

By: Zaffirini

S.B. No. 652

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

21 (1) only to a peace officer in this or another state;
22 (2) only if the peace officer is otherwise authorized
23 to obtain information in the driver's license or personal
24 identification certificate files of the department; and

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

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

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

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

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

20 (2) include a statement that:

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

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

26 (d) The department shall establish and maintain on the
27 department's Internet website forms and procedures by which the

1 holder of a driver's license or personal identification certificate
2 may request that the department:

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

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

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

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

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

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