

By: Hernandez

H.B. No. 2633

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the release of information regarding motor vehicle  
3 accidents.

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

5 SECTION 1. Section 550.065(c), Transportation Code, is  
6 amended to read as follows:

7 (c) On written request and payment of any required fee, the  
8 department or the governmental entity shall release the information  
9 to:

10 (1) an entity described by Subsection (b);  
11 (2) the law enforcement agency that employs the peace  
12 officer who investigated the accident and sent the information to  
13 the department;

14 (3) the court in which a case involving a person  
15 involved in the accident is pending if the report is subpoenaed; or

16 (4) [a] any person directly concerned in the traffic  
17 accident or having a proper interest therein, including: [who  
18 provides the department or governmental entity with two or more of  
19 the following:

20 ~~(A) the date of the accident,~~

21 ~~(B) the specific address or the highway or street~~  
22 ~~where the accident occurred, or~~

23 ~~(C) the name of any person involved in the~~  
24 ~~accident.]~~

1                   (A) the driver or drivers involved in the traffic  
2 accident;

3                   (B) the employer, parent, or legal guardian of  
4 the driver or drivers involved in the traffic accident;

5                   (C) the authorized representative of any person  
6 involved in the traffic accident;

7                   (D) any person involved in the traffic accident;  
8 and

9                   (E) the owners of the vehicles or property  
10 damaged in the traffic accident.

11           SECTION 2. Section 550.065, Transportation Code, is amended  
12 by adding a new subsection (h) to read as follows:

13           (h) For purposes of subsection (c)(4), any person who may  
14 sue because of death resulting from any such traffic accident shall  
15 be deemed a person directly concerned in the traffic accident.

16           SECTION 3. Subchapter A, Chapter 552, Government Code, is  
17 amended by adding a new Section 552.0040 to read as follows:

18           SECTION 552.0040. POLICE DISPATCH REPORTS RELATED TO MOTOR  
19 VEHICLE ACCIDENTS. (a) Except as provided by subsection (b),  
20 information contained in police dispatch reports concerning motor  
21 vehicle accidents is confidential and not considered public  
22 information.

23           (b) Information contained in a police dispatch report  
24 concerning a motor vehicle accident is public information for the  
25 following persons:

26                   (1) the Department of Public Safety;

27                   (2) an agency of the United States, this state, or a

1 local government of this state that has use for the information for  
2 motor vehicle accident prevention purposes;

3 (3) the law enforcement agency that employs the peace  
4 officer who investigated the motor vehicle accident and sent the  
5 motor vehicle accident report required by Chapter 550,  
6 Transportation Code, to the Department of Public Safety;

7 (4) the court in which a case involving a person  
8 involved in the motor vehicle accident is pending if the report is  
9 subpoenaed; and

10 (5) any person directly concerned in the motor vehicle  
11 traffic accident or having a proper interest therein, including:

12 (A) the driver or drivers involved in the traffic  
13 accident;

14 (B) the employer, parent, or legal guardian of  
15 the driver or drivers involved in the traffic accident;

16 (C) the authorized representative of any person  
17 involved in the traffic accident;

18 (D) any person involved in the traffic accident;

19 (E) the owners of the vehicles or property  
20 damaged in the traffic accident; and

21 (F) any person who may sue because of death  
22 resulting from the motor vehicle traffic accident.

23 SECTION 4. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2015.