

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5182

63rd Legislature
2013 Regular Session

Passed by the Senate March 7, 2013
YEAS 46 NAYS 1

President of the Senate

Passed by the House April 17, 2013
YEAS 96 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5182** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5182

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senate Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs, and Schlicher)

READ FIRST TIME 02/20/13.

1 AN ACT Relating to the disclosure of vehicle owner information;
2 reenacting and amending RCW 46.12.635; and providing an effective date.

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

4 **Sec. 1.** RCW 46.12.635 and 2005 c 340 s 2 and 2005 c 274 s 304 are
5 each reenacted and amended to read as follows:

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

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

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

16 (c) The requesting party enters into a disclosure agreement with
17 the department in which the party promises that the party will use the
18 information only for the purpose stated in the request for the
19 information; and that the party does not intend to use, or facilitate

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

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

16 (3) The disclosing entity shall retain the request for disclosure
17 for three years.

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

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

36 (c) In the case of a vehicle owner who submits to the disclosing
37 entity a copy of a valid court order restricting another person from

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

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

12 (7) This section shall not apply to title history information under
13 RCW 19.118.170.

14 (8) The department shall charge a fee of two dollars for each
15 record returned pursuant to a request made by a business entity under
16 subsection (1) of this section and deposit the fee into the highway
17 safety account.

18 NEW SECTION. Sec. 2. This act takes effect January 1, 2014.

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