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HOUSE BILL 2110

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Williams, Wood, Clibborn, Rodne and Simpson

Read first time 02/17/2005. Referred to Committee on State Government Operations & Accountability.

1            AN ACT Relating to access to accident reports and information  
2 compiled by the Washington state patrol; amending RCW 46.52.060; and  
3 creating a new section.

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

5            NEW SECTION.    **Sec. 1.** It is the intent of this act to codify the  
6 holding of the United States Supreme Court in *Pierce County v. Guillen*,  
7 537 U.S. 129, 123 S.Ct.720, 154 L.Ed.2d 610 (2003) by clarifying that  
8 any information compiled or collected by the Washington state patrol  
9 pursuant to this statute is not privileged under 23 U.S.C. Sec. 409 and  
10 to clarify that the public shall have access under the public  
11 disclosure act to all accident reports and information compiled or  
12 collected by the Washington state patrol under this statute.

13            **Sec. 2.** RCW 46.52.060 and 1998 c 169 s 1 are each amended to read  
14 as follows:

15            (1) It shall be the duty of the chief of the Washington state  
16 patrol to compile, collect, file, tabulate, and analyze all accident  
17 reports and to publish annually, immediately following the close of  
18 each fiscal year, and monthly during the course of the year,

1 statistical information based thereon showing the number of accidents,  
2 the location, the frequency and circumstances thereof and other  
3 statistical information which may prove of assistance in determining  
4 the cause of vehicular accidents.

5 (2) Such accident reports and analysis or reports thereof shall be  
6 available to the director of licensing, the department of  
7 transportation, the utilities and transportation commission, the  
8 traffic safety commission, and other public entities authorized by the  
9 chief of the Washington state patrol, or their duly authorized  
10 representatives, for further tabulation and analysis for pertinent data  
11 relating to the regulation of highway traffic, highway construction,  
12 vehicle operators and all other purposes, and to publish information so  
13 derived as may be deemed of publication value.

14 (3) Such accident reports and information and any statistical  
15 analysis thereof under this section shall be available from the  
16 Washington state patrol to the general public upon request under the  
17 provisions of chapter 42.17 RCW.

18 (4) The duty imposed under this section may not be transferred to  
19 another governmental agency or entity as a means of avoiding the  
20 provisions of subsection (3) of this section.

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