

SENATE BILL REPORT

SB 5725

As of February 24, 2019

Title: An act relating to abstracts of driving records.

Brief Description: Concerning abstracts of driving records.

Sponsors: Senators Hobbs, King and Wilson, C..

Brief History:

Committee Activity: Transportation: 2/14/19.

Brief Summary of Bill

- Authorizes a transit authority to have access to the driver abstract for an existing volunteer vanpool driver for insurance and risk management needs.
- Allows the Department of Licensing to enter into a contract with a transit authority or a unit of local government to monitor the driver record abstract of existing employees or volunteer vanpool drivers for changes to the abstract.
- Specifies a transit authority and a unit of local governments agent can include an insurance pool.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: Upon the proper request, the Department of Licensing (DOL) may provide an abstract of a person's driving record under certain limited circumstances. The abstract, whenever possible, must include: (1) information related to motor vehicle accidents in which the person was driving; (2) any reported convictions, forfeitures of bail, or findings that an infraction was committed based on a violation of any motor vehicle law; (3) the status of the person's driving privilege in the state; and (4) any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served by an arresting officer. The cost of a driver record abstract is \$13.

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.

The abstract may only be provided to specified entities which include, but are not limited to, prospective employers, county prosecuting attorneys, insurance companies, transit authorities, units of local governments, and the Office of the Superintendent of Public Instruction. There are limitations on the purpose for which the abstract may be provided. For example, a transit authority employee or its agent are limited to checking prospective volunteer vanpool drivers for insurance and risk management needs.

Currently, DOL may contract with insurance companies to allow for monitoring driver record abstract changes. This service is provided for a fee set by DOL at an amount that will not result in a net revenue loss to the state.

Local government entities have the authority to individually or jointly self-insure against risks, jointly purchase insurance or reinsurance, and to contract for risk management, claims, and administrative services.

Summary of Bill: A transit authority may have access to the driver abstract for an existing volunteer vanpool driver for insurance and risk management needs.

DOL may enter into a contract with a transit authority, or its agent, to monitor driving record abstracts of existing volunteer vanpool drivers. DOL must set the fee for this service so it does not result in a net revenue loss to the state. A transit authority's agent includes an insurance pool, of which the transit agency is a member.

DOL may enter into a contract with a unit of local government, or its agent, to monitor driving record abstracts of existing employees for changes during a specific period of time. DOL must set the fee for this service so it does not result in a net revenue loss to the state. A unit of local government's agent includes an insurance pool, of which the unit of local government is a member.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is really a technical fix. DOL figured out recently that insurance risk pools do not technically meet the definition of an insurance company and therefore should not have been given access to driver record abstracts of existing van pool drivers and providing the option of monitoring for changes to the driver record abstract to transit agencies and local governments. This bill will let us continue to do what we have been doing for ten years. This will protect public safety.

We provide a monthly driver record monitoring pool to our member transit agencies. Prior to the ability to contract to monitor the records we would only check the records every one to three years. There are instances where there are drivers that fail to self-report on their driving

record. We fear agencies will go back to only checking every one to three years and this puts our community at risk.

Persons Testifying: PRO: Senator Steve Hobbs, Prime Sponsor; Justin Leighton, Washington State Transit Association; Joanne Kerrigan, Washington State Insurance Pool.

Persons Signed In To Testify But Not Testifying: No one.