
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1305 Session of
2014

INTRODUCED BY WHITE, WOZNIAK, SMITH, RAFFERTY, ALLOWAY, SOLOBAY,
VULAKOVICH, SCARNATI, STACK, ERICKSON, YAW AND HUGHES,
MARCH 27, 2014

REFERRED TO TRANSPORTATION, MARCH 27, 2014

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, in express anatomical
3 gifts, further providing for use of driver's license or
4 identification card to indicate organ or tissue donation.

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] 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
17 tissue donation. The following question shall be asked[:] on
18 both the application for a driver's license or identification

1 card and on the organ donor designation at a photo center:

2 Pennsylvania strongly supports organ and tissue donation
3 because of its life-saving and life-enhancing
4 opportunities.

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

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

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

1 individual's death. The organ procurement organizations shall
2 not be assessed the fee for such information prescribed by 75
3 Pa.C.S. § 1955(a) (relating to information concerning drivers
4 and vehicles).

5 Section 2. This act shall take effect in 60 days.