

1-1 By: Carona S.B. No. 375  
1-2 (In the Senate - Filed December 16, 2008; February 17, 2009,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; March 30, 2009, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 9,  
1-6 Nays 0; March 30, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 375 By: Carona

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the release of certain motor vehicle accident report  
1-11 information.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 550.065, Transportation Code, is amended  
1-14 by amending Subsections (a), (b), and (d) and adding Subsections  
1-15 (e), (f), and (g) to read as follows:

1-16 (a) This section applies only to information that is held by  
1-17 the department or another governmental entity and relates to a  
1-18 motor vehicle accident reported under this chapter or Section  
1-19 601.004, including accident report information compiled under  
1-20 Section 201.805, as added by Chapter 1407 (S.B. 766), Acts of the  
1-21 80th Legislature, Regular Session, 2007.

1-22 (b) Except as provided by Subsection (c) or (e), the  
1-23 information is privileged and for the confidential use of:

1-24 (1) the department; and

1-25 (2) an agency of the United States, this state, or a  
1-26 local government of this state that has use for the information for  
1-27 accident prevention purposes.

1-28 (d) The fee for a copy of the accident report [~~or accident~~  
1-29 ~~information~~] is \$6 [~~or the actual cost of the preparation of the~~  
1-30 ~~copy, whichever is less~~]. The copy may be certified by the  
1-31 department or the governmental entity for an additional fee of \$2.  
1-32 The department or the governmental entity may issue a certification  
1-33 that no report or information is on file for a fee of \$6.

1-34 (e) In addition to the information required to be released  
1-35 under Subsection (c), the department or a governmental entity may  
1-36 release:

1-37 (1) information relating to motor vehicle accidents  
1-38 that the department compiles under Section 201.805, as added by  
1-39 Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular  
1-40 Session, 2007; or

1-41 (2) a vehicle identification number and specific  
1-42 accident information relating to that vehicle.

1-43 (f) The department or a governmental entity:

1-44 (1) may not release under Subsection (e) information  
1-45 that:

1-46 (A) is personal information, as defined by  
1-47 Section 730.003; or

1-48 (B) would allow a person to satisfy the  
1-49 requirements of Subsection (c)(4) for the release of information  
1-50 for a specific motor vehicle accident; and

1-51 (2) shall withhold or redact the following items of  
1-52 information:

1-53 (A) the first, middle, and last name of any  
1-54 person listed in an accident report, including a vehicle driver,  
1-55 occupant, owner, or lessee, a bicyclist, a pedestrian, or a  
1-56 property owner;

1-57 (B) the number of any driver's license,  
1-58 commercial driver's license, or personal identification  
1-59 certificate issued to any person listed in an accident report;

1-60 (C) the date of birth, other than the year, of any  
1-61 person listed in an accident report;

1-62 (D) the address, other than zip code, and  
1-63 telephone number of any person listed in an accident report;

2-1                   (E) the license plate number of any vehicle  
2-2 listed in an accident report;  
2-3                   (F) the crash number assigned to an accident;  
2-4                   (G) the date of any accident, other than the  
2-5 year;  
2-6                   (H) the name of any insurance company listed as a  
2-7 provider of financial responsibility for a vehicle listed in an  
2-8 accident report;  
2-9                   (I) the number of any insurance policy issued by  
2-10 an insurance company listed as a provider of financial  
2-11 responsibility;  
2-12                   (J) the date the peace officer who investigated  
2-13 the accident was notified of the accident;  
2-14                   (K) the date the investigating peace officer  
2-15 arrived at the accident site;  
2-16                   (L) the date the investigating officer's report  
2-17 was prepared;  
2-18                   (M) the badge number or identification number of  
2-19 the investigating officer;  
2-20                   (N) the date on which any person who died as a  
2-21 result of the accident died;  
2-22                   (O) the date of any commercial motor vehicle  
2-23 report; and  
2-24                   (P) the place where any person injured or killed  
2-25 in an accident was taken and the person or entity that provided the  
2-26 transportation.  
2-27                   (g) The amount that may be charged for information provided  
2-28 under Subsection (e) shall be calculated in the manner specified by  
2-29 Chapter 552, Government Code, for public information provided by a  
2-30 governmental body under that chapter.  
2-31                   SECTION 2. This Act takes effect immediately if it receives  
2-32 a vote of two-thirds of all the members elected to each house, as  
2-33 provided by Section 39, Article III, Texas Constitution. If this  
2-34 Act does not receive the vote necessary for immediate effect, this  
2-35 Act takes effect September 1, 2009.

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