

1-1 By: Hernandez, et al. (Senate Sponsor - Perry) H.B. No. 2633
 1-2 (In the Senate - Received from the House May 7, 2015;
 1-3 May 11, 2015, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2015, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13			X	
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the release of a motor vehicle accident report;
 1-20 amending a provision subject to a criminal penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 550.065, Transportation Code, is amended
 1-23 by amending Subsections (b), (c), and (f) and adding Subsection
 1-24 (c-1) to read as follows:

1-25 (b) Except as provided by Subsection (c), (c-1), or (e), the
 1-26 information is privileged and for the confidential use of:

1-27 (1) the department; and

1-28 (2) an agency of the United States, this state, or a
 1-29 local government of this state that has use for the information for
 1-30 accident prevention purposes.

1-31 (c) On written request and payment of any required fee, the
 1-32 department or the governmental entity shall release the information
 1-33 to:

1-34 (1) an entity described by Subsection (b);

1-35 (2) the law enforcement agency that employs the peace
 1-36 officer who investigated the accident and sent the information to
 1-37 the department, including an agent of the law enforcement agency
 1-38 authorized by contract to obtain the information;

1-39 (3) the court in which a case involving a person
 1-40 involved in the accident is pending if the report is subpoenaed; or

1-41 (4) any [a] person directly concerned in the accident
 1-42 or having a proper interest therein, including [who provides the
 1-43 department or governmental entity with two or more of the
 1-44 following]:

1-45 (A) any person involved in [the date of] the
 1-46 accident;

1-47 (B) the authorized representative of any person
 1-48 [the specific address or the highway or street where the accident
 1-49 occurred, or

1-50 [the name of any person] involved in the
 1-51 accident;

1-52 (C) a driver involved in the accident;

1-53 (D) an employer, parent, or legal guardian of a
 1-54 driver involved in the accident;

1-55 (E) the owner of a vehicle or property damaged in
 1-56 the accident;

1-57 (F) a person who has established financial
 1-58 responsibility for a vehicle involved in the accident in a manner
 1-59 described by Section 601.051, including a policyholder of a motor
 1-60 vehicle liability insurance policy covering the vehicle;

1-61 (G) an insurance company that issued a motor

2-1 vehicle liability insurance policy covering a vehicle involved in
 2-2 the accident;
 2-3 (H) an insurance company that issued a policy
 2-4 covering either the driver or any passenger of a vehicle involved in
 2-5 the accident;
 2-6 (I) a person under contract to provide claims or
 2-7 underwriting information to a person described by Paragraph (F),
 2-8 (G), or (H);
 2-9 (J) a radio or television station that holds a
 2-10 license issued by the Federal Communications Commission;
 2-11 (K) a newspaper that is:
 2-12 (i) a free newspaper of general circulation
 2-13 or qualified under Section 2051.044, Government Code, to publish
 2-14 legal notices;
 2-15 (ii) published at least once a week; and
 2-16 (iii) available and of interest to the
 2-17 general public in connection with the dissemination of news; or
 2-18 (L) any person who may sue because of death
 2-19 resulting from the accident.
 2-20 (c-1) On receiving information to which this section
 2-21 applies, the department or the governmental entity that receives
 2-22 the information shall create a redacted accident report that may be
 2-23 requested by any person. The redacted accident report may not
 2-24 include the items of information described by Subsection (f)(2). A
 2-25 report released under this subsection is not considered personal
 2-26 information under Section 730.003.
 2-27 (f) The department:
 2-28 (1) may not release under Subsection (c-1) or (e)
 2-29 information that
 2-30 [~~(A)~~] is personal information, as defined by
 2-31 Section 730.003; [~~or~~
 2-32 ~~[(B) would allow a person to satisfy the~~
 2-33 ~~requirements of Subsection (c)(4) for the release of information~~
 2-34 ~~for a specific motor vehicle accident,]~~ and
 2-35 (2) shall withhold or redact the following items of
 2-36 information:
 2-37 (A) the first, middle, and last name of any
 2-38 person listed in an accident report, including a vehicle driver,
 2-39 occupant, owner, or lessee, a bicyclist, a pedestrian, or a
 2-40 property owner;
 2-41 (B) the number of any driver's license,
 2-42 commercial driver's license, or personal identification
 2-43 certificate issued to any person listed in an accident report;
 2-44 (C) the date of birth, other than the year, of any
 2-45 person listed in an accident report;
 2-46 (D) the address, other than zip code, and
 2-47 telephone number of any person listed in an accident report;
 2-48 (E) the license plate number of any vehicle
 2-49 listed in an accident report;
 2-50 (F) [~~the date of any accident, other than the~~
 2-51 ~~year,~~
 2-52 [~~(G)~~] the name of any insurance company listed as
 2-53 a provider of financial responsibility for a vehicle listed in an
 2-54 accident report;
 2-55 (G) [~~(H)~~] the number of any insurance policy
 2-56 issued by an insurance company listed as a provider of financial
 2-57 responsibility;
 2-58 (H) [~~(I)~~] the date the peace officer who
 2-59 investigated the accident was notified of the accident;
 2-60 (I) [~~(J)~~] the date the investigating peace
 2-61 officer arrived at the accident site;
 2-62 (J) [~~(K) the date the investigating officer's~~
 2-63 ~~report was prepared,~~
 2-64 [~~(L)~~] the badge number or identification number
 2-65 of the investigating officer;
 2-66 (K) [~~(M)~~] the date on which any person who died
 2-67 as a result of the accident died;
 2-68 (L) [~~(N)~~] the date of any commercial motor
 2-69 vehicle report; and

