

- SUBJECT:** Requiring space for certain medical information on driver's license
- COMMITTEE:** Law Enforcement — committee substitute recommended
- VOTE:** 7 ayes — Driver, Garza, Hupp, Burnam, Y. Davis, Hegar, Keel
0 nays
- WITNESSES:** For — Dennis Borel, Coalition of Texans with Disabilities; Charles Gee; Bob Turner
Against — None
- BACKGROUND:** Transportation Code, chapter 521, subchapter G specifies information that the Department of Public Safety (DPS) must obtain in an application for a driver's license, including the applicant's full name, birth date, thumbprints, sex, residence address, citizenship, and whether the applicant has been licensed to drive a motor vehicle before. Information about an applicant's medical history is confidential except as it pertains to DPS' process of license denial, suspension, or revocation.
- Chapter 521, subchapter F establishes the appearance of a Texas driver's license issued by DPS. A license must display the holder's color photograph, full name, birth date, residence, brief description, and signature. On the reverse side, DPS must provide an area for boxes that the holder can check to indicate a telephone number for a directive to a physician, an emergency contact number, and allergic reaction to drugs. The reverse side also displays any restrictions, such as the need for corrective lenses, endorsements, the toll-free number for Texas roadside assistance, a bar code, and an electronic tape that can be swiped by an electronic reader.
- DIGEST:** CSHB 1330 would require DPS to provide space on the driver's license application for an applicant to list voluntarily any health condition that might impede communication with a police officer. The applicant would have to show proof of the health condition by a written statement from a licensed physician. This information would be exempt from confidentiality and could be disclosed on the driver's license.

If space allowed, DPS would have to print on the driver's license, in the area where restrictions or endorsements are indicated, a uniform symbol of any medical condition identified in the application. In the area where the allergic reaction and telephone numbers for filed directive to a physician and emergency contact appear, DPS would have to print any information provided by the applicant about a medical condition.

The bill would take effect January 1, 2004.

**SUPPORTERS
SAY:**

CSHB 1330 would ensure that law enforcement officers could respond appropriately to drivers with medical conditions or disabilities. A person with a certain medical condition or disability may seem obstinate or drunk to a law enforcement officer who is unaware of that person's circumstances. For example, a person on the verge of a diabetic coma may seem drunk. Displaying the person's medical condition on the driver's license would enable the officer to identify that condition quickly and call an ambulance, rather than performing a roadside test for intoxication.

Disclosure of this information would be voluntary. The bill would enable people to share this information if they wished.

Official documentation is the most reliable source of information for law enforcement. A person with a medical condition or disability may wear a bracelet or carry a laminated card, but those sources of information are available to anyone. Law enforcement should have a reliable, verified source of information upon which to base quick decisions.

Law enforcement officers would not overlook this information. An officer on the scene of a car accident or other emergency situation might miss a bracelet, laminated card, or letter from a physician. However, an officer always checks for a driver's license and is trained to examine it for restrictions.

This information should be on the license, not simply in the DPS database. An officer generally calls in for additional information about the license holder, such as warrants or violations. Although the dispatcher could convey medical information at that time, it could come too late in some cases. An officer on the scene of an accident, in a rural area where dispatch may be slow, or who is dealing with a drunk driver may not call in immediately.

The information would not appear on the front of the card, where most people look when examining a driver's license for identification purposes. Therefore, the voluntarily disclosed medical information usually would not be seen except by a law officer.

**OPPONENTS
SAY:**

CSHB 1330 is unnecessary. Most people with medical conditions or disabilities carry laminated cards or wear bracelets to ensure that other people are aware of their condition. Some even write this information on the backs of their driver's licenses.

NOTES:

The committee substitute would exempt from confidentiality the information provided about any health condition that might impede communication with a peace officer. It also would qualify the requirements with the phrase "if space allows."

The companion bill, SB 1838 by Staples, has been referred to the Senate Infrastructure Development and Security Committee