

By: Klick

H.B. No. 2978

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the notification of a peace officer through an
3 indication associated with vehicle registration or a driver's
4 license that a person has a health condition that may impede
5 communication.

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

7 SECTION 1. Subchapter B, Chapter 502, Transportation Code,
8 is amended by adding Section 502.061 to read as follows:

9 Sec. 502.061. REGISTRATION BY OWNER WITH CONDITION THAT
10 IMPEDES COMMUNICATION. (a) An application for registration must
11 provide space for the applicant to voluntarily list any health
12 condition that may impede communication with a peace officer as
13 evidenced by:

14 (1) for a physical health condition, a written
15 statement from a licensed physician; or

16 (2) for a mental health condition, a written statement
17 from a licensed physician, a licensed psychologist, or a
18 non-physician mental health professional, as defined by Section
19 571.003, Health and Safety Code.

20 (b) The department shall provide to the Department of Public
21 Safety the vehicle registration information of a person who
22 voluntarily lists a health condition on an application under
23 Subsection (a).

24 (c) The Department of Public Safety shall establish a system

1 to include information received under Subsection (b) in the Texas
2 Law Enforcement Telecommunication System for the purpose of
3 alerting a peace officer who makes a traffic stop that the operator
4 of the stopped vehicle may have a health condition that may impede
5 communication.

6 (d) The department may not issue a license plate with a
7 visible marking that indicates to the general public that a person
8 voluntarily listed a health condition on an application under
9 Subsection (a).

10 SECTION 2. Sections [521.142](#)(e-1) and (h), Transportation
11 Code, are amended to read as follows:

12 (e-1) Subject to Subsection (h)(2), other [~~Other~~] than a
13 general inquiry as to whether the applicant has a mental condition
14 that may affect the applicant's ability to safely operate a motor
15 vehicle, an application may not include an inquiry regarding the
16 mental health of the applicant, including an inquiry as to whether
17 the applicant has been diagnosed with, treated for, or hospitalized
18 for a psychiatric disorder.

19 (h) The application must provide space for the applicant to
20 voluntarily list any health condition that may impede communication
21 with a peace officer as evidenced by:

22 (1) for a physical health condition, a written
23 statement from a licensed physician; or

24 (2) for a mental health condition, a written statement
25 from a licensed physician, a licensed psychologist, or a
26 non-physician mental health professional, as defined by Section
27 [571.003](#), Health and Safety Code.

1 SECTION 3. This Act takes effect September 1, 2017.