

WAC 308-93-087 Disclosure of ((names and addresses of individual)) vessel owner((s)) information. ((-1) What vessel record information is protected from disclosure?

~~Vessel information protected from disclosure is the same as under chapters 42.56 and 46.12 RCW.~~

~~(2) Who may receive disclosure of individual vessel owner names and addresses?~~

- ~~(a) Government agencies;~~
- ~~(b) Any business entity that uses the name and address information in their normal course of business in accordance with these rules;~~
- ~~(c) Vessel manufacturers that require vessel ownership information for recall of their own products;~~
- ~~(d) A vessel owner for their own vessel; or~~
- ~~(e) Individuals who meet the criteria listed in subsection (6) of this section.~~

~~(3) What documentation does the department require to disclose vessel owner names and addresses?~~

~~The department requires:~~

- ~~(a) A disclosure request form provided by the department and completed by the applicant; and~~
- ~~(b) Acceptable business verification.~~

~~(4) What is acceptable business verification?~~

~~For purposes of this section acceptable business verification includes:~~

- ~~(a) If a licensed Washington business, a copy of its current unexpired master business license;~~
- ~~(b) If a business is not required to be licensed in this state, its federal employer identification number/federal tax number (or Uniform Business Identifier) on its official letterhead with a signature of the owner or an authorized representative;~~
- ~~(c) If an attorney, a copy of the current bar card; or~~
- ~~(d) If a private investigator, a copy of the current private investigator's license; or~~
- ~~(e) If an out-of-state business not licensed in Washington:
 - ~~(i) If the business is required to be licensed, a copy of its current business license issued by the governmental authority with jurisdiction over the license; or~~
 - ~~(ii) If the business is not required to be licensed, its federal employer identification number/federal tax number on its official letterhead with a signature of the owner or an authorized representative.~~~~

~~(5) If a business has entered into an agreement with the department, is a separate request for each inquiry required?~~

~~No. If a business has entered into a written agreement with the department, a separate request for each inquiry is not required.~~

~~(6) When may an individual be provided vessel owner name and address information?~~

- ~~(a) When the owner of record is requesting the information; or~~
- ~~(b) When the requester presents a bill of sale or other evidence of ownership and needs the ownership information to obtain a release of interest.~~

~~(7) Who may release the vessel owner name and address information?~~

~~(a) The department of licensing; or
(b) Agents and subagents, only when disclosing information for purposes described in subsection (6)(b) of this section.~~

~~**(8) When may the department disclose the names and addresses of vessel owners?**~~

~~Notwithstanding the provisions of chapter 42.56 RCW, the department may disclose the names and addresses of vessel owners when:~~

~~(a) The requesting party is a business that requests the information for use in their normal course of business;~~

~~(b) The request is in writing, signed by the person requesting disclosure, contains the full legal name and address of the requesting party or their business, and specifies the purpose for which the information will be used;~~

~~(c) The requesting party enters into a disclosure agreement with the department in which the parties:~~

~~(i) Agree they will use the information only for the purpose stated in the request for the information; and~~

~~(ii) Individuals meet the criteria listed in subsection (6) of this section.~~

~~**(9) Is the department required to notify the vessel owner when ownership information is disclosed?**~~

~~When the department grants a request from an attorney or private investigator, for information under this section, the department will provide notice to the vessel owner that the request has been granted. In addition, the notice will contain the name and address of the requesting party.~~

~~Additionally, if contract holders release owner information to a private investigator or attorney, they must notify the vessel owner that a request has been granted and include the name and address of the requesting party and send a copy to the department public disclosure unit.~~

~~**(10) Who is responsible for assuring that the information is used appropriately?**~~

~~Any person, business, agency or association that receives vessel owner information under this section is responsible for assuring under penalty of perjury under the laws of the state of Washington that the information received is not used for a purpose contrary to the agreement between the person, business, agency or association and the department.)~~

(1) Laws protecting vessel owner information from disclosure.

Vessel record information may be protected from disclosure under chapters 42.56 and 46.12 RCW, and 18 U.S.C. Sec. 2721. Indian tribal vessel data is protected from disclosure under WAC 308-93-770.

(2) Disclosing names and addresses of vessel owners.

(a) Government agencies; or

(b) Business entities who provide proof of business verification;

or

(c) Vessel manufacturers and vessel component manufacturers that require vessel ownership information for recall of their own product(s); or

(d) Individuals who provide proof of identity and:

(i) The owner of record is requesting the information for a vessel(s) currently registered in their name; or

(ii) They can provide either a letter of testamentary, letter of administration, court order, or a signed and notarized department of licensing form and a death certificate of the deceased; or

(iii) They have documentation showing how they obtained the vessel; or

(iv) They are following the chattel lien process as required by RCW 60.08.085.

(3) In order for the department to disclose names and addresses of individual vessel owners, the requestor must provide:

(a) Acceptable verification or proof of identity as stated in subsection (4) or (5) of this section; and

(i) A contract with the department; or

(ii) A disclosure form or agreement with the department as required by RCW 46.12.635.

(b) Any other supporting documentation as requested by the department.

(4) Acceptable business verification.

(a) If the requestor is a business, one of the following:

(i) A copy of its current/valid business or professional license;

or

(ii) If the requestor is a business that is not required to be licensed, its federal employer identification number, federal tax number, or uniform business identifier number on its official business letterhead with a signature of the owner or an authorized representative.

(b) If the requestor is an attorney, a copy of:

(i) Their eligibility to practice law, including proof that their license is in a current/active status; and

(ii) An engagement letter, notice showing the attorney is representing someone, or evidence of an active case in court.

(c) If the requestor is a private investigator, a copy of:

(i) Their current/valid private investigator's license; and

(ii) An engagement letter, notice showing the private investigator is representing someone, or evidence of an active case in court.

(5) Proof of identity.

Acceptable forms of identification include, but are not limited to:

(a) A current/valid driver's license or instruction permit issued by any U.S. state or foreign government. If the requestor's driver license has expired, they must also show a valid temporary driver's license with the expired card; or

(b) A current/valid United States armed forces identification card; or

(c) A current/valid merchant marine identification card issued by the United States Coast Guard; or

(d) A current/valid identification card issued by any foreign, federal, or state government; or

(e) A current/valid official U.S. passport or an unexpired foreign passport; or

(f) A current/valid enrollment card issued by the governing authority of a state or federally recognized Indian tribe.

Note: The department, at its own discretion, may waive the requirement in subsection (5) of this section and accept other documentation that clearly establishes the identity of the requestor.