

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1024**

52nd Legislature  
1991 Regular Session

Passed by the House February 13, 1991  
Yeas 97 Nays 0

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**Speaker of the  
House of Representatives**

Passed by the Senate April 8, 1991  
Yeas 48 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1024** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

Secretary of State  
State of Washington



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HOUSE BILL 1024

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AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Zellinsky, Broback, Dellwo, Haugen, Kremen, Day, Wineberry, Mielke, Orr, Inslee, Ebersole, R. Meyers, Paris, Schmidt, May, Edmondson, Van Luven, Sheldon, Pruitt, Winsley, Forner and Anderson.

Read first time January 16, 1991. Referred to Committee on Financial Institutions & Insurance.

1            AN ACT Relating to law enforcement and fire fighters; and amending  
2            RCW 46.52.130.

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

4            **Sec. 1.** RCW 46.52.130 and 1989 c 178 s 24 are each amended to read  
5            as follows:

6            A certified abstract of the driving record shall be furnished only  
7            to the individual named in the abstract, an employer, the insurance  
8            carrier that has insurance in effect covering the employer or a  
9            prospective employer, the insurance carrier that has insurance in  
10           effect covering the named individual, the insurance carrier to which  
11           the named individual has applied, or an alcohol/drug assessment or  
12           treatment agency approved by the department of social and health  
13           services, to which the named individual has applied or been assigned  
14           for evaluation or treatment. City attorneys and county prosecuting

1 attorneys may provide the driving record to alcohol/drug assessment or  
2 treatment agencies approved by the department of social and health  
3 services to which the named individual has applied or been assigned for  
4 evaluation or treatment. The director, upon proper request, shall  
5 furnish a certified abstract covering the period of not more than the  
6 last three years to insurance companies, and covering a period of not  
7 more than the last five years to state approved alcohol/drug assessment  
8 or treatment agencies. A certified abstract of the full driving record  
9 maintained by the department shall be furnished to individuals and  
10 employers or prospective employers. The abstract, whenever possible,  
11 shall include an enumeration of motor vehicle accidents in which the  
12 person was driving; the total number of vehicles involved; whether the  
13 vehicles were legally parked or moving; whether the vehicles were  
14 occupied at the time of the accident; any reported convictions,  
15 forfeitures of bail, or findings that an infraction was committed based  
16 upon a violation of any motor vehicle law; and the status of the  
17 person's driving privilege in this state. The enumeration shall  
18 include any reports of failure to appear in response to a traffic  
19 citation or failure to respond to a notice of infraction served upon  
20 the named individual by an arresting officer.

21 The abstract provided to the insurance company shall exclude any  
22 information except that related to the commission of misdemeanors or  
23 felonies by the individual pertaining to law enforcement officers or  
24 fire fighters as defined in RCW 41.26.030, or any ~~((member))~~ officer of  
25 the Washington state patrol, while driving official vehicles in the  
26 performance of occupational duty ~~((during an emergency situation if the~~  
27 ~~chief of the officer's or fire fighter's department certifies on the~~  
28 ~~accident report that the actions of the officer or fire fighter were~~  
29 ~~reasonable under the circumstances as they existed at the time of the~~  
30 ~~accident))~~.

1       The director shall collect for each abstract the sum of four  
2 dollars and fifty cents which shall be deposited in the highway safety  
3 fund.

4       Any insurance company or its agent receiving the certified abstract  
5 shall use it exclusively for its own underwriting purposes and shall  
6 not divulge any of the information contained in it to a third party.  
7 No policy of insurance may be canceled, nonrenewed, denied, or have the  
8 rate increased on the basis of such information unless the policyholder  
9 was determined to be at fault. No insurance company or its agent for  
10 underwriting purposes relating to the operation of commercial motor  
11 vehicles may use any information contained in the abstract relative to  
12 any person's operation of motor vehicles while not engaged in such  
13 employment, nor may any insurance company or its agent for underwriting  
14 purposes relating to the operation of noncommercial motor vehicles use  
15 any information contained in the abstract relative to any person's  
16 operation of commercial motor vehicles.

17       Any employer or prospective employer receiving the certified  
18 abstract shall use it exclusively for his own purpose to determine  
19 whether the licensee should be permitted to operate a commercial  
20 vehicle or school bus upon the public highways of this state and shall  
21 not divulge any information contained in it to a third party.

22       Any alcohol/drug assessment or treatment agency approved by the  
23 department of social and health services receiving the certified  
24 abstract shall use it exclusively for the purpose of assisting its  
25 employees in making a determination as to what level of treatment, if  
26 any, is appropriate. The agency, or any of its employees, shall not  
27 divulge any information contained in the abstract to a third party.

28       Any violation of this section is a gross misdemeanor.