpose stated in the request for the

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

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

18 (3) The disclosing entity shall retain the request for disclosure  
19 for three years.

20 (4) (a) Whenever the disclosing entity grants a request for  
21 information under this section by an attorney or private  
22 investigator, the disclosing entity shall provide notice to the  
23 vehicle or vessel owner, to whom the information applies, that the  
24 request has been granted. The notice must only include: (i) That the  
25 disclosing entity has disclosed the vehicle or vessel owner's name  
26 and address pursuant to a request made under this section; (ii) the  
27 date that the disclosure was made; and (iii) that the vehicle or  
28 vessel owner has five days from receipt of the notice to contact the  
29 disclosing entity to determine the occupation of the requesting  
30 party.

31 (b) Except as provided in (c) of this subsection, the only  
32 information about the requesting party that the disclosing entity may  
33 disclose in response to a request made by a vehicle or vessel owner  
34 under (a) of this subsection is whether the requesting party was an  
35 attorney or private investigator. The request by the vehicle or  
36 vessel owner must be submitted to the disclosing entity within five  
37 days of receipt of the original notice.

38 (c) In the case of a vehicle or vessel owner who submits to the  
39 disclosing entity a copy of a valid court order restricting another  
40 person from contacting the vehicle or vessel owner or his or her

1 family or household member, the disclosing entity shall provide the  
2 vehicle or vessel owner with the name and address of the requesting  
3 party.

4 (5) Any person who is furnished vehicle or vessel owner  
5 information under this section shall be responsible for assuring that  
6 the information furnished is not used for a purpose contrary to the  
7 agreement between the person and the department.

8 (6) This section shall not apply to requests for information by  
9 governmental entities or requests that may be granted under any other  
10 provision of this title expressly authorizing the disclosure of the  
11 names or addresses of vehicle or vessel owners. Requests from law  
12 enforcement officers for vessel record information must be granted.  
13 The disclosure agreement with law enforcement entities must provide  
14 that law enforcement may redisclose a vessel owner's name or address  
15 when trying to locate the owner of or otherwise deal with a vessel  
16 that has become a hazard.

17 (7) The department shall disclose vessel records for any vessel  
18 owned by a governmental entity upon request.

19 (8) This section shall not apply to title history information  
20 under RCW 19.118.170.

21 (9) The department shall charge a fee of two dollars for each  
22 record returned pursuant to a request made by a business entity under  
23 subsection (1) of this section and deposit the fee into the highway  
24 safety account.

25 (10) The department, county auditor, or agency or firm authorized  
26 by the department shall not release the name, any address, vehicle  
27 make, vehicle model, vehicle year, vehicle identification number, or  
28 license plate number associated with an individual vehicle or vessel  
29 owner who is a participant in the address confidentiality program  
30 under chapter 40.24 RCW except as allowed in subsection (6) of this  
31 section and RCW 40.24.075.

32 NEW SECTION. Sec. 2. A new section is added to chapter 40.24  
33 RCW to read as follows:

34 The department of licensing, county auditors, or agencies or  
35 firms authorized by the department of licensing may not disclose the  
36 name, any address, vehicle make, vehicle model, vehicle year, vehicle  
37 identification number, or license plate number associated with a  
38 program participant under the disclosure authority provided in RCW

1 46.12.635 except as allowed in RCW 46.12.635(6) or if provided with a  
2 court order as allowed in RCW 40.24.075.

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