

House File 435 - Enrolled

House File 435

AN ACT

RELATING TO EMERGENCY CONTACT INFORMATION FOR USE BY THE
DEPARTMENT OF TRANSPORTATION AND LAW ENFORCEMENT, AND
INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 321.197 **Emergency contact information.**

1. The department shall include in the electronic database used by the department and law enforcement to access registration, titling, and driver's license information a collection of emergency contact information for persons who are issued a driver's license or nonoperator's identification card. Emergency contact information in the database shall be confidential and accessible only by employees of the department or a law enforcement agency in the performance of the employee's official duties, and shall not be considered a public record under chapter 22.

2. a. At the time a person applies for issuance, replacement, or renewal of a driver's license or nonoperator's identification card, the department shall request that the applicant voluntarily submit emergency contact information for inclusion in the database. A person may provide the emergency contact information along with or separate from an application

for issuance, replacement, or renewal of a driver's license or nonoperator's identification card. The department shall not require a person to submit emergency contact information as part of the driver's license or nonoperator's identification card issuance, replacement, or renewal process. The department shall accept submitted information without payment of a fee.

b. The department shall allow a person to provide the name, address, telephone number, and relationship to the person of no more than two emergency contacts whom the person wishes to be contacted if the person is involved in a motor vehicle accident or emergency situation and the person dies or is seriously injured or rendered unconscious and is unable to communicate with the emergency contact. The department shall accept the emergency contact information provided by a person, but has no duty to verify any of the information provided.

c. The emergency contact need not be the next of kin of the person, except that if the person is under eighteen years of age and is not emancipated, the person shall include a parent, guardian, or custodian of the person as an emergency contact.

3. In the event of a motor vehicle accident or emergency situation in which a person dies or is seriously injured or rendered unconscious and is unable to communicate with the emergency contact specified in the database, an employee of a law enforcement agency shall make a good-faith effort to notify the emergency contact of the situation based on information in the database, but the department, the law enforcement agency, and the employee shall not be liable if the employee is not able to notify the emergency contact.

4. The department shall adopt rules pursuant to chapter 17A necessary to administer this section, including but not limited to rules relating to all of the following:

a. The methods whereby a person who has submitted the information of an emergency contact for inclusion in the database may make changes to that entry.

b. The methods whereby a person may opt out of being listed as an emergency contact in the database.

Sec. 2. EFFECTIVE DATE. This Act takes effect January 1, 2022.

PAT GRASSLEY
Speaker of the House

JAKE CHAPMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 435, Eighty-ninth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2021

KIM REYNOLDS
Governor