

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1834 Session of
2005

INTRODUCED BY COHEN, E. Z. TAYLOR, DeWEESE, McCALL, PHILLIPS,
BELARDI, TANGRETTI, PETRARCA, HICKERNELL, LEDERER,
McNAUGHTON, STURLA, GODSHALL, MANDERINO, B. SMITH,
CALTAGIRONE, HENNESSEY, BELFANTI, BUNT, DeLUCA, LEVDANSKY,
SCAVELLO, FREEMAN, MYERS, STABACK, THOMAS, J. TAYLOR, WALKO,
CURRY, GOODMAN, MANN, McILHINNEY, SANTONI, SHANER, FRANKEL,
JAMES, YOUNGBLOOD, JOSEPHS, WATERS, KIRKLAND, O'NEILL, KOTIK,
ROEBUCK, PALLONE AND McGEEHAN, JULY 1, 2005

REFERRED TO COMMITTEE ON TRANSPORTATION, JULY 1, 2005

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 electronic access to driver records to confirm organ donor
4 status.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 8619 of Title 20 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 8619. Use of driver's license or identification card to
10 indicate organ or tissue donation.

11 (a) General rule.--Beginning as soon as practicable, but no
12 later than January 1, 1995, or one year following the effective
13 date of this section, whichever is later, the Department of
14 Transportation shall redesign the driver's license and
15 identification card application system to process requests for
16 information regarding consent of the individual to organ or

1 tissue donation. The following question shall be asked:

2 Do you wish to have the organ donor designation printed
3 on your driver's license?

4 Only an affirmative response of an individual shall be noted on
5 the front of the driver's license or identification card and
6 shall clearly indicate the individual's intent to donate his
7 organs or tissue. A notation on an individual's driver's license
8 or identification card that he intends to donate his organs or
9 tissue is deemed sufficient to satisfy all requirements for
10 consent to organ or tissue donation.

11 (b) Electronic access.--The organ procurement organizations
12 designated by the Federal Government in the Commonwealth of
13 Pennsylvania as part of the nationwide organ procurement network
14 may be given 24-hour-a-day electronic access to information
15 necessary to confirm an individual's organ donor status through
16 the Department of Transportation's driver licensing database.
17 Necessary information shall include the individual's name,
18 address, date of birth, driver's license number and organ donor
19 status. Notwithstanding 75 Pa.C.S. § 6114 (relating to
20 limitation on sale, publication and disclosure of records), the
21 Department of Transportation is authorized to provide the organ
22 procurement organizations, after a written agreement between the
23 Department of Transportation and the organ procurement
24 organizations is first obtained, with the foregoing information.
25 The organ procurement organizations shall not be assessed the
26 fee for such information prescribed by 75 Pa.C.S. § 1955(a)
27 (relating to information concerning drivers and vehicles).

28 Section 2. This act shall take effect immediately.