

PROBATE, ESTATES AND FIDUCIARIES CODE (20 PA.C.S.) - ELECTRONIC ACCESS TO  
DRIVER RECORDS TO CONFIRM ORGAN DONOR STATUS

Act of Jun. 23, 2006, P.L. 201, No. 48

Cl. 20

Session of 2006

No. 2006-48

HB 1834

AN ACT

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

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

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

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

**(a) General rule.--** Beginning as soon as practicable, but no later than January 1, 1995, or one year following the effective date of this section, whichever is later, the Department of Transportation shall redesign the driver's license and identification card application system to process requests for information regarding consent of the individual to organ or tissue donation. The following question shall be asked:

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

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

**(b) Electronic access.--**The organ procurement organizations designated by the Federal Government in the Commonwealth of Pennsylvania as part of the nationwide organ procurement network may be given 24-hour-a-day electronic access to information necessary to confirm an individual's organ donor status through the Department of Transportation's driver licensing database. Necessary information shall include the individual's name, address, date of birth, driver's license number and organ donor status. Notwithstanding 75 Pa.C.S. § 6114 (relating to limitation on sale, publication and disclosure of records), the Department of Transportation is authorized to provide the organ procurement organizations, after a written agreement between the Department of Transportation and the organ procurement organizations is first obtained, with the foregoing information. The organ procurement organization shall not use such

information for any purpose other than to confirm an individual's organ donor status at or near or after an individual's death. The organ procurement organizations shall not be assessed the fee for such information prescribed by 75 Pa.C.S. § 1955(a) (relating to information concerning drivers and vehicles).

Section 2. This act shall take effect immediately.

APPROVED--The 23rd day of June, A. D. 2006.

EDWARD G. RENDELL