

By: Miles

H.B. No. 2671

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of personal information under the Motor Vehicle Records Disclosure Act.

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

SECTION 1. Section 730.005, Transportation Code, is amended to read as follows:

Sec. 730.005. REQUIRED DISCLOSURE. Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed for use in connection with any matter of:

- (1) motor vehicle or motor vehicle operator safety;
- (2) motor vehicle theft;
- (3) motor vehicle emissions;
- (4) motor vehicle product alterations, recalls, or advisories;
- (5) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer;
- (6) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of:

(A) the Automobile Information Disclosure Act, 15 U.S.C. Section 1231 et seq.;

(B) 49 U.S.C. Chapters 301, 305, 323, 325, 327, 329, and 331;

(C) the Anti Car Theft Act of 1992, 18 U.S.C.

1 Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 U.S.C.  
2 Sections 1646b and 1646c, and 42 U.S.C. Section 3750a et seq., all  
3 as amended;

4 (D) the Clean Air Act, 42 U.S.C. Section 7401 et  
5 seq., as amended; and

6 (E) any other statute or regulation enacted or  
7 adopted under or in relation to a law included in Paragraphs  
8 (A)-(D); ~~or~~

9 (7) child support enforcement under Chapter 231,  
10 Family Code; or

11 (8) enforcement by the Texas Workforce Commission  
12 under Title 4, Labor Code.

13 SECTION 2. Section 730.007(c), Transportation Code, is  
14 amended to read as follows:

15 (c) This section does not:

16 (1) prohibit the disclosure of a person's photographic  
17 image to:

18 (A) a law enforcement agency or a criminal  
19 justice agency for an official purpose; ~~or~~

20 (B) an agency of this state investigating an  
21 alleged violation of a state or federal law relating to the  
22 obtaining, selling, or purchasing of a benefit authorized by  
23 Chapter 31 or 33, Human Resources Code; or

24 (C) an agency of this state investigating an  
25 alleged violation of a state or federal law relating to the  
26 obtaining, selling, or purchasing of a benefit authorized by Title  
27 4, Labor Code; or

1           (2) prevent a court from compelling by subpoena the  
2 production of a person's photographic image.

3           SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2011.