

By: Fletcher

H.B. No. 1295

A BILL TO BE ENTITLED

AN ACT

relating to the release of a motor vehicle accident report;
authorizing a fee.

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), (c), (d), and (e) and adding
Subsections (b-1), (d-1), and (h) 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 201.806 [~~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; and

(3) an authorized agent under a contract with the
department or a governmental entity to administer the release of
information under this section.

(b-1) The contract for an authorized agent must provide
that:

1 (1) the fee described by Subsection (d) for a copy of
2 an accident report is to be paid to the department or the
3 governmental entity, as applicable; and

4 (2) the information contained in an accident report is
5 not accessible by external searches from search engines on the
6 Internet.

7 (c) On written request and payment of any required fee, the
8 department, ~~or~~ the governmental entity, or an authorized agent
9 shall release the information to:

10 (1) an entity described by Subsection (b);

11 (2) the law enforcement agency that employs the peace
12 officer who investigated the accident and sent the information to
13 the department;

14 (3) the court in which a case involving a person
15 involved in the accident is pending if the report is subpoenaed; or

16 (4) a person who provides the department or
17 governmental entity with two or more of the following:

18 (A) the date of the accident;

19 (B) the specific address or the highway or street
20 where the accident occurred; or

21 (C) the name of any person involved in the
22 accident.

23 (d) Except as provided by Subsection (d-1), the ~~The~~ fee
24 for a copy of the accident report is \$6. A certified ~~The~~ copy of
25 the accident report may be issued ~~certified~~ by the department or
26 the governmental entity for a an additional fee of \$8 ~~\$2~~. The
27 department or the governmental entity may issue a certification

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

2 (d-1) In addition to the fee for a copy of an accident report
3 described by Subsection (d), an authorized agent may charge a
4 transaction fee not to exceed \$6.

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

7 (1) information relating to motor vehicle accidents
8 that the department compiles under Section 201.806 [~~201.805, as~~
9 ~~added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature,~~
10 ~~Regular Session, 2007~~]; or

11 (2) a vehicle identification number and specific
12 accident information relating to that vehicle.

13 (h) A request under Subsection (c) to an authorized agent
14 may be made through a website.

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2013.