

BILL ANALYSIS

H.B. 2283
By: Martinez
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

When a law enforcement officer makes a traffic stop, they have no way to tell if an individual in the vehicle has a disability before they approach the vehicle. This may impede the officer's ability to implement their training on providing effective communication to the driver and anyone they are transporting that has a disability and may lead to misunderstandings. H.B. 2283 seeks to address this issue by allowing drivers to voluntarily indicate on a vehicle registration application that they may transport a person with a disability and providing for this indication to be accessible to peace officers through the Texas Law Enforcement Telecommunications System.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2283 amends the Transportation Code to require an application for vehicle registration to provide space for an applicant to voluntarily indicate that the applicant may transport a person with a physical, intellectual, behavioral, or cognitive impairment, autism, or a health condition or disability that may impede effective communication with a peace officer. The Texas Department of Motor Vehicles (TxDMV) may request verification in the form of a personal attestation from a person who makes such an indication. The bill requires TxDMV to provide to the Department of Public Safety (DPS) the vehicle registration information of a person who makes such an indication and prohibits TxDMV from providing DPS with information that shows the type of health condition or disability a person has. The bill requires DPS to establish a system to include the information received from TxDMV in the Texas Law Enforcement Telecommunications System to alert a peace officer who makes a traffic stop that the operator of the stopped vehicle may be transporting a person with a disability.

H.B. 2283 provides the following:

- DPS may not make such vehicle registration information of a person who makes such an indication available in the Texas Law Enforcement Telecommunications System to a person who has access to the system under a contract unless the contract prohibits the person from disclosing that information to a person who is not subject to the contract;
- information supplied to TxDMV relating to a person with a disability is for the confidential use of TxDMV and DPS and may not be disclosed to any person except as provided by the foregoing provision; and

- TxDMV may not issue to a person without the person's consent a license plate with a visible marking that indicates to the general public that the person made such an indication.

H.B. 2283 provides that a DPS contract that allows a person to access the Texas Law Enforcement Telecommunications System and that is in effect before the bill's effective date is governed by the law in effect on the date on which the contract was entered into and provides that such law is continued in effect for that purpose, except that the contract continues only for the term of the contract and may not be renewed unless the renewed contract includes the prohibition on disclosure as required by the bill.

EFFECTIVE DATE

September 1, 2023.