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**SUBSTITUTE SENATE BILL 5182**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs, and Schlicher)

READ FIRST TIME 02/20/13.

1       AN ACT Relating to the disclosure of vehicle owner information;  
2 reenacting and amending RCW 46.12.635; and providing an effective date.

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

4       **Sec. 1.** RCW 46.12.635 and 2005 c 340 s 2 and 2005 c 274 s 304 are  
5 each reenacted and amended to read as follows:

6       (1) Notwithstanding the provisions of chapter 42.56 RCW, the name  
7 or address of an individual vehicle owner shall not be released by the  
8 department, county auditor, or agency or firm authorized by the  
9 department except under the following circumstances:

10       (a) The requesting party is a business entity that requests the  
11 information for use in the course of business;

12       (b) The request is a written request that is signed by the person  
13 requesting disclosure that contains the full legal name and address of  
14 the requesting party, that specifies the purpose for which the  
15 information will be used; and

16       (c) The requesting party enters into a disclosure agreement with  
17 the department in which the party promises that the party will use the  
18 information only for the purpose stated in the request for the  
19 information; and that the party does not intend to use, or facilitate

1 the use of, the information for the purpose of making any unsolicited  
2 business contact with a person named in the disclosed information. The  
3 term "unsolicited business contact" means a contact that is intended to  
4 result in, or promote, the sale of any goods or services to a person  
5 named in the disclosed information. The term does not apply to  
6 situations where the requesting party and such person have been  
7 involved in a business transaction prior to the date of the disclosure  
8 request and where the request is made in connection with the  
9 transaction.

10 (2) Where both a mailing address and residence address are recorded  
11 on the vehicle record and are different, only the mailing address will  
12 be disclosed. Both addresses will be disclosed in response to requests  
13 for disclosure from courts, law enforcement agencies, or government  
14 entities with enforcement, investigative, or taxing authority and only  
15 for use in the normal course of conducting their business.

16 (3) The disclosing entity shall retain the request for disclosure  
17 for three years.

18 (4)(a) Whenever the disclosing entity grants a request for  
19 information under this section by an attorney or private investigator,  
20 the disclosing entity shall provide notice to the vehicle owner, to  
21 whom the information applies, that the request has been granted. ((The  
22 notice also shall contain the name and address of the requesting  
23 party.)) The notice must only include: (i) That the disclosing entity  
24 has disclosed the vehicle owner's name and address pursuant to a  
25 request made under this section; (ii) the date that the disclosure was  
26 made; and (iii) that the vehicle owner has five days from receipt of  
27 the notice to contact the disclosing entity to determine the occupation  
28 of the requesting party.

29 (b) Except as provided in (c) of this subsection, the only  
30 information about the requesting party that the disclosing entity may  
31 disclose in response to a request made by a vehicle owner under (a) of  
32 this subsection is whether the requesting party was an attorney or  
33 private investigator. The request by the vehicle owner must be  
34 submitted to the disclosing entity within five days of receipt of the  
35 original notice.

36 (c) In the case of a vehicle owner who submits to the disclosing  
37 entity a copy of a valid court order restricting another person from

1 contacting the vehicle owner or his or her family or household member,  
2 the disclosing entity shall provide the vehicle owner with the name and  
3 address of the requesting party.

4 (5) Any person who is furnished vehicle owner information under  
5 this section shall be responsible for assuring that the information  
6 furnished is not used for a purpose contrary to the agreement between  
7 the person and the department.

8 (6) This section shall not apply to requests for information by  
9 governmental entities or requests that may be granted under any other  
10 provision of this title expressly authorizing the disclosure of the  
11 names or addresses of vehicle owners.

12 (7) This section shall not apply to title history information under  
13 RCW 19.118.170.

14 (8) The department shall charge a fee of two dollars for each  
15 record returned pursuant to a request made by a business entity under  
16 subsection (1) of this section and deposit the fee into the highway  
17 safety account.

18 NEW SECTION. Sec. 2. This act takes effect January 1, 2014.

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