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HOUSE BILL NO. 1392

Offered January 14, 2015

Prefiled December 15, 2014

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-203.2, relating to the Department of Motor Vehicles; emergency contact program.*

Patrons—Garrett and Fariss

Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 46.2-203.2 as follows:****§ 46.2-203.2. Emergency contact information program.**

A. As used in this section, "emergency contact" means a person 18 years of age or older whom the customer may designate to be contacted by a law-enforcement officer in an emergency situation.

B. The Department may establish an emergency contact information program to assist law-enforcement personnel in emergency situations. To establish such a program, a person who currently holds a learner's permit, temporary driver's license, driver's license, commercial driver's license, or special identification card issued by the Department or completes an application for the same may voluntarily submit emergency contact information for inclusion in his customer record with the Department. Such emergency contact information may include the name, relationship to the customer, address, and telephone number for an individual the customer designates as a contact in the event of an emergency situation.

C. Any person voluntarily submitting emergency contact information to the Department for inclusion in the applicant's customer record is responsible for maintaining current emergency contact information with the Department. Each applicant submitting emergency contact information to the Department shall certify in his application that he has notified the person he has designated as an emergency contact that such information will be supplied to the Department. The Department shall provide a method by which applicants submitting emergency contact information to the Department may submit such information electronically pursuant to § 46.2-216.1. Customers may add, modify, or delete information at any time. Such modifications or deletions will overwrite all previously provided information.

D. In the event of an emergency situation, the Department shall make emergency contact information in customer records electronically available to a law-enforcement officer who in the exercise of his official duties requires assistance in reaching a customer's emergency contact. Emergency contact information provided to the Department by the customer shall only be disclosed as permitted in this section and shall not be considered a public record subject to disclosure under the Freedom of Information Act and shall not be subject to disclosure by court order or other means of discovery.

E. In the absence of gross negligence or willful misconduct, the Department, its employees, and law-enforcement officers shall be immune from any civil or criminal liability in connection with the maintenance and use of emergency contact information voluntarily provided by customers for use in an emergency situation.

2. That the provisions of this act shall become effective on January 1, 2016.

INTRODUCED

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