

By: Carona

S.B. No. 375

A BILL TO BE ENTITLED

AN ACT

relating to the release of certain motor vehicle accident report information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

(a) This section applies only to information that is held by the department or another governmental entity and relates to a motor vehicle accident reported under this chapter or Section 601.004, including accident report information compiled under Section 201.805, as added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular Session, 2007.

(b) Except as provided by Subsection (c) or (e), the information is privileged and for the confidential use of:

(1) the department; and

(2) 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) The fee for a copy of the accident report [~~or accident information~~] is \$6 [~~or the actual cost of the preparation of the copy, whichever is less~~]. The copy may be certified by the department or the governmental entity for an additional fee of \$2. The department or the governmental entity may issue a certification

1 that no report or information is on file for a fee of \$6.

2 (e) In addition to the information required to be released
3 under Subsection (c), the department may release:

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

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

10 (f) The department:

11 (1) may not release under Subsection (e) information
12 that:

13 (A) is personal information, as defined by
14 Section 730.003; or

15 (B) would allow a person to satisfy the
16 requirements of Subsection (c)(4) for the release of information
17 for a specific motor vehicle accident; and

18 (2) shall withhold or redact the following items of
19 information:

20 (A) the first, middle, and last name of any
21 person listed in an accident report, including a vehicle driver,
22 occupant, owner, or lessee, a bicyclist, a pedestrian, or a
23 property owner;

24 (B) the number of any driver's license,
25 commercial driver's license, or personal identification
26 certificate issued to any person listed in an accident report;

27 (C) the date of birth, other than the year, of any

- 1 person listed in an accident report;
2 (D) the address, other than zip code, and
3 telephone number of any person listed in an accident report;
4 (E) the license plate number of any vehicle
5 listed in an accident report;
6 (F) the date of any accident, other than the
7 year;
8 (G) the name of any insurance company listed as a
9 provider of financial responsibility for a vehicle listed in an
10 accident report;
11 (H) the number of any insurance policy issued by
12 an insurance company listed as a provider of financial
13 responsibility;
14 (I) the date the peace officer who investigated
15 the accident was notified of the accident;
16 (J) the date the investigating peace officer
17 arrived at the accident site;
18 (K) the date the investigating officer's report
19 was prepared;
20 (L) the badge number or identification number of
21 the investigating officer;
22 (M) the date on which any person who died as a
23 result of the accident died;
24 (N) the date of any commercial motor vehicle
25 report; and
26 (O) the place where any person injured or killed
27 in an accident was taken and the person or entity that provided the

1 transportation.

2 (g) The amount that may be charged for information provided
3 under Subsection (e) shall be calculated in the manner specified by
4 Chapter 552, Government Code, for public information provided by a
5 governmental body under that chapter.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.