

# SENATE BILL REPORT

## SHB 1877

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As Passed Senate, April 6, 2017

**Title:** An act relating to the release of driving record abstract information affecting registered tow truck operators.

**Brief Description:** Concerning the release of driving record abstract information affecting registered tow truck operators.

**Sponsors:** House Committee on Transportation (originally sponsored by Representative Stanford).

**Brief History:** Passed House: 3/06/17, 98-0.

**Committee Activity:** Transportation: 3/20/17, 3/28/17 [DP].

**Floor Activity:**

Passed Senate: 4/06/17, 48-1.

### Brief Summary of Bill

- Prohibits the driving abstract for a registered tow truck operator (RTTO) that is provided to an insurance company from containing any information related to actions committed by the operator in performance of their occupational duties, so long as the RTTO is not issued a citation.

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## SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland, Ericksen, Fortunato, Hawkins, O'Ban, Saldaña, Van De Wege and Wilson.

**Staff:** Kim Johnson (786-7472)

**Background:** The Department of Licensing (DOL) is permitted to furnish an abstract of a person's driving record on proper request. 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

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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 abstract may only be provided to specified entities which include but are not limited to prospective employers, county prosecuting attorneys, and insurance companies.

Abstracts provided to an insurance company may not contain any information related to actions committed by law enforcement officers or firefighters while driving official vehicles in the performance of their occupational duties. This exception does not apply when the vehicle has been used in the commission of a misdemeanor or a felony.

**Summary of Bill:** The abstract provided to an insurance company may not contain any information related to actions committed by RTTOs in the performance of their occupational duties while at the scene of a roadside impound or recovery. This exception does not apply when the vehicle has been used in the commission of a misdemeanor or a felony, or when the RTTO was issued a citation.

**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 contains carefully negotiated language. When an RTTO is struck while sitting at an accident scene waiting to remove a vehicle, these accidents are put on the driving record abstract that goes to insurance companies. We have seen our driver's personal insurance rates increase and believe that when an RTTO is attending an accident scene they should receive the same protection as some of the first responders so long as the RTTO is not issued a traffic infraction at the scene.

**Persons Testifying:** PRO: Representative Derek Stanford, Prime Sponsor; Peter Lukevich, Towing and Recovery Assn. of WA; Paul Bressi, Nisqually Towing; Darin Hendrickson, Agri Fix Towing and Tractor Repair.

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