

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 298

Short Title: DMV Bone Marrow Donor Solicitation. (Public)

Sponsors: Senators Adcock, Woodard, and Krawiec (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 14, 2023

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO SOLICIT ENROLLMENT IN THE NATIONAL MARROW DONOR PROGRAM REGISTRY AND TO CLARIFY THAT THE DIVISION OF MOTOR VEHICLES IS AUTHORIZED TO PERMIT THE REGISTRATION OF TISSUE DONATION AT THE DIVISION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7.3 reads as rewritten:

"§ 20-7.3. **Availability of organ, eye, and tissue donor cards at motor vehicle ~~offices~~ offices and National Bone Marrow Donor solicitation.**

(a) The Division shall make organ, eye, and tissue donor cards available to interested individuals in each office authorized to issue drivers licenses or special identification cards. The Division shall obtain donor cards from qualified organ, eye, or tissue procurement organizations or tissue banks, as defined in G.S. 130A-412.4(31). The Division shall offer organ donation information and a donor card to each applicant for a drivers license. The organ donation information shall include the following:

...

(b) An application for the initial issuance or renewal of an identification card, learner's permit, or drivers license from the Division under this Article, whether in person or remote, shall include a solicitation for the applicant to enroll in the registry operated by the National Marrow Donor Program. The solicitation shall be on a form approved by the Commissioner in consultation with the National Marrow Donor Program and shall include both of the following:

(1) A notification that enrolling in the National Marrow Donor Program constitutes consent to share the applicant's information with the National Marrow Donor Program.

(2) An explanation of how the National Marrow Donor Program will follow up with an applicant following enrollment.

(c) The Division shall, on a monthly basis, electronically transmit to the National Marrow Donor Program and the Organ Donor Registry Internet site established pursuant to G.S. 20-43.2 the registerable data permissible under G.S. 20-43.2(a) from every application that elects to enroll in the National Marrow Donor Program registry.

(d) The Division shall enter into a memorandum of understanding with the National Marrow Donor Program. The memorandum of understanding shall include an agreement regarding the language used on the form required by subsection (b) of this section."

SECTION 1.(b) This section becomes effective January 1, 2024, and applies to applications submitted on or after that date.



1 **SECTION 2.** G.S. 20-43.2 reads as rewritten:

2 "**§ 20-43.2. Internet access to organ donation records by organ procurement organizations.**

3 (a) The Department of Transportation, Division of Motor Vehicles, shall establish and
4 maintain a statewide, online Organ Donor Registry Internet site (hereafter "Donor Registry").
5 The purpose of the Donor Registry is to enable federally designated organ procurement
6 organizations and eye banks to have access 24 hours per day, seven days per week to obtain
7 relevant information on the Donor Registry to determine, at or near death of the donor or a
8 prospective donor, whether the donor or prospective donor has made, amended, or revoked an
9 anatomical gift through a symbol on the donor's or prospective donor's drivers license, special
10 identification card, or other manner. The data available on the Donor Registry shall be limited to
11 the individual's first, middle, and last name, date of birth, address, sex, county of residence, ~~and~~
12 telephone number, email address, and drivers license number. The Division of Motor Vehicles
13 shall ensure that only federally designated organ procurement organizations and eye banks
14 operating in this State have access to the Donor Registry in read-only format. The Division of
15 Motor Vehicles shall enable federally designated organ procurement organizations and eye banks
16 operating in this State to have online access in read-only format to the Donor Registry through a
17 unique identifier and password issued to the organ procurement organization or eye bank by the
18 Division of Motor Vehicles. Employees of the Division who provide access to or disclosure of
19 information in good-faith compliance with this section are not liable in damages for access to or
20 disclosure of the information.

21 ...

22 (e) For purposes of this section and G.S. 20-43.1, the term "organ" shall mean the human
23 kidney, liver, heart, lung, pancreas, bone marrow, cornea, eye, bone, and skin or any subpart of
24 an organ, including tissue, and any other human organ."

25 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
26 law.