

By: Hernandez, Rodriguez of Bexar, Clardy

H.B. No. 2633

Substitute the following for H.B. No. 2633:

By: Hernandez

C.S.H.B. No. 2633

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the release of a motor vehicle accident report;  
3 amending a provision subject to a criminal penalty.

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

5 SECTION 1. Section 550.065, Transportation Code, is amended  
6 by amending Subsections (b), (c), and (d) and adding Subsection  
7 (c-1) to read as follows:

8 (b) Except as provided by Subsection (c), (c-1), or (e), the  
9 information is privileged and for the confidential use of:

10 (1) the department; and

11 (2) an agency of the United States, this state, or a  
12 local government of this state that has use for the information for  
13 accident prevention purposes.

14 (c) On written request and payment of any required fee, the  
15 department or the governmental entity shall release the information  
16 to:

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

18 (2) the law enforcement agency that employs the peace  
19 officer who investigated the accident and sent the information to  
20 the department;

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

23 (4) any [a] person directly concerned in the accident  
24 or having a proper interest therein, including ~~who provides the~~

1 ~~department or governmental entity with two or more of the~~  
2 ~~following]:~~

3 (A) any person involved in ~~[the date of]~~ the  
4 accident;

5 (B) the authorized representative of any person  
6 ~~[the specific address or the highway or street where the accident~~  
7 ~~occurred; or~~

8 ~~[(C) the name of any person]~~ involved in the  
9 accident;

10 (C) a driver involved in the accident;

11 (D) an employer, parent, or legal guardian of a  
12 driver involved in the accident;

13 (E) the owner of a vehicle or property damaged in  
14 the accident;

15 (F) a person who has established financial  
16 responsibility for a vehicle involved in the accident in a manner  
17 described by Section 601.051, including a policyholder of a motor  
18 vehicle liability insurance policy covering the vehicle;

19 (G) an insurance company that issued a motor  
20 vehicle liability insurance policy covering a vehicle involved in  
21 the accident; or

22 (H) any person who may sue because of death  
23 resulting from the accident.

24 (c-1) On receiving information to which this section  
25 applies, the department or the governmental entity that receives  
26 the information shall create a redacted accident report that may be  
27 requested by any person. The redacted accident report may include

1 only:

2 (1) notwithstanding Subsection (f)(2)(F), the  
3 location, date, and time of the accident; and

4 (2) the make and model of a vehicle involved in the  
5 accident.

6 (d) The fee for a copy of the accident report, including a  
7 redacted accident report, is \$6. The copy may be certified by the  
8 department or the governmental entity for an additional fee of  
9 \$2. The department or the governmental entity may issue a  
10 certification that no report or information is on file for a fee of  
11 \$6.

12 SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.