

By: Zaffirini

S.B. No. 652

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the maintenance of emergency contact and medical  
3 information databases by the Department of Public Safety of the  
4 State of Texas.

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

6 SECTION 1. Subchapter C, Chapter 521, Transportation Code,  
7 is amended by adding Section 521.060 to read as follows:

8 Sec. 521.060. EMERGENCY CONTACT AND MEDICAL INFORMATION  
9 DATABASES. (a) The department shall maintain in its files a  
10 record of the name, address, and telephone number of each  
11 individual identified by the holder of a driver's license or  
12 personal identification certificate as an individual the holder  
13 authorizes to be contacted in the event that the holder is injured  
14 or dies in or as a result of a vehicular accident or another  
15 emergency situation. In addition, the department shall maintain in  
16 its files a record of any medical information described by Section  
17 521.125(a) that is provided to the department under Subsection (c)  
18 or any health condition information that is voluntarily provided to  
19 the department under Section 521.142(h).

20 (b) A record maintained by the department under Subsection  
21 (a) is confidential and, on request, may be disclosed:

- 22 (1) only to a peace officer in this or another state;  
23 (2) only if the peace officer is otherwise authorized  
24 to obtain information in the driver's license or personal

1 identification certificate files of the department; and  
2 (3) only for the purpose, as applicable, of making  
3 contact with a named individual to report the injury to or death of  
4 the holder of the driver's license or personal identification  
5 certificate, learning the nature of any medical information  
6 reported by the person who holds the driver's license or  
7 identification certificate, or learning whether the person who  
8 holds the driver's license or identification certificate has a  
9 health condition that may impede communications with the peace  
10 officer.

11 (c) An application for an original, renewal, or duplicate  
12 driver's license or personal identification certificate must:

13 (1) be designed to allow, but not require, the  
14 applicant to provide:

15 (A) the name, address, and telephone number of  
16 not more than two individuals to be contacted if the applicant is  
17 injured or dies in a circumstance described by Subsection (a); and

18 (B) in addition to health condition information  
19 voluntarily provided under Section 521.142(h), medical information  
20 described by Section 521.125(a); and

21 (2) include a statement that:

22 (A) describes the confidential nature of the  
23 information; and

24 (B) states that by providing the department with  
25 the information, the applicant consents to the limited disclosure  
26 and use of the information.

27 (d) The department shall establish and maintain on the

1 department's Internet website forms and procedures by which the  
2 holder of a driver's license or personal identification certificate  
3 may request that the department:

4 (1) add specific emergency contact or medical  
5 information described by Subsection (a) to the appropriate file  
6 maintained by the department; or

7 (2) amend or delete emergency contact or medical  
8 information the holder previously provided to the department.

9 (e) The forms and procedures maintained under Subsection  
10 (d) must comply with Subsection (c).

11 (f) Subsection (b) does not prohibit the department from  
12 disclosing information to the holder of a driver's license or  
13 personal identification certificate who provided the information  
14 or to an authorized agent of the holder.

15 SECTION 2. (a) This Act takes effect September 1, 2009.

16 (b) The Department of Public Safety of the State of Texas  
17 shall implement the provisions of Section 521.060, Transportation  
18 Code, as added by this Act, not later than January 1, 2010.

19 (c) The Department of Public Safety of the State of Texas  
20 shall implement Section 521.060, Transportation Code, as added by  
21 this Act, using existing personnel.