

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2476

Chapter 230, Laws of 2004

58th Legislature
2004 Regular Session

TOLL COLLECTION

EFFECTIVE DATE: 6/10/04

Passed by the House March 10, 2004
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 5, 2004
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved March 31, 2004.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2476** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 31, 2004 - 2:17 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2476

AS AMENDED BY THE SENATE

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By Representative Murray; by request of Department of Transportation
Read first time 01/14/2004. Referred to Committee on Transportation.

1 AN ACT Relating to toll collection; reenacting and amending RCW
2 46.12.370; and adding a new section to chapter 47.46 RCW.

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

4 **Sec. 1.** RCW 46.12.370 and 1997 c 432 s 6 and 1997 c 33 s 1 are
5 each reenacted and amended to read as follows:

6 In addition to any other authority which it may have, the
7 department of licensing may furnish lists of registered and legal
8 owners of motor vehicles only for the purposes specified in this
9 section to:

10 (1) The manufacturers of motor vehicles, or their authorized
11 agents, to be used to enable those manufacturers to carry out the
12 provisions of the National Traffic and Motor Vehicle Safety Act of 1966
13 (15 U.S.C. sec. 1382-1418), including amendments or additions thereto,
14 respecting safety-related defects in motor vehicles;

15 (2) Any governmental agency of the United States or Canada, or
16 political subdivisions thereof, to be used by it or by its authorized
17 commercial agents or contractors only in connection with the
18 enforcement of motor vehicle or traffic laws by, or programs related to

1 traffic safety of, that government agency. Only such parts of the list
2 as are required for completion of the work required of the agent or
3 contractor shall be provided to such agent or contractor;

4 (3) A commercial parking company requiring the names and addresses
5 of registered owners to notify them of outstanding parking violations.
6 Subject to the disclosure agreement provisions of RCW 46.12.380 and the
7 requirements of Executive Order 97-01, the department may provide only
8 the parts of the list that are required for completion of the work
9 required of the company;

10 (4) An authorized agent or contractor of the department, to be used
11 only in connection with providing motor vehicle excise tax, licensing,
12 title, and registration information to motor vehicle dealers; ((~~or~~))

13 (5) Any business regularly making loans to other persons to finance
14 the purchase of motor vehicles, to be used to assist the person
15 requesting the list to determine ownership of specific vehicles for the
16 purpose of determining whether or not to provide such financing; or

17 (6) A company or its agents operating a toll facility under chapter
18 47.46 RCW or other applicable authority requiring the names, addresses,
19 and vehicle information of motor vehicle registered owners to identify
20 toll violators.

21 ((~~In the event~~)) If a list of registered and legal owners of motor
22 vehicles is used for any purpose other than that authorized in this
23 section, the manufacturer, governmental agency, commercial parking
24 company, authorized agent, contractor, financial institution, toll
25 facility operator, or their authorized agents or contractors
26 responsible for the unauthorized disclosure or use will be denied
27 further access to such information by the department of licensing.

28 NEW SECTION. Sec. 2. A new section is added to chapter 47.46 RCW
29 to read as follows:

30 (1) Tolls may be collected by any system that identifies the
31 correct toll and collects the payment. Systems may include manual cash
32 collection, electronic toll collection, and photo monitoring systems.

33 (a) "Electronic toll collection system" means a system of
34 collecting tolls or charges that is capable of charging the account of
35 the toll patron the appropriate toll or charge by electronic
36 transmission from the motor vehicle to the toll collection system,
37 which information is used to charge the appropriate toll or charge to

1 the patron's account. The department shall adopt rules that allow an
2 open standard for automatic vehicle identification transponders used
3 for electronic toll collection to be compatible with other electronic
4 payment devices or transponders from the Washington state ferry system,
5 other public transportation systems, or other toll collection systems
6 to the extent that technology permits. The rules must also allow for
7 multiple vendors providing electronic payment devices or transponders
8 as technology permits.

9 (b) "Photo monitoring system" means a vehicle sensor installed to
10 work in conjunction with an electronic toll collection system in a toll
11 facility that automatically produces one or more photographs, one or
12 more microphotographs, a videotape, or other recorded images of each
13 vehicle at the time it is used or operated within a toll facility.

14 (c) No photograph, digital photograph, microphotograph, videotape,
15 or other recorded image may be used for any purpose other than toll
16 enforcement, nor retained longer than necessary to verify that tolls
17 are paid, or to enforce toll evasion violations.

18 (2) The department shall adopt rules to govern toll collection.

Passed by the House March 10, 2004.

Passed by the Senate March 5, 2004.

Approved by the Governor March 31, 2004.

Filed in Office of Secretary of State March 31, 2004.