

Chapter 936

H.B. No. 2633

1 AN ACT

2 relating to the release of a motor vehicle accident report.

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

4 SECTION 1. Section 550.065, Transportation Code, is amended
5 by amending Subsections (a), (b), (c), (e), and (f) and adding
6 Subsection (c-1) to read as follows:

7 (a) This section applies only to the following information
8 that is held by the department or another governmental entity:

9 (1) a written report of an accident required under
10 Section 550.061, 550.062, or 601.004; or

11 (2) [~~and relates to a motor vehicle accident reported~~
12 ~~under this chapter or Section 601.004, including~~] accident report
13 information compiled under Section 201.806 [~~201.805, as added by~~
14 ~~Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular~~
15 ~~Session, 2007]~~.

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

18 (1) the department; and

19 (2) an agency of the United States, this state, or a
20 local government of this state that has use for the information for
21 accident prevention purposes.

22 (c) On written request and payment of any required fee, the
23 department or the governmental entity shall release the information
24 to:

- 1 (1) an entity described by Subsection (b);
- 2 (2) the law enforcement agency that employs the peace
3 officer who investigated the accident and sent the information to
4 the department, including an agent of the law enforcement agency
5 authorized by contract to obtain the information;
- 6 (3) the court in which a case involving a person
7 involved in the accident is pending if the report is subpoenaed; or
- 8 (4) any [a] person directly concerned in the accident
9 or having a proper interest therein, including [who provides the
10 ~~department or governmental entity with two or more of the~~
11 ~~following]:~~
- 12 (A) any person involved in [the date of] the
13 accident;
- 14 (B) the authorized representative of any person
15 ~~[the specific address or the highway or street where the accident~~
16 ~~occurred, or~~
- 17 ~~[(C) the name of any person]~~ involved in the
18 accident;
- 19 (C) a driver involved in the accident;
- 20 (D) an employer, parent, or legal guardian of a
21 driver involved in the accident;
- 22 (E) the owner of a vehicle or property damaged in
23 the accident;
- 24 (F) a person who has established financial
25 responsibility for a vehicle involved in the accident in a manner
26 described by Section 601.051, including a policyholder of a motor
27 vehicle liability insurance policy covering the vehicle;

1 (G) an insurance company that issued an insurance
2 policy covering a vehicle involved in the accident;

3 (H) an insurance company that issued a policy
4 covering any person involved in the accident;

5 (I) a person under contract to provide claims or
6 underwriting information to a person described by Paragraph (F),
7 (G), or (H);

8 (J) a radio or television station that holds a
9 license issued by the Federal Communications Commission;

10 (K) a newspaper that is:

11 (i) a free newspaper of general circulation
12 or qualified under Section 2051.044, Government Code, to publish
13 legal notices;

14 (ii) published at least once a week; and

15 (iii) available and of interest to the
16 general public in connection with the dissemination of news; or

17 (L) any person who may sue because of death
18 resulting from the accident.

19 (c-1) On receiving information to which this section
20 applies, the department or the governmental entity that receives
21 the information shall create a redacted accident report that may be
22 requested by any person. The redacted accident report may not
23 include the items of information described by Subsection (f)(2). A
24 report released under this subsection is not considered personal
25 information under Section 730.003.

26 (e) In addition to the information required to be released
27 under Subsection (c), the department may release:

1 (1) accident report information compiled under
2 Section 201.806 [~~information relating to motor vehicle accidents~~
3 ~~that the department compiles under Section 201.805, as added by~~
4 ~~Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular~~
5 ~~Session, 2007~~]; or

6 (2) a vehicle identification number and specific
7 accident information relating to that vehicle.

8 (f) The department when releasing information under
9 Subsection (c-1) or (e):

10 (1) may not release [~~under Subsection (e) information~~
11 ~~that~~;

12 [~~(A) is~~] personal information, as defined by
13 Section 730.003; [~~or~~

14 [~~(B) would allow a person to satisfy the~~
15 ~~requirements of Subsection (c)(4) for the release of information~~
16 ~~for a specific motor vehicle accident,~~] and

17 (2) shall withhold or redact the following items [~~of~~
18 ~~information~~]:

19 (A) the first, middle, and last name of any
20 person listed in an accident report, including a vehicle driver,
21 occupant, owner, or lessee, a bicyclist, a pedestrian, or a
22 property owner;

23 (B) the number of any driver's license,
24 commercial driver's license, or personal identification
25 certificate issued to any person listed in an accident report;

26 (C) the date of birth, other than the year, of any
27 person listed in an accident report;

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

3 (E) the license plate number of any vehicle
4 listed in an accident report;

5 (F) [~~the date of any accident, other than the~~
6 ~~year,~~

7 [~~G~~] the name of any insurance company listed as
8 a provider of financial responsibility for a vehicle listed in an
9 accident report;

10 G [~~H~~] the number of any insurance policy
11 issued by an insurance company listed as a provider of financial
12 responsibility;

13 H [~~I~~] the date the peace officer who
14 investigated the accident was notified of the accident;

15 I [~~J~~] the date the investigating peace
16 officer arrived at the accident site;

17 J [~~K~~ ~~the date the investigating officer's~~
18 ~~report was prepared,~~

19 [~~L~~] the badge number or identification number
20 of the investigating officer;

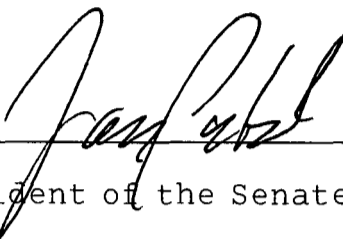
21 K [~~M~~] the date on which any person who died
22 as a result of the accident died;

23 L [~~N~~] the date of any commercial motor
24 vehicle report; and

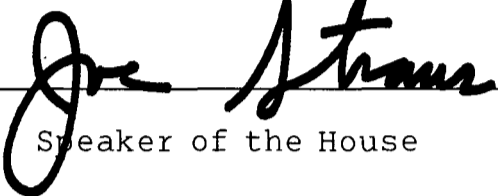
25 M [~~O~~] the place where any person injured or
26 killed in an accident was taken and the person or entity that
27 provided the transportation.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.

H.B. No. 2633




President of the Senate



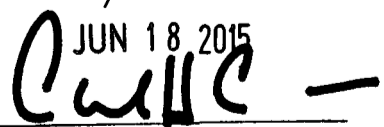
Speaker of the House

I certify that H.B. No. 2633 was passed by the House on May 6, 2015, by the following vote: Yeas 147, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2633 on May 27, 2015, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2633 on May 31, 2015, by the following vote: Yeas 144, Nays 0, 1 present, not voting.



Chief Clerk of the House

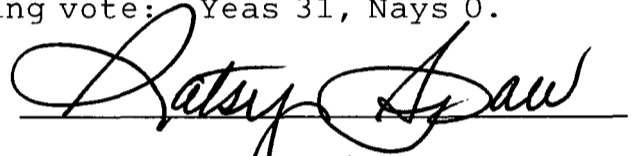
FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:00 pm O'CLOCK

JUN 18 2015


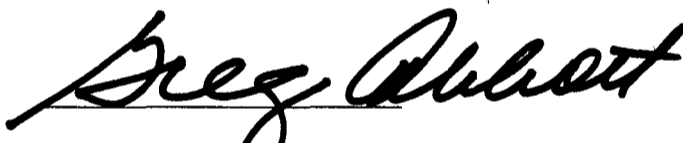
Secretary of State

H.B. No. 2633

I certify that H.B. No. 2633 was passed by the Senate, with amendments, on May 24, 2015, by the following vote: Yeas 19, Nays 11; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2633 on May 30, 2015, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

APPROVED: 6-16-2015
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

2:00 p O'CLOCK


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 30, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2633 by Hernandez (Relating to the release of a motor vehicle accident report.),
Conference Committee Report

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to specify who may receive certain motor vehicle accident reports and information from the Texas Department of Transportation (TxDOT) or a governmental entity. The bill would require TxDOT or a governmental entity, upon receiving certain accident report information, to create a redacted accident report that may be requested by any person.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, NV, TG, FR, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 26, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2633 by Hernandez (Relating to the release of a motor vehicle accident report; amending a provision subject to a criminal penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to specify who may receive certain motor vehicle accident reports and information from the Texas Department of Transportation (TxDOT) or a governmental entity. The bill would require TxDOT or a governmental entity, upon receiving certain accident report information, to create a redacted accident report that may be requested by any person.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, NV, TG, FR, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 15, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2633 by Hernandez (Relating to the release of a motor vehicle accident report; amending a provision subject to a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to specify who may receive certain motor vehicle accident reports and information from the Texas Department of Transportation (TxDOT) or a governmental entity. The bill would require TxDOT or a governmental entity, upon receiving certain accident report information, to create a redacted accident report that may be requested by any person.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, NV, TG, FR, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 22, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2633 by Hernandez (Relating to the release of a motor vehicle accident report; amending a provision subject to a criminal penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to specify who may receive certain motor vehicle accident reports and information from the Texas Department of Transportation (TxDOT) or a governmental entity. The bill would require TxDOT or a governmental entity, upon receiving certain accident report information, to create a redacted accident report that may be requested by any person for a fee of \$6.00.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: UP, FR, NV, TG, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 13, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2633** by Hernandez (Relating to the release of information regarding motor vehicle accidents.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to specify who may receive certain motor vehicle accident reports and information from the Texas Department of Transportation (TxDOT) or a governmental entity.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: UP, FR, NV, TG, KVe