**APPENDIX C** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Account Number**

**EMPLOYEE OR PROSPECTIVE EMPLOYEE REQUEST**

That I, , am an employee or prospective employee of the company named below and that I request a copy of my official Driving Record in the State of Washington be released to my employer or prospective employer or their agent.

Authorization of employee or prospective employee for release of abstract of driving

record for employment purposes as defined in (C) below.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date WA License # and print full name and date of birth

**EMPLOYER ATTESTATION**

(A) That the company named below is an employer or prospective employer of the above

named individual and that I am a representative authorized to bind said company.

(B) That **AMERICAN DRIVING RECORDS** is acting as agent on behalf of **Whitman College** who is acting as agent on our behalf to obtain the abstract of driver records of the above named individual.

(C) That abstracts of driver record shall be used exclusively to determine whether the above

named individual should be employed to operate a school bus, commercial vehicle or for employment purposes related to driving by an individual as a condition of that individual’s employment upon the public highways or otherwise at the direction of the employer or organization, and that no information contained therein shall be divulged, sold, assigned, or otherwise transferred to any third person or party. A commercial vehicle is defined as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire and commercial vehicles as defined in Chapter 46.25 RCW.

(D) That the information contained in the abstracts of driver records obtained from the

Department shall be used in accordance with the requirements and in no way violate the provisions of RCW 46.52.130, attached in part for easy reference. By affirming my signature below, I declare under penalty of perjury, under the laws of the State

of Washington, that the foregoing is true and correct.

\_Whitman College\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Company Name**

\_\_345 Boyer Ave. Walla Walla WA.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Address**

\_\_\_\_Kathy A. Rogers, Safety Coordinator\_\_\_\_\_\_\_\_\_\_\_\_

**Authorized Officer’s Name Title**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature** Date

**This record must be maintained by the employer or prospective employer for a period of not less than two (2) years from the last date above. Failure to obtain all signatures or misuse of records obtained from the State of Washington may result in prosecution under RCW 46.52.130.** V061509

**July 26, 2009 Revisions for RCW 46.52.130**

**RCW 46.52.130 Abstract of driving record ‐‐ Access ‐‐ Fees ‐‐ Penalty.**

(1) A certified abstract of the driving record shall be furnished only to: (a) The individual named

in the abstract; (b) An employer or prospective employer or an agent acting on behalf of an

employer or prospective employer, or a volunteer organization for which the named individual

has submitted an application for a position that could require the transportation of children

under eighteen years of age, adults over sixty‐five years of age, or persons with mental or

physical disabilities; (c) An employee or agent of a transit authority checking prospective

volunteer vanpool drivers for insurance and risk management needs; (d) The insurance carrier

that has insurance in effect covering the employer or a prospective employer; (e) The insurance

carrier that has motor vehicle or life insurance in effect covering the named individual; (f) The

insurance carrier to which the named individual has applied; (g) An alcohol/drug assessment or

treatment agency approved by the department of social and health services, to which the

named individual has applied or been assigned for evaluation or treatment; (h) City and county

prosecuting attorneys; (i) State colleges, universities, or agencies for employment and risk

management purposes; or units of local government authorized to self‐insure under RCW

48.62.031; or (j) An employer or prospective employer or volunteer organization, or an agent

acting on behalf of an employer or prospective employer or volunteer organization, for

employment purposes related to driving by an individual as a condition of that individual's

employment or otherwise at the direction of the employer or organization.

(2) Nothing in this section shall be interpreted to prevent a court from providing a copy of the

driver's abstract to the individual named in the abstract, provided that the named individual has

a pending case in that court for a suspended license violation or an open infraction or criminal

case in that court that has resulted in the suspension of the individual's driver's license. A

pending case includes criminal cases that have not reached a disposition by plea, stipulation,

trial, or amended charge. An open infraction or criminal case includes cases on probation,

payment agreement or subject to, or in collections. Courts may charge a reasonable fee for

production and copying of the abstract for the individual.

(3) City attorneys and county prosecuting attorneys may provide the driving record to

alcohol/drug assessment or treatment agencies approved by the department of social and

health services to which the named individual has applied or been assigned for evaluation or

treatment.

(4)(a) The director, upon proper request, shall furnish a certified abstract covering the period of

not more than the last three years to insurance companies.

(b) The director may enter into a contractual agreement with an insurance company or its agent

for the limited purpose of reviewing the driving records of existing policyholders for changes to

the record during specified periods of time. The department shall establish a fee for this service,

which must be deposited in the highway safety fund. The fee for this service must be set at a

level that will not result in a net revenue loss to the state. Any information provided under this

subsection must be treated in the same manner and subject to the same restrictions as certified

abstracts.

(5) Upon proper request, the director shall furnish a certified abstract covering a period of not

more than the last five years to state approved alcohol/drug assessment or treatment agencies,

except that the certified abstract shall also include records of alcohol‐ related offenses as

defined in RCW 46.01.260(2) covering a period of not more than the last ten years.

(6) Upon proper request, a certified abstract of the full driving record maintained by the

department shall be furnished to a city or county prosecuting attorney, to the individual named

in the abstract, to an employer or prospective employer or an agent acting on behalf of an

employer or prospective employer of the named individual, or to a volunteer organization for

which the named individual has submitted an application for a position that could require the

transportation of children under eighteen years of age, adults over sixty‐five years of age, or

persons with physical or mental disabilities, or to an employee or agent of a transit authority

checking prospective volunteer vanpool drivers for insurance and risk management needs.

(7) The abstract, whenever possible, shall include: (a) An enumeration of motor vehicle

accidents in which the person was driving; (b) The total number of vehicles involved; (c)

Whether the vehicles were legally parked or moving; (d) Whether the vehicles were occupied at

the time of the accident; (e) Whether the accident resulted in any fatality; (f) Any reported

convictions, forfeitures of bail, or findings that an infraction was committed based upon a

violation of any motor vehicle law; (g) The status of the person's driving privilege in this state;

and (h) Any reports of failure to appear in response to a traffic citation or failure to respond to a

notice of infraction served upon the named individual by an arresting officer.

(8) Certified abstracts furnished to prosecutors and alcohol/drug assessment or treatment

agencies shall also indicate whether a recorded violation is an alcohol‐related offense as defined

in RCW 46.01.260(2) that was originally charged as one of the alcohol‐ related offenses

designated in RCW 46.01.260(2)(b)(i).

(9) The abstract provided to the insurance company shall exclude any information, except that

related to the commission of misdemeanors or felonies by the individual, pertaining to law

enforcement officers or firefighters as defined in RCW 41.26.030, or any officer of the

Washington state patrol, while driving official vehicles in the performance of occupational duty.

The abstract provided to the insurance company shall include convictions for RCW 46.61.5249

and 46.61.525 except that the abstract shall report them only as negligent driving without

reference to whether they are for first or second degree negligent driving. The abstract provided

to the insurance company shall exclude any deferred prosecution under RCW 10.05.060, except

that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract shall

show the deferred prosecution as well as the removal.

(10) The director shall collect for each abstract the sum of ten dollars, fifty percent of which

shall be deposited in the highway safety fund and fifty percent of which must be deposited

according to RCW 46.68.038.

(11) Any insurance company or its agent receiving the certified abstract shall use it exclusively

for its own underwriting purposes and shall not divulge any of the information contained in it to

a third party. No policy of insurance may be canceled, non‐renewed, denied, or have the rate

increased on the basis of such information unless the policyholder was determined to be at

fault. No insurance company or its agent for underwriting purposes relating to the operation of

commercial motor vehicles may use any information contained in the abstract relative to any

person's operation of motor vehicles while not engaged in such employment, nor may any

insurance company or its agent for underwriting purposes relating to the operation of

noncommercial motor vehicles use any information contained in the abstract relative to any

person's operation of commercial motor vehicles.

(12) Any employer or prospective employer or an agent acting on behalf of an employer or

prospective employer, or a volunteer organization for which the named individual has submitted

an application for a position that could require the transportation of children under eighteen

years of age, adults over sixty‐five years of age, or persons with physical or mental disabilities,

receiving the certified abstract shall use it exclusively for his or her own purpose: (a) To

determine whether the licensee should be permitted to operate a commercial vehicle or school

bus, or operate a vehicle for a volunteer organization for purposes of transporting children

under eighteen years of age, adults over sixty‐five years of age, or persons with physical or

mental disabilities, upon the public highways of this state; or (b) for employment purposes

related to driving by an individual as a condition of that individual's employment or otherwise at

the direction of the employer or organization, and shall not divulge any information contained in

it to a third party.

(13) Any employee or agent of a transit authority receiving a certified abstract for its vanpool

program shall use it exclusively for determining whether the volunteer licensee meets those

insurance and risk management requirements necessary to drive a vanpool vehicle. The transit

authority may not divulge any information contained in the abstract to a third party.

(14) Any alcohol/drug assessment or treatment agency approved by the department of social

and health services receiving the certified abstract shall use it exclusively for the purpose of

assisting its employees in making a determination as to what level of treatment, if any, is

appropriate. The agency, or any of its employees, shall not divulge any information contained in

the abstract to a third party.

(15) Release of a certified abstract of the driving record of an employee, prospective employee,

or prospective volunteer requires a statement signed by: (a) The employee, prospective

employee, or prospective volunteer that authorizes the release of the record, and (b) the

employer or volunteer organization attesting that the information is necessary: (i) To determine

whether the licensee should be employed to operate a commercial vehicle or school bus, or

operate a vehicle for a volunteer organization for purposes of transporting children under

eighteen years of age, adults over sixty‐five years of age, or persons with physical or mental

disabilities, upon the public highways of this state; or (ii) for employment purposes related to

driving by an individual as a condition of that individual's employment or otherwise at the

direction of the employer or organization. If the employer or prospective employer authorizes

an agent to obtain this information on their behalf, this must be noted in the statement. This

subsection does not apply to entities identified in subsection (1)(i) of this section.

(16) Any negligent violation of this section is a gross misdemeanor.

(17) Any intentional violation of this section is a class C felony.