

CHAPTER 1046

S.B. No. 161

AN ACT

relating to the release of information contained in vehicle registration records and certain records maintained by the State Department of Highways and Public Transportation and the Department of Public Safety.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), is amended by adding Section 17A to read as follows:

*Sec. 17A. (a) The State Department of Highways and Public Transportation or a county may not release to any person information contained in vehicle registration records in response to a telephone inquiry by license number. The department or a county may release information only if: (1) the person first submits the request in writing, including the person's name and address and stating that the use of the information is for a lawful and legitimate purpose; or (2) the person enters into a written service agreement with the department or the county to receive the information.*

*(b) This section does not apply to the release of information to:*

*(1) a peace officer, as that term is defined in Article 2.12, Code of Criminal Procedure, if the officer is acting in an official capacity; or*

*(2) an official of the state, a city, town, county, special district, or other political subdivision of the state if the official is requesting the information for tax purposes.*

SECTION 2. Section 21, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended by adding Subsection (j) to read as follows:

(j) (1) *In addition to the provisions of this section for the release of individual driver's license information, the department may provide a magnetic tape of the names, addresses, and dates of birth of all licensees contained in the department's basic drivers' license record file. In addition, on a periodic basis the department is authorized to provide purchasers of this information any additions of names, addresses, and dates of birth.*

(2) *Before the department may release the information described in Subdivision (1) of this subsection, the purchaser must agree to delete the name, address, and date of birth of any person whose name is also included on the mail or telephone preference list maintained by a recognized trade association which is used to remove the name of any individual who has requested that the individual's name not be made available for solicitation purposes.*

(3) *The department is not authorized to provide class-type listings from the basic drivers' license record file to any person or business; provided, however, such information may be made available to an official of the federal government, the state, a city, town, county, special district, or other political subdivision for official governmental purposes only.*

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 28, 1987, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on June 1, 1987, by a viva-voce vote.

Passed the House, with amendment, on May 29, 1987, by the following vote: Yeas 144, Nays 3, one present not voting.

Approved June 20, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.