
Judiciary Committee

HB 1900

Title: An act relating to the disclosure of vehicle owner information.

Brief Description: Modifying the notice requirement when an attorney or private investigator requests vehicle owner information.

Sponsors: Representatives Kelley and Hurst.

Brief Summary of Bill

- Provides that the notice sent to a vehicle owner when an attorney or private investigator has been granted a request for the owner's name and address does not have to contain the name and address of the attorney or private investigator.

Hearing Date: 2/16/09

Staff: Edie Adams (786-7180)

Background:

Federal and state laws impose restrictions on the disclosure of personal information contained in motor vehicle records. The federal Drivers Privacy Protection Act generally requires states to protect the privacy of a vehicle owner's personal information, except for certain authorized purposes and in accordance with other requirements. Authorized purposes under the federal act include, among others, disclosure for: government agency functions; motor vehicle safety, theft, emissions, or product recalls; legitimate business needs to verify the accuracy of personal information; use in connection with a civil, criminal, administrative or arbitral proceeding; and use by a licensed investigator or security service.

State law provides that the Department of Licensing (DOL) may release the name or address of an individual vehicle owner to a business entity if the request is for use in the course of business and the requestor enters into a disclosure agreement with the DOL promising not to use the

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information for other purposes. The entity requesting the disclosure must include in the request the entity's full legal name and address and the purpose for which the information will be used.

The DOL must retain all requests for disclosure of a vehicle owner's name and address for a period of three years. Records of disclosure requests are themselves public records subject to disclosure upon request.

If the requestor is an attorney or private investigator, the DOL must provide notice to the vehicle owner that the request has been granted. The notice must also contain the name and address of the attorney or private investigator requesting the information.

Summary of Bill:

The notice sent to a vehicle owner when an attorney or private investigator has been granted a request for the owner's name and address does not have to contain the name and address of the attorney or private investigator. The notice must state that the information was requested by an attorney or private investigator.

Appropriation: None.

Fiscal Note: Requested on February 13, 2009.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.