

HOUSE BILL NO. 1334

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

3442H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to medical alert notations on driver's licenses, with a delayed effective date.

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

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be known as section 302.205, to read as follows:

302.205. 1. Any resident of this state may elect to have a medical alert notation placed on the person's driver's license or nondriver's identification card. The following conditions, illnesses, and disorders may be recorded on a driver's license or nondriver's identification card as medical alert information at the request of the applicant:

- 5 **(1) Posttraumatic stress disorder;**
- 6 **(2) Diabetes;**
- 7 **(3) Heart conditions;**
- 8 **(4) Epilepsy;**
- 9 **(5) Drug allergies;**
- 10 **(6) Alzheimer's or dementia; or**
- 11 **(7) Other conditions as approved by director of the department of revenue or his**
12 **or her designee.**

13 **2. Any person requesting the inclusion of a medical alert notation on his or her**
14 **driver's license or nondriver's identification card shall submit an application form to**
15 **include a waiver of liability for the release of any medical information to the department,**
16 **any person who is eligible for access to such medical information as recorded on the**
17 **person's driving record under this chapter, and any other person who may view or receive**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 notice of such medical information by virtue of having seen such person's driver's license
19 or nondriver's identification card. Such application shall advise the person that he or she
20 will be consenting to the release of such medical information to anyone who sees or copies
21 his or her driver's license or nondriver's identification card, even if such person is
22 otherwise ineligible to access such medical information under state or federal law.

23 3. Such application shall include space for a person requesting the inclusion of a
24 medical alert notation on his or her driver's license or nondriver's identification card to
25 obtain a sworn statement from a person licensed to practice medicine or psychology in this
26 state verifying such diagnosis.

27 4. Any person who has been issued a driver's license or nondriver's identification
28 card bearing medical alert information may be issued a replacement driver's license or
29 nondriver's identification card excluding such medical alert information at his or her
30 request and upon payment of the fee provided in this chapter for replacement of lost
31 licenses or identification cards.

32 5. No medical alert information shall be printed on or removed from a driver's
33 license or nondriver's identification card without the express consent of the licensee. If the
34 licensee is a child under the age of eighteen, consent for the printing of medical alert
35 information shall be provided by the parent or guardian of the child when he or she signs
36 the application for the driver's license or nondriver's identification card. If the licensee is
37 an incapacitated adult, consent for the printing of medical alert information shall be given
38 by the guardian of such adult as appointed by a court of competent jurisdiction.

39 6. The information collected under subsection 1 of this section shall be transferred
40 by the Missouri department of revenue to the Missouri state highway patrol for entry into
41 the Missouri Uniform Law Enforcement System (MULES). The fact of this transfer of
42 information and use of the MULES system shall be contained in the application and
43 consent documents required under this section.

44 7. The director of the department of revenue may promulgate all necessary rules
45 and regulations for the administration of this section. Any rule or portion of a rule, as that
46 term is defined in section 536.010, that is created under the authority delegated in this
47 section shall become effective only if it complies with and is subject to all of the provisions
48 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
49 nonseverable, and if any of the powers vested with the general assembly pursuant to
50 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
51 subsequently held unconstitutional, then the grant of rule making authority and any rule
52 proposed or adopted after August 28, 2020, shall be invalid and void.

Section B. The enactment of section 302.205 of Section A of this act shall become
2 effective on July 31, 2021.

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