

## **BILL ANALYSIS**

Senate Research Center  
81R20331 JD-F

C.S.S.B. 375  
By: Carona  
Transportation & Homeland Security  
3/27/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Department of Transportation (TxDOT) maintains information about motor vehicle accidents in a database referred to as the Crash Records Information System (CRIS). The information contained in the database is derived from accident reports generated in connection with motor vehicle accidents. Section 550.065 (Release of Certain Information Relating to Accidents), Transportation Code, provides that all information related to a report of a motor vehicle accident that is maintained by TxDOT or any other governmental entity is privileged and authorized only to be used for accident prevention purposes. However, Section 550.065 permits records related to a particular accident to be released to certain government entities, and a non-governmental entity that can provide certain identifying information about the accident.

The attorney general was asked to determine whether the CRIS database was privileged and confidential in the same manner that accident reports are privileged under Section 550.065. The attorney general determined that the CRIS database is not an accident report and therefore is not privileged or confidential under Section 550.065. Therefore, information contained in the CRIS database about specific accidents is currently available to the public, as is the entirety of the information contained in the database.

C.S.S.B. 375 amends Section 550.065, Transportation Code, to expressly make the CRIS database and information contained in the CRIS database privileged in the same manner that accident reports are privileged under Section 550.065, Transportation Code. C.S.S.B. 375 also authorizes TxDOT or a governmental entity discretion to make statistical information derived from the CRIS database available to the public.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 550.065, Transportation Code, by amending Subsections (a), (b), and (d) and adding Subsections (e), (f), and (g), as follows:

(a) Provides that this section only applies to information that is held by the Texas Department of Transportation (TxDOT) or another governmental entity and relates to a motor vehicle accident reported under this chapter or Section 601.004 (Accident Report), including accident report information compiled under Section 201.805 (Accident Reports), as added by Chapter 1407, Acts of the 80th Legislature, Regular Session, 2007.

(b) Provides that except as provided by Subsections (c) or (e), the information is privileged and for the confidential use of TxDOT and an agency of the United States, this state, or a local government of this state that has use for the information for accident prevention purposes.

(d) Provides that the fee for a copy of the accident report is \$6. Deletes existing text that provides that the fee for a copy of the report or accident information is \$6 or the actual cost of the preparation of the copy, whichever is less.

(e) Authorizes TxDOT or a governmental entity, in addition to the information required to be released under Subsection (c), to release:

(1) information relating to motor vehicle accidents that TxDOT compiles under Section 201.805, as added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular Session, 2007; or

(2) a vehicle identification number and specific accident information relating to that vehicle.

(f) Provides that TxDOT or a governmental entity:

(1) is prohibited from releasing under Subsection (e) information that is personal information, as defined by Section 730.003 (Definitions), or would allow a person to satisfy the requirements of Subsection (c)(4) for the release of information for a specific motor vehicle accident; and

(2) is required to withhold or redact certain identifying items of information relating to the accident.

(g) Requires that the amount that is authorized to be charged for information provided under Subsection (e) be calculated in the manner specified by Chapter 552 (Public Information), Government Code, for public information provided by a governmental body under that chapter.

SECTION 2. Effective date: upon passage or September 1, 2009.