

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 897

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KREIDER, HANAWAY, LEVIN, KELLY (144), BARTELSMEYER, FOLEY, HOLT (Co-sponsors), HUNTER, BURCHAM, McKENNA, WILSON (42), LUETKENHAUS, DEMPSEY, CIERPIOT, RECTOR, PHILLIPS, SCOTT, ENZ, KELLEY (47), CHAMPION, MARBLE, REINHART, ROBIRDS, BERKSTRESSER, HARTZLER, BARRY, ABEL, COOPER, CUNNINGHAM, BEARDEN, BEHNEN, REID, HENDERSON, SHIELDS, HEGEMAN, HOSMER, CARNAHAN, BARNETT, SANDERS BROOKS, COLEMAN, CRAWFORD, FORD, GAMBARO, BOWMAN, GASKILL, MAY (149), GRAHAM, GRIESHEIMER, HOHULIN, JETTON, KENNEDY, KING, LEGAN, MOORE, NAEGER, OSTMANN, PORTWOOD, SECREST, SHOEMYER, TOWNLEY, SELBY, HAGAN-HARRELL, THOMPSON, HICKEY, KELLY (27), MARSH, PURGASON, LINTON, SCHWAB, BLACK AND FROELKER.

Read 1st time February 28, 2001, and 1000 copies ordered printed.

Read 2nd time March 1, 2001, and referred to the Committee on Motor Vehicle and Traffic Regulations, March 8, 2001.

Reported from the Committee on Motor Vehicle and Traffic Regulations, March 13, 2001, with recommendation that the bill Do Pass by Consent.

Perfected by Consent March 28, 2001.

TED WEDEL, Chief Clerk

1864L.03P

AN ACT

To repeal section 32.091, RSMo 2000, relating to motor vehicle records, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 32.091, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 32.091, to read as follows:

32.091. 1. As used in sections 32.090 and 32.091, the following terms mean:

- (1) "Motor vehicle record", any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by the department of revenue;
- (2) "Person", an individual, organization or entity, but does not include a state or agency thereof;
- (3) "Personal information", information that identifies an individual, including an

8 individual's photograph, Social Security number, driver identification number, name, address,
9 but not the five-digit zip code, telephone number, and medical or disability information, but does
10 not include information on vehicular accidents, driving violations and driver's status.

11 2. The department of revenue may disclose individual motor vehicle records pursuant
12 to Section 2721(b)(11) of Title 18 of the United States Code and may disclose motor vehicle
13 records in bulk pursuant to Section 2721(b)(12) of Title 18 of the United States Code, as
14 amended by Public Law 106-69, Section 350, only if the department has obtained the express
15 consent of the person to whom such personal information pertains.

16 3. Notwithstanding any other provisions of law to the contrary, the department of
17 revenue shall not disseminate a person's driver's license photograph, Social Security number and
18 medical or disability information from a motor vehicle record, as defined in Section 2725(1) of
19 Title 18 of the United States Code without the express consent of the person to whom such
20 information pertains, except for uses permitted under Sections 2721(b)(1), 2721(b)(4),
21 2721(b)(6) and 2721(b)(9) of Title 18 of the United States Code.

22 4. The department of revenue shall disclose any motor vehicle record or personal
23 information permitted to be disclosed pursuant to Sections 2721(b)(1) to 2721(b)(10) and
24 2721(b)(13) to 2721(b)(14) of Title 18 of the United States Code except for the personal
25 information described in subsection 3 of this section.

26 5. Pursuant to Section 2721(b)(14) of Title 18 of the United States Code, any person who
27 has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other
28 similar form of public communication, including dissemination by computer or other electronic
29 means, may request the department to provide individual or bulk motor vehicle records, such
30 dissemination being related to the operation of a motor vehicle or to public safety. Upon receipt
31 of such request, the department shall release the requested motor vehicle records.

32 6. This section is not intended to limit media access to any personal information when
33 such access is provided by agencies or entities in the interest of public safety and is otherwise
34 authorized by law.

35 **7. The department of revenue shall not collect from persons applying for any**
36 **driver's license issued by the department any information by which such persons can be**
37 **individually identified, unless the department has specific statutory authorization to collect**
38 **such information; nor shall the department of revenue include on any driver's license, in**
39 **print, magnetic, digital, or any other format, any information by which an individual may**
40 **be identified, unless the department has specific statutory authorization to include such**
41 **information.**