

1 **DRIVER LICENSE EMERGENCY CONTACT DATABASE**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Marie H. Poulson**

5 Senate Sponsor: Karen W. Morgan

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Uniform Driver License Act by creating an emergency contact
10 database for driver license and identification card holders.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires the Driver License Division to create an emergency contact database for
14 license certificate and identification card holders;
- 15 ▶ provides that a law enforcement officer may share information contained in the
16 emergency contact database with other public safety workers on the scene of a
17 motor vehicle accident or other emergency situation;
- 18 ▶ provides that a person holding a license certificate or identification card may
19 provide the Driver License Division the names, addresses, and telephone numbers
20 of no more than two emergency contact persons;
- 21 ▶ requires the Driver License Division to make rules establishing the procedures to
22 implement the emergency contact database;
- 23 ▶ provides that if a person is involved in a motor vehicle accident or other emergency
24 situation and is unable to communicate with the contact person or persons specified
25 in the database, a law enforcement officer shall make a good faith effort to notify
26 the contact person or persons of the situation;
- 27 ▶ provides that information in the database shall only be used for contact purposes
28 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 in
31 connection with the use of the emergency contact database in certain circumstances.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 This bill takes effect on July 1, 2012.

36 **Utah Code Sections Affected:**

37 ENACTS:

38 **53-3-205.6**, Utah Code Annotated 1953



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

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

42 **53-3-205.6. Emergency contact database.**

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

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

47 (i) employees of the division;

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

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

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

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

58 (a) is involved in a motor vehicle accident or other emergency situation; and
59 (b) is unable to communicate with the contact person or persons.
60 (3) The information contained in the database created under this section:
61 (a) shall only be used for the purposes described in this section; and
62 (b) may not be used for criminal investigation purposes.
63 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
64 division shall make rules establishing the procedures to implement this section including:
65 (a) specifying the method for a license certificate, instruction permit, or identification
66 card holder to provide the division with emergency contact information;
67 (b) specifying the method for a license certificate, learner permit, or identification card
68 holder to change the emergency contact information; and
69 (c) other rules required for the implementation of the database or its operation that the
70 division determines necessary to implement the provisions of this section.
71 (5) (a) If a person involved in a motor vehicle accident or other emergency situation is
72 unable to communicate with the contact person or persons specified in the database, a law
73 enforcement officer shall make a good faith effort to notify the contact person or persons of the
74 situation.
75 (b) A law enforcement officer or a law enforcement agency that employs a law
76 enforcement officer may not incur any liability if the law enforcement officer is not able to
77 make contact with a designated emergency contact person.
78 (c) Except for willful or wanton misconduct, a law enforcement officer or a law
79 enforcement agency that employs a law enforcement officer may not incur any liability relating
80 to the reporting or use of the database during a motor vehicle accident or other emergency
81 situation.
82 (6) The division is not liable for any damages, costs, or expenses arising or resulting
83 from any inaccurate or incomplete data or system unavailability.
84 Section 2. **Effective date.**
85 This bill takes effect on July 1, 2012.

