
SUBSTITUTE SENATE BILL 5467

State of Washington

63rd Legislature

2014 Regular Session

By Senate Transportation (originally sponsored by Senators King, Eide, Litzow, and Harper)

READ FIRST TIME 02/07/14.

1 AN ACT Relating to vehicle owner list furnishment requirements;
2 amending RCW 46.12.630; and adding a new section to chapter 46.68 RCW.

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

4 **Sec. 1.** RCW 46.12.630 and 2013 c 306 s 702 are each amended to
5 read as follows:

6 ~~((In addition to any other authority which it may have,))~~ (1) The
7 department of licensing ~~((may))~~ must furnish lists of registered and
8 legal owners of motor vehicles only for the purposes specified in this
9 ~~((section))~~ subsection to ~~((+~~

10 ~~(1)(a))~~ the manufacturers of motor vehicles, or their authorized
11 agents, to ~~((be used+~~

12 ~~(i) To~~) enable those manufacturers to carry out the provisions of
13 ~~((the national traffic and motor vehicle safety act of 1966 (15 U.S.C.~~
14 ~~Sec. 1382 1418), including amendments or additions thereto, respecting~~
15 ~~safety related defects in motor vehicles; or~~

16 ~~(ii) During the 2011 2013 fiscal biennium, in research activities,~~
17 ~~and in producing statistical reports, as long as the personal~~
18 ~~information is not published, redisclosed, or used to contact~~
19 ~~individuals; or~~

1 ~~(b) During fiscal year 2014, an entity that is an authorized agent~~
2 ~~of a motor vehicle manufacturer,))~~ Titles I and IV of the anti car
3 theft act of 1992, the automobile information disclosure act (15 U.S.C.
4 Sec. 1231 et seq.), the clean air act (42 U.S.C. Sec. 7401 et seq.),
5 and 49 U.S.C.S. Secs. 30101-30183, 30501-30505, and 32101-33118, as
6 these acts existed on January 1, 2014, or such subsequent date as may
7 be provided by the department by rule, consistent with the purposes of
8 this section. However, the department may only provide a manufacturer,
9 or its authorized agent, lists of registered or legal owners who
10 purchased or leased a vehicle manufactured by that manufacturer. Data
11 providers or authorized agents receiving information on behalf of one
12 manufacturer must not disclose this information to any other third
13 party.

14 (2) The department of licensing may furnish lists of registered and
15 legal owners of motor vehicles, only to the entities and only for the
16 purposes specified in this section, to:

17 (a) The manufacturers of motor vehicles, legitimate businesses, or
18 their authorized agents, for purposes of using lists of registered and
19 legal owner information to conduct research activities and produce
20 statistical reports, as long as the entity does not allow personal
21 information received under this section to be published, redisclosed,
22 or used to contact individuals(~~(. The department must charge an amount~~
23 sufficient to cover the full cost of providing the data requested under
24 this subsection (1)(b). Full cost of providing the data includes the
25 information technology, administrative, and contract oversight costs));

26 ~~((+2))~~ (b) Any governmental agency of the United States or Canada,
27 or political subdivisions thereof, to be used by it or by its
28 authorized commercial agents or contractors only in connection with the
29 enforcement of motor vehicle or traffic laws by, or programs related to
30 traffic safety of, that government agency. Only such parts of the list
31 as are required for completion of the work required of the agent or
32 contractor shall be provided to such agent or contractor;

33 ~~((+3))~~ (c) Any insurer or insurance support organization, a self-
34 insured entity, or its agents, employees, or contractors for use in
35 connection with claims investigation activities, antifraud activities,
36 rating, or underwriting;

37 (d) Any local governmental entity or its agents for use in
38 providing notice to owners of towed and impounded vehicles;

1 (e) A government agency, commercial parking company, or its agents
2 requiring the names and addresses of registered owners to notify them
3 of outstanding parking violations. Subject to the disclosure agreement
4 provisions of RCW 46.12.635 and the requirements of Executive Order 97-
5 01, the department may provide only the parts of the list that are
6 required for completion of the work required of the company;

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

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

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

19 (3) Personal information received by an entity listed in subsection
20 (1) or (2) of this section may not be released for direct marketing
21 purposes.

22 (4) Prior to the release of any lists of vehicle owners under
23 subsection (1) or (2) of this section, the department must enter into
24 a contract with the entity authorized to receive the data. The
25 contract must include:

26 (a) A requirement that the department or its agent conduct both
27 regular permissible use and data security audits subject to the
28 following conditions and limitations:

29 (i) The data security audits must demonstrate compliance with the
30 data security standards adopted by the office of the chief information
31 officer.

32 (ii) When determining whether to conduct an audit under this
33 subsection, the department must first take into consideration any
34 independent third-party audit a data recipient has had before requiring
35 that any additional audits be performed. If the independent third-
36 party audit is a data security audit and it meets both recognized
37 national or international standards and the standards adopted by the
38 office of the chief information officer pursuant to (a)(i) of this

1 subsection, the department must accept the audit and the audit is
2 deemed to satisfy the conditions set out in this subsection (4)(a). If
3 the independent third-party audit is a permissible use audit and it
4 meets recognized national or international standards, the department
5 must accept the audit and the audit is deemed to satisfy the conditions
6 set out in this subsection (4)(a); and

7 (b) A provision that the cost of the audits performed pursuant to
8 this subsection must be borne by the data recipient, as well as the
9 initial cost to set up the system to disburse the data to the data
10 recipient.

11 (5)(a) The department must collect a fee of twenty dollars per one
12 thousand individual registered or legal vehicle owners included on a
13 list requested by a private entity under subsection (1) or (2) of this
14 section. The department must prorate the fee when the request is for
15 less than a full one thousand records.

16 (b) In lieu of the fee specified in (a) of this subsection, if the
17 request requires a weekly, monthly, or other regular update of those
18 vehicle records that have changed, the department must collect a fee of
19 two cents per individual registered or legal vehicle owner record
20 provided to the private entity.

21 (c) The department must deposit any moneys collected under this
22 subsection to the department of licensing technology improvement and
23 data management account created in section 2 of this act.

24 (6) Where both a mailing address and residence address are recorded
25 on the vehicle record and are different, only the mailing address will
26 be disclosed. Both addresses will be disclosed in response to requests
27 for disclosure from courts, law enforcement agencies, or government
28 entities with enforcement, investigative, or taxing authority and only
29 for use in the normal course of conducting their business.

30 (7) If a list of registered and legal owners of motor vehicles is
31 used for any purpose other than that authorized in this section, the
32 manufacturer, governmental agency, commercial parking company,
33 ((authorized agent,)) contractor, financial institution, insurer,
34 insurance support organization, self-insured entity, legitimate
35 business entity, toll facility operator, or ((their)) any authorized
36 agent((s)) or contractor((s)) responsible for the unauthorized
37 disclosure or use will be denied further access to such information by
38 the department of licensing.

1 (8) For purposes of this section, "personal information" means
2 information that identifies an individual, including an individual's
3 photograph, social security number, driver identification number, name,
4 address (but not the five-digit zip code), telephone number, or medical
5 or disability information. However, an individual's photograph, social
6 security number, and any medical or disability-related information is
7 considered highly restricted personal information and may only be
8 released under the circumstances described in subsections (1) and
9 (2)(b) and (c) of this section.

10 NEW SECTION. Sec. 2. A new section is added to chapter 46.68 RCW
11 to read as follows:

12 The department of licensing technology improvement and data
13 management account is created in the highway safety fund. All receipts
14 from fees collected under RCW 46.12.630(5) must be deposited into the
15 account. Expenditures from the account may be used only for
16 investments in technology and data management at the department.
17 Moneys in the account may be spent only after appropriation.

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