

By: Schaefer

H.B. No. 2099

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of personal information associated with a motor vehicle record for certain purposes.

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

SECTION 1. Section 521.0475(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the department shall provide a certified abstract of a complete driving record of a license holder, for a fee of \$20, to the license holder or a person eligible to receive the information under Section 730.007(a) [~~Sections 730.007(a)(2)(A), (D), and (I)~~].

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

(a) Personal information obtained by an agency in connection with a motor vehicle record may be disclosed to any requestor by an agency if the requestor:

(1) provides the requestor's name and address and any proof of that information required by the agency; and

(2) represents that the use of the personal information will be strictly limited to:

(A) use by:

(i) a government agency, including any court or law enforcement agency, in carrying out its functions; or

(ii) a private person or entity acting on

1 behalf of a government agency in carrying out the functions of the
2 agency;

3 (B) ~~[use in connection with a matter of:~~

4 ~~[(i) motor vehicle or motor vehicle
5 operator safety,~~

6 ~~[(ii) motor vehicle theft,~~

7 ~~[(iii) motor vehicle product alterations,
8 recalls, or advisories,~~

9 ~~[(iv) performance monitoring of motor
10 vehicles, motor vehicle parts, or motor vehicle dealers,~~

11 ~~[(v) motor vehicle market research
12 activities, including survey research, or~~

13 ~~[(vi) removal of nonowner records from the
14 original owner records of motor vehicle manufacturers,~~

15 ~~[(C) use in the normal course of business by a
16 legitimate business or an authorized agent of the business, but
17 only:~~

18 ~~[(i) to verify the accuracy of personal
19 information submitted by the individual to the business or the
20 agent of the business, and~~

21 ~~[(ii) if the information is not correct, to
22 obtain the correct information, for the sole purpose of preventing
23 fraud by, pursuing a legal remedy against, or recovering on a debt
24 or security interest against the individual,~~

25 ~~[(D)]~~ use in conjunction with a civil, criminal,
26 administrative, or arbitral proceeding in any court or government
27 agency or before any self-regulatory body, including service of

1 process, investigation in anticipation of litigation, execution or
2 enforcement of a judgment or order, or under an order of any court;
3 or

4 ~~(C) [(E) use in research or in producing~~
5 ~~statistical reports, but only if the personal information is not~~
6 ~~published, redisclosed, or used to contact any individual;~~

7 ~~[(F) use by an insurer or insurance support~~
8 ~~organization, or by a self-insured entity, or an authorized agent~~
9 ~~of the entity, in connection with claims investigation activities,~~
10 ~~antifraud activities, rating, or underwriting;~~

11 ~~[(G) use in providing notice to an owner of a towed~~
12 ~~or impounded vehicle;~~

13 ~~[(H) use by a licensed private investigator agency~~
14 ~~or licensed security service for a purpose permitted under this~~
15 ~~section;~~

16 ~~[(I)]~~ use by an employer or an agent or insurer of
17 the employer to obtain or verify information relating to a holder of
18 a commercial driver's license that is required under 49 U.S.C.
19 Chapter 313[+]

20 ~~[(J) use in connection with the operation of a~~
21 ~~private toll transportation facility;~~

22 ~~[(K) use by a consumer reporting agency, as~~
23 ~~defined by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et~~
24 ~~seq.), for a purpose permitted under that Act; or~~

25 ~~[(L) use for any other purpose specifically~~
26 ~~authorized by law that relates to the operation of a motor vehicle~~
27 ~~or to public safety].~~

1 SECTION 3. Sections 730.007(d) and (e), Transportation
2 Code, are repealed.

3 SECTION 4. This Act takes effect September 1, 2021.