

CHAPTER 325

GOVERNMENT - STATE

HOUSE BILL 08-1056

BY REPRESENTATIVE(S) White, Labuda, Levy, Lundberg, McFadyen, Mitchell V., Peniston, Primavera, Scanlan, Solano, Stafford, Summers, Todd, Carroll T., Frangas, Merrifield, Middleton, Roberts, and Romanoff;
also SENATOR(S) Morse, Bacon, Boyd, Gibbs, Gordon, Groff, Kester, Romer, Sandoval, Schultheis, Shaffer, Taylor, Tochtrop, Veiga, Ward, Wiens, Williams, and Windels.

AN ACT**CONCERNING EMERGENCY CONTACT INFORMATION IN THE DRIVER'S LICENSE DATABASE.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 1 of article 2 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-2-121.5. Emergency contact information - web site form - license application - driver's license database. (1) (a) **NO LATER THAN JANUARY 1, 2009,** THE DEPARTMENT SHALL CREATE AND MAKE AVAILABLE ON ITS OFFICIAL WEB SITE AN ELECTRONIC FORM THAT ALLOWS A PERSON WITH A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR TEMPORARY DRIVER'S LICENSE ISSUED PURSUANT TO THIS PART 1 OR AN IDENTIFICATION CARD ISSUED PURSUANT TO PART 3 OF THIS ARTICLE TO INPUT THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF UP TO TWO PERSONS TO BE CONTACTED IN AN EMERGENCY PURSUANT TO SUBSECTION (3) OF THIS SECTION. THE FORM SHALL INCLUDE A STATEMENT THAT THE INFORMATION MAY BE DISCLOSED ONLY TO AUTHORIZED LAW ENFORCEMENT OR PUBLIC SAFETY PERSONNEL FOR THE PURPOSE OF NOTIFYING THE PERSONS LISTED IN AN EMERGENCY AND A PLACE FOR THE PERSON ENTERING THE INFORMATION TO ASSENT TO THE USE OF THE INFORMATION FOR THIS PURPOSE.

(b) THE DEPARTMENT SHALL ADD THE EMERGENCY CONTACT INFORMATION RECEIVED FROM A PERSON IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE PERSON'S RECORD IN THE DRIVER'S LICENSE DATABASE.

(2) (a) ON AND AFTER JANUARY 1, 2009, THE DEPARTMENT SHALL INCLUDE ON THE APPLICATION FORM FOR A DRIVER'S LICENSE, MINOR DRIVER'S LICENSE, OR

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

INSTRUCTION PERMIT USED PURSUANT TO SECTION 42-2-107, THE DRIVER'S LICENSE RENEWAL APPLICATION USED PURSUANT TO SECTION 42-2-118, THE DUPLICATE DRIVER'S LICENSE APPLICATION USED PURSUANT TO SECTION 42-2-117, AND THE IDENTIFICATION CARD APPLICATION FORM USED PURSUANT TO SECTION 42-2-302 A PLACE FOR THE APPLICANT TO SPECIFY THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF UP TO TWO PERSONS TO BE CONTACTED IN AN EMERGENCY PURSUANT TO SUBSECTION (3) OF THIS SECTION. THE APPLICATION SHALL INCLUDE A STATEMENT THAT THE INFORMATION WILL BE DISCLOSED ONLY TO AUTHORIZED LAW ENFORCEMENT OR PUBLIC SAFETY PERSONNEL FOR THE PURPOSE OF NOTIFYING THE PERSONS LISTED IN AN EMERGENCY AND A PLACE FOR THE PERSON PROVIDING THE INFORMATION TO ASSENT TO THE USE OF THE INFORMATION FOR THIS PURPOSE.

(b) THE DEPARTMENT SHALL ADD THE EMERGENCY CONTACT INFORMATION SPECIFIED ON AN APPLICATION IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (2) TO THE PERSON'S RECORD IN THE DRIVER'S LICENSE DATABASE.

(3) AN OFFICER OF A LAW ENFORCEMENT OR PUBLIC SAFETY AGENCY WHO IS AUTHORIZED TO ACCESS THE DRIVER'S LICENSE DATABASE MAY OBTAIN A PERSON'S EMERGENCY CONTACT INFORMATION FROM THE DATABASE IF THE PERSON IS INJURED OR KILLED AS A RESULT OF AN ACCIDENT, CRIMINAL ACT, OR OTHER EMERGENCY SITUATION. THE OFFICER MAY CONTACT THE PERSONS LISTED IN THE EMERGENCY CONTACT INFORMATION AND NOTIFY THEM OF THE EMERGENCY SITUATION AND THE CONDITION AND LOCATION OF THE PERSON WHO HAS BEEN INJURED OR KILLED.

(4) THE DEPARTMENT SHALL NOT DISCLOSE THE INFORMATION RECEIVED IN ACCORDANCE WITH THIS SECTION TO ANY PERSON EXCEPT AS AUTHORIZED BY SUBSECTION (3) OF THIS SECTION AND SECTION 24-72-204 (7) (d), C.R.S.

SECTION 2. 24-72-204 (7) (a), Colorado Revised Statutes, is amended, and the said 24-72-204 (7) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions. (7) (a) Except as permitted in paragraph (b) of this subsection (7), the department of revenue or an authorized agent of the department shall not allow ~~inspection of~~ a person, other than the person in interest, to inspect information contained in a driver's license application under section 42-2-107, C.R.S., a driver's license renewal application under section 42-2-118, C.R.S., a duplicate driver's license application under section 42-2-117, C.R.S., a commercial driver's license application under section 42-2-403, C.R.S., an identification card application under section 42-2-302, C.R.S., a motor vehicle title application under section 42-6-116, C.R.S., a motor vehicle registration application under section 42-3-113, C.R.S., or other official record or document maintained by the department under section 42-2-121, C.R.S.

(d) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (7), THE DEPARTMENT OF REVENUE OR AN AUTHORIZED AGENT OF THE DEPARTMENT SHALL ALLOW INSPECTION OF RECORDS MAINTAINED BY THE DEPARTMENT PURSUANT TO SECTION 42-2-121.5, C.R.S., ONLY BY THE PERSON IN INTEREST OR BY AN OFFICER OF A LAW ENFORCEMENT OR PUBLIC SAFETY AGENCY IN ACCORDANCE WITH SECTION 42-2-121.5 (3), C.R.S.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 28, 2008