

HOUSE BILL REPORT

HB 1360

As Reported by House Committee On:
Transportation

Title: An act relating to abstracts of driving records.

Brief Description: Concerning abstracts of driving records.

Sponsors: Representatives Irwin and Fey.

Brief History:

Committee Activity:

Transportation: 1/31/19, 2/21/19 [DPS].

Brief Summary of Substitute Bill

- Permits the Department of Licensing (DOL) to release driver abstracts of existing volunteer vanpool drivers to transit authorities.
- Permits the DOL to enter into contractual agreements with a transit authority or a unit of local government, or a self-insurance pool of which either is a member, for the purpose of reviewing the driving records of existing vanpool drivers or employees for changes to the record during specified periods of time.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Doglio, Dufault, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Paul, Pellicciotti, Ramos, Riccelli, Shea, Shewmake and Van Werven.

Minority Report: Without recommendation. Signed by 1 member: Representative Young, Assistant Ranking Minority Member.

Staff: Beth Redfield (786-7140).

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.

Background:

The Department of Licensing (DOL) maintains a driving record on every person licensed to operate a motor vehicle in Washington. These records or driver abstracts contain information relating to a person's driving record which include: (1) accident information; (2) driving status; and (3) information about traffic citations.

The DOL may only release an abstract of a driver's record to the following persons and uses: (1) the individual named in the abstract; (2) employers or prospective employers relating to driving as a condition of employment; (3) volunteer organizations where driving is required; (4) transit authorities for prospective volunteer vanpool drivers; (5) insurance carriers for an individual covering the period of not more than the last three years; (6) state colleges, universities, agencies or units of local government authorized to self-insure for employment and risk management purposes; (7) the Office of Superintendent of Public Instruction for school bus drivers; and (8) city attorneys, county prosecuting attorneys, and defendant attorneys.

For employers and volunteer organizations only, release of the abstract requires a statement signed by the prospective employee or volunteer.

For individual abstracts furnished by the DOL, a fee of \$13 is collected.

For employers and insurance companies, the DOL may enter into contractual agreements for the purpose of reviewing driving records of existing employees or policy holders for changes to the record during specified periods of time. The DOL is required to establish a fee for this service which does not result in a net revenue loss to the state.

Summary of Substitute Bill:

The permission to release driver abstracts to transit authorities is expanded to include existing volunteer vanpool drivers.

The DOL Director is permitted to enter into a contractual agreement with a transit authority, or a self-insurance pool of which it is a member, for the purpose of reviewing the driving records of existing vanpool drivers for changes to the record during specified periods of time.

The DOL Director is permitted to enter into a contractual agreement with a unit of local government, or a self-insurance pool of which it is a member, for the purpose of reviewing the driving records of existing employees for changes to the records during specified periods of time.

Unless specifically required, the release of an abstract does not require a signed statement by the subject of the abstract.

For both types of contractual agreements, the DOL is required to establish a fee for the service which does not result in a net revenue loss to the state.

Substitute Bill Compared to Original Bill:

The substitute bill clarifies that the release of an abstract does not require a signed statement by the subject of the abstract unless specifically required by the section. A definition of "agent" applicable to the entire section is provided.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The transit authority checks the DOL abstracts of those who volunteer to drive vans for their vanpools, which is probably a good idea, so they know what their driving record is like. This is not just a simple check of whether the driver's license is valid, it also provides a list of the violations in the last several years. This is to make sure there is not a pattern of bad behavior while driving. It is a technical bill to ensure that the transit insurance pool can continue a driver monitoring program which has been in place for several years. Current language allows a contract with an insurance company. The Washington State Transit Insurance Pool is an insurance pool and the DOL has said the change in language is needed to continue the program. This is a service provided by the Washington State Transit Insurance Pool to 25 member transit agencies in the state. It allows the transit agency to be notified of any activity on a driver's license. It allows the agencies to stay in line with best practices and maintain safe operations. If not fixed by June 30, 2019, each agency will have to do this on their own, tripling their workload, and drivers would be monitored much less.

(Opposed) None.

Persons Testifying: Representative Irwin, prime sponsor; Justin Leighton, Washington State Transit Association; and Joanne Kerrigan, Washington State Transit Insurance Pool.

Persons Signed In To Testify But Not Testifying: None.