

1-1 By: Zaffirini S.B. No. 652
1-2 (In the Senate - Filed February 3, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 8, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9,
1-6 Nays 0; April 8, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 652 By: Watson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the maintenance of emergency contact and medical
1-11 information databases by the Department of Public Safety of the
1-12 State of Texas.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter C, Chapter 521, Transportation Code,
1-15 is amended by adding Section 521.060 to read as follows:

1-16 Sec. 521.060. EMERGENCY CONTACT AND MEDICAL INFORMATION
1-17 DATABASES. (a) The department shall maintain in its files a
1-18 record of the name, address, and telephone number of each
1-19 individual identified by the holder of a driver's license or
1-20 personal identification certificate as an individual the holder
1-21 authorizes to be contacted in the event that the holder is injured
1-22 or dies in or as a result of a vehicular accident or another
1-23 emergency situation. In addition, the department shall maintain in
1-24 its files a record of any medical information described by Section
1-25 521.125(a) that is provided to the department under Subsection (c)
1-26 or any health condition information that is voluntarily provided to
1-27 the department under Section 521.142(h).

1-28 (b) A record maintained by the department under Subsection
1-29 (a) is confidential and, on request, may be disclosed:

1-30 (1) only to a peace officer in this or another state;

1-31 (2) only if the peace officer is otherwise authorized
1-32 to obtain information in the driver's license or personal
1-33 identification certificate files of the department; and

1-34 (3) only for the purpose, as applicable, of making
1-35 contact with a named individual to report the injury to or death of
1-36 the holder of the driver's license or personal identification
1-37 certificate, learning the nature of any medical information
1-38 reported by the person who holds the driver's license or
1-39 identification certificate, or learning whether the person who
1-40 holds the driver's license or identification certificate has a
1-41 health condition that may impede communications with the peace
1-42 officer.

1-43 (c) An application for an original, renewal, or duplicate
1-44 driver's license or personal identification certificate must:

1-45 (1) be designed to allow, but not require, the
1-46 applicant to provide:

1-47 (A) the name, address, and telephone number of
1-48 not more than two individuals to be contacted if the applicant is
1-49 injured or dies in a circumstance described by Subsection (a); and

1-50 (B) in addition to health condition information
1-51 voluntarily provided under Section 521.142(h), medical information
1-52 described by Section 521.125(a); and

1-53 (2) include a statement that:

1-54 (A) describes the confidential nature of the
1-55 information; and

1-56 (B) states that by providing the department with
1-57 the information, the applicant consents to the limited disclosure
1-58 and use of the information.

1-59 (d) The department shall establish and maintain on the
1-60 department's Internet website forms and procedures by which the
1-61 holder of a driver's license or personal identification certificate
1-62 may request that the department:

1-63 (1) add specific emergency contact or medical

2-1 information described by Subsection (a) to the appropriate file
 2-2 maintained by the department; or
 2-3 (2) amend or delete emergency contact or medical
 2-4 information the holder previously provided to the department.
 2-5 (e) The forms and procedures maintained under Subsection
 2-6 (d) must comply with Subsection (c).
 2-7 (f) Subsection (b) does not prohibit the department from
 2-8 disclosing information to the holder of a driver's license or
 2-9 personal identification certificate who provided the information
 2-10 or to an authorized agent of the holder.
 2-11 SECTION 2. (a) This Act takes effect September 1, 2009.
 2-12 (b) The Department of Public Safety of the State of Texas
 2-13 shall implement the provisions of Section 521.060, Transportation
 2-14 Code, as added by this Act, not later than January 1, 2010.
 2-15 (c) The Department of Public Safety of the State of Texas
 2-16 shall implement Section 521.060, Transportation Code, as added by
 2-17 this Act, using existing personnel.

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