

28 the contact person or persons of the situation; ~~§~~→ [and]

28a ► provides that information in the database shall only be used for contact purposes

28b and may not be used for criminal investigation purposes; and ←~~§~~

29 ► specifies that the Driver License Division, a law enforcement officer, or a law
30 enforcement agency that employs a law enforcement officer does not incur liability
31 in connection with the use of the emergency contact database in certain
32 circumstances.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill takes effect on July 1, 2012.

37 **Utah Code Sections Affected:**

38 ENACTS:

39 **53-3-205.6**, Utah Code Annotated 1953

41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **53-3-205.6** is enacted to read:

43 **53-3-205.6. Emergency contact database.**

44 (1) (a) The division shall establish a database of the emergency contacts of a person
45 who holds a license certificate, learner permit, identification card, or any other type license or
46 permit issued under this chapter.

47 (b) Information in the database created under this section may only be accessed by:

48 (i) employees of the division;

49 (ii) law enforcement officers employed by a law enforcement agency; and

50 (iii) employees or authorized agents of a law enforcement agency.

51 (c) A law enforcement officer may share information contained in the emergency
52 contact database with other public safety workers on the scene of a motor vehicle accident or
53 other emergency situation, as needed to conduct official law enforcement duties.

54 (2) A person holding a license certificate, learner permit, identification card, or any
55 other type of license or permit issued under this chapter may provide the division, in a manner
56 specified by the division, the name, address, telephone number, and relationship to the holder
57 of no more than two emergency contact persons whom the holder wishes to be contacted by a
58 law enforcement officer if the holder:

59 (a) is involved in a motor vehicle accident or other emergency situation; and

60 (b) is unable to communicate with the contact person or persons.

60a **§→ (3) The information contained in the database created under this section:**

60b **(a) shall only be used for the purposes described in this section; and**

60c **(b) may not be used for criminal investigation purposes. ←§**

61 **§→ ~~(3)~~ (4) ←§** In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

61a Act, the

62 division shall make rules establishing the procedures to implement this section including:

63 (a) specifying the method for a license certificate, instruction permit, or identification

64 card holder to provide the division with emergency contact information;

65 (b) specifying the method for a license certificate, learner permit, or identification card

66 holder to change the emergency contact information; and

67 (c) other rules required for the implementation of the database or its operation that the

68 division determines necessary to implement the provisions of this section.

69 **§→ ~~(4)~~ (5) ←§** (a) If a person involved in a motor vehicle accident or other emergency
69a situation is

70 unable to communicate with the contact person or persons specified in the database, a law

71 enforcement officer shall make a good faith effort to notify the contact person or persons of the

72 situation.

73 (b) A law enforcement officer or a law enforcement agency that employs a law

74 enforcement officer may not incur any liability if the law enforcement officer is not able to

75 make contact with a designated emergency contact person.

76 (c) Except for willful or wanton misconduct, a law enforcement officer or a law

77 enforcement agency that employs a law enforcement officer may not incur any liability relating

78 to the reporting or use of the database during a motor vehicle accident or other emergency

79 situation.

80 **§→ ~~(5)~~ (6) ←§** The division is not liable for any damages, costs, or expenses arising or
80a resulting

81 from any inaccurate or incomplete data or system unavailability.

82 **Section 2. Effective date.**

83 This bill takes effect on July 1, 2012.