

1 A bill to be entitled

2 An act relating to motorist safety; authorizing the
3 governing body of a county to create a yellow dot
4 critical motorist medical information program for
5 certain purposes; authorizing a county to solicit
6 sponsorships for the medical information program and
7 enter into an interlocal agreement with another county
8 to solicit such sponsorships; authorizing the
9 Department of Highway Safety and Motor Vehicles and
10 the Department of Transportation to provide education
11 and training and publicize the program; requiring the
12 program to be free to participants; providing for
13 applications to participate; providing for a yellow
14 dot decal and a yellow dot folder to be issued to
15 participants and a form containing specified
16 information about the participant; providing
17 procedures for use of the decal, folder, and form;
18 providing for limited use of information on the forms
19 by emergency medical responders; limiting liability of
20 emergency medical responders; requiring the governing
21 body of a participating county to adopt guidelines and
22 procedures to ensure that confidential information is
23 not made public; providing a contingent effective
24 date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Yellow dot critical motorist medical

29 information program; yellow dot decal, folder, and information
30 form.—

31 (1) The governing body of a county may create a yellow dot
32 critical motorist medical information program to assist
33 emergency medical responders and drivers and passengers who
34 participate in the program by making critical medical
35 information readily available to a responder in the event of a
36 motor vehicle accident or a medical emergency involving a
37 participant's vehicle.

38 (2) (a) The governing body of a county may solicit
39 sponsorships from interested business entities and not-for-
40 profit organizations to cover costs of the program, including
41 the cost of the yellow dot decals and folders that shall be
42 provided free of charge to participants. Two or more counties
43 may enter into an interlocal agreement to solicit such
44 sponsorships.

45 (b) The Department of Highway Safety and Motor Vehicles or
46 the Department of Transportation may provide education and
47 training to encourage emergency medical responders to
48 participate in the program and may take reasonable measures to
49 publicize the program.

50 (3) (a) Any owner or lessee of a motor vehicle may
51 participate in the program upon submission of an application and
52 documentation, in the form and manner prescribed by the
53 governing body of the county.

54 (b) The application form shall include a statement that
55 the information submitted will be disclosed only to authorized
56 personnel of law enforcement and public safety agencies,

57 emergency medical services agencies, and hospitals for the
58 purposes authorized in subsection (5).

59 (c) The application form shall describe the confidential
60 nature of the medical information voluntarily provided by the
61 participant and shall state that, by providing the medical
62 information, the participant has authorized the use and
63 disclosure of the medical information to authorized personnel
64 solely for the purposes listed in subsection (5). The
65 application form shall also require the participant's express
66 written consent for such use and disclosure.

67 (d) The county may not charge any fee to participate in
68 the yellow dot program.

69 (4) A participant shall receive a yellow dot decal, a
70 yellow dot folder, and a form with the participant's
71 information.

72 (a) The participant shall affix the decal onto the rear
73 window in the left lower corner of a motor vehicle or in a
74 clearly visible location on a motorcycle.

75 (b) A person who rides in a motor vehicle as a passenger
76 may also participate in the program but may not be issued a
77 decal if a decal is issued to the owner or lessee of the motor
78 vehicle in which the person rides.

79 (c) The yellow dot folder, which shall be stored in the
80 glove compartment of the motor vehicle or in a compartment
81 attached to a motorcycle, shall contain a form with the
82 following information about the participant:

- 83 1. The participant's name.
84 2. The participant's photograph.

85 3. Emergency contact information of no more than two
86 persons for the participant.

87 4. The participant's medical information, including
88 medical conditions, recent surgeries, allergies, and medications
89 being taken.

90 5. The participant's hospital preference.

91 6. Contact information for no more than two physicians for
92 the participant.

93 (5) (a) If a driver or passenger of a motor vehicle becomes
94 involved in a motor vehicle accident or emergency situation, and
95 a yellow dot decal is affixed to the vehicle, an emergency
96 medical responder at the scene is authorized to search the glove
97 compartment of the vehicle for the corresponding yellow dot
98 folder.

99 (b) An emergency medical responder at the scene may use
100 the information in the yellow dot folder for the following
101 purposes only:

102 1. To positively identify the participant.

103 2. To ascertain whether the participant has a medical
104 condition that might impede communications between the
105 participant and the responder.

106 3. To inform the participant's emergency contacts about
107 the location, condition, or death of the participant.

108 4. To learn the nature of any medical information reported
109 by the participant on the form.

110 5. To ensure that the participant's current medications
111 and preexisting medical conditions are considered when emergency

112 medical treatment is administered for any injury to or condition
113 of the participant.

114 (6) Except for wanton or willful conduct, an emergency
115 medical responder or the employer of a responder does not incur
116 any liability if a responder is unable to make contact, in good
117 faith, with a participant's emergency contact person, or if a
118 responder disseminates or fails to disseminate any information
119 from the yellow dot folder to any other emergency medical
120 responder, hospital, or healthcare provider who renders
121 emergency medical treatment to the participant.

122 (7) The governing body of a participating county shall
123 adopt guidelines and procedures for ensuring that any
124 information that is confidential is not made public through the
125 program.

126 Section 2. This act shall take effect July 1, 2014, or on
127 the same date that legislation which exempts the information
128 required under the yellow dot critical motorist medical
129 information program created pursuant to section 1 of this act
130 from s. 119.071(1), Florida Statutes, and s. 24(a), Article I of
131 the State Constitution, takes effect, whichever occurs later, if
132 such legislation is adopted in the 2014 Regular Session of the
133 Legislature or an extension thereof and becomes law.