

# SENATE BILL REPORT

## SB 5591

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As Passed Senate, March 8, 2013

**Title:** An act relating to confidential license plates, drivers' licenses, identicards, and vessel registrations.

**Brief Description:** Concerning confidential license plates, drivers' licenses, identicards, and vessel registrations.

**Sponsors:** Senators Eide, King and Shin; by request of Department of Licensing.

**Brief History:**

**Committee Activity:** Transportation: 2/19/13, 2/25/13 [DPS].

Passed Senate: 3/08/13, 47-1.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5591 be substituted therefor, and the substitute bill do pass.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Benton, Vice Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Billig, Brown, Carrell, Ericksen, Harper, Litzow, Mullet, Rolfes, Schlicher, Sheldon and Smith.

**Staff:** Amanda Cecil (786-7429)

**Background:** The Department of Licensing (DOL) is responsible for issuing various vehicle and driver-related documents, such as vehicle registrations, driver licenses, and identicards. In addition to standard vehicle and driver-related documents, DOL may issue confidential vessel registrations and license plates to law enforcement agencies, statewide elected officials, certain public employees when it is recommended by the Washington State Patrol (WSP), and the state Treasurer to transport state funds or negotiable securities. The use of confidential license plates by a state law enforcement agency is limited to confidential, investigative, or undercover work; confidential public health work; and public assistance fraud or support investigations.

DOL retains public records related to the issuance of these documents. Generally, under the Public Records Act all public records are to be made available to the public upon request unless specifically exempt.

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*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.*

**Summary of Bill:** DOL is granted authority to issue confidential driver licenses and identicards to commissioned officers of law enforcement agencies for undercover or covert law enforcement activities.

Records related to confidential vessel registration, licenses plates, drivers' licenses, and identicards are exempt from public disclosure. However, the total number of confidential vessel registration, licenses plates, drivers' licenses, and identicards that have been issued will still be available for release.

DOL must perform background investigations on employees who have access to confidential vessel registration, license plates, drivers' licenses, and identicards.

**Appropriation:** None.

**Fiscal Note:** Available.

**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: This gives DOL the explicit authority to continue to provide undercover licenses to officers. These confidential licenses and plates play an important role in many law enforcement agencies' work. This is essential for the safety of the officers that work undercover.

OTHER: While no one should be able to find out who the confidential plate or license is attached, to the public should be able to find out how many of these have been issued. This bill needs a minor amendment that would allow the total number of confidential documents to be available for public disclosure. The impacted agencies are comfortable with the suggested changes.

**Persons Testifying:** PRO: Don Pierce, WA Assn. of Sheriffs and Police Chiefs; Tony Sermonti, DOL; Rob Huss, WSP.

OTHER: Rowland Thompson, Allied Daily Newspapers of WA.