

BILL ANALYSIS

Senate Research Center
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S.B. 976
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Just as the recent awareness of Communication Impediment with a Peace Officer restriction code is offered on the Texas driver license or state ID, the same option should be offered when registering a vehicle through the Texas Department of Motor Vehicles (TxDMV), allowing a trooper pivotal information prior to approaching the vehicle in a pullover scenario.

When registering a vehicle through TxDMV, Texas citizens challenged with communication would have the option to privately alert an officer of the law via the Texas Law Enforcement Telecommunications System (TLETS). This would eliminate miscommunication between driver and law enforcement as the officer would know the diagnosis prior to approaching the vehicle.

The TxDMV would have to have the authority to capture the data of "Communication Impediment with A Peace Officer" (subcategory: Autism, Asperger Syndrome, Deafness, Parkinson's Disease, Down Syndrome, Mild Intellectual Disability, Mutism or other) and also be authorized to disseminate it. The Department of Public Safety of the State of Texas could work with TxDMV so that when an office queried a license plate through TLETS, TLETS would pass that query to TxDMV and receive vehicle registration data (as is done today), but the response could be enhanced to include information regarding potential communication impediments if any were captured at TxDMV.

As proposed, S.B. 976 amends current law relating to the notification of a peace officer through an indication associated with vehicle registration that a person has a health condition that may impede communication.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 502, Transportation Code, by adding Section 502.061, as follows:

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

- (1) for a physical health condition, a written statement from a licensed physician; or
- (2) for a mental health condition, a written statement from a licensed physician, a licensed psychologist, or a non-physician mental health professional, as defined by Section 571.003 (Definitions), Health and Safety Code.

(b) Requires the Texas Department of Motor Vehicles (TxDMV) to provide to the Department of Public Safety of the State of Texas (DPS) the vehicle registration information of a person who voluntarily lists a health condition on an application under subsection (a).

(c) Requires DPS to establish a system to include information received under Subsection (b) in the Texas Law Enforcement Telecommunications System for the purpose of alerting a peace officer who makes a traffic stop that operator of the vehicle may have a health condition that may impede communication.

(d) Prohibits TxDMV from issuing a license plate with a visible marking that indicates to the general public that a person voluntarily listed a health condition on an application under Subsection (a).

(e) Provides that information supplied to TxDMV relating to an applicant's health condition is for the confidential use of TxDMV and DPS and is prohibited from being disclosed to any person.

SECTION 2. Effective date: September 1, 2019.