

SENATE BILL REPORT

SB 6250

As Amended in House, March 5, 2008

Title: An act relating to the confidentiality of personal information collected and maintained in connection with applications for drivers' licenses and identicards.

Brief Description: Protecting the confidentiality and privacy of personal information in connection with drivers' licenses and identicards.

Sponsors: Senators Haugen and Kline; by request of Department of Licensing.

Brief History:

Committee Activity: Transportation: 1/23/08, 1/24/08 [DP].
Passed Senate: 2/12/08, 47-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker, Ranking Minority Member; Benton, Berkey, Delvin, Eide, Holmquist, Jacobsen, Kastama, Kauffman, Kilmer, King, Pflug, Sheldon and Spanel.

Staff: Dory Nicpon (786-7321)

Background: The Public Records Act requires that documents prepared, owned, used or retained by state agencies must be available for public inspection and copying unless specifically exempted from disclosure.

During the 2007 session, the Legislature authorized the Department of Licensing (DOL) to seek requisite federal approval and create an enhanced driver's license or identicard (eDL) for use in border crossing. In addition to meeting any other driver's license and identicard requirements, an eDL applicant must furnish proof of United States citizenship, identity, and state residency. DOL must retain copies of the documentation presented by the eDL applicant for five years.

The eDL includes a radio frequency identification chip with a unique reference number that is relayed between federal border agents and DOL when the eDL is presented during a land or sea crossing of the United States border.

Summary of Bill: Documents presented by a driver's license or identicard applicant to prove identity, age, residential address, social security number, or other personal information, as well as personally identifying information about individuals who acquire or use a driver's

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license or identicard for border crossing, are exempt from public disclosure under the Public Records Act.

Personally identifying information about individuals who use a driver's license or identicard for border crossing may be released to law enforcement agencies for customs and border protection purposes, and upon court order, to law enforcement agencies for other purposes.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: DOL attends closely to the public trust that the agency will protect individuals from unintended release of personally identifiable information contained in DOL records. DOL receives approximately 5.8 million public disclosure requests per year.

Persons Testifying: PRO: Sharon Whitehead, DOL.

House Amendment(s): Adds an emergency clause.