

RCW 31.45.093 Information system—Access—Required information—Fees—Rules. (1) The director must, by contract with a vendor or service provider or otherwise, develop and implement a system by means of which a licensee may determine:

- (a) Whether a consumer has an outstanding small loan;
- (b) The number of small loans the consumer has outstanding;
- (c) Whether the borrower is eligible for a loan under RCW

31.45.073;

- (d) Whether the borrower is in an installment plan; and
- (e) Any other information necessary to comply with this chapter.

(2) The director may specify the form and contents of the system by rule. Any system must provide that the information entered into or stored by the system is:

(a) Accessible to and usable by licensees and the director from any location in this state; and

(b) Secured against public disclosure, tampering, theft, or unauthorized acquisition or use.

(3) If the system described in subsection (1) of this section is developed and implemented, a licensee making small loans under this chapter must enter or update the required information in subsection (1) of this section at the time that the small loan transaction is conducted by the licensee.

(4) A licensee must continue to enter and update all required information for any loans subject to this chapter that are outstanding or have not yet expired after the date on which the licensee no longer has the license or small loan endorsement required by this chapter. Within ten business days after ceasing to make loans subject to this chapter, the licensee must submit a plan for continuing compliance with this subsection to the director for approval. The director must promptly approve or disapprove the plan and may require the licensee to submit a new or modified plan that ensures compliance with this subsection.

(5) If the system described in subsection (1) of this section is developed and implemented, the director shall adopt rules to set the fees licensees shall pay to the vendor or service provider for the operation and administration of the system and the administration of this chapter by the department.

(6) The director shall adopt rules establishing standards for the retention, archiving, and deletion of information entered into or stored by the system described in subsection (1) of this section.

(7) The information in the system described in subsection (1) of this section is not subject to public inspection or disclosure under chapter 42.56 RCW. [2009 c 510 s 6.]

Finding—Intent—Liberal construction—2009 c 510: See note following RCW 31.45.010.