

P.L. 2007, CHAPTER 20, *approved January 26, 2007*
Senate, No. 997 (*Second Reprint*)

1 AN ACT concerning accident reports and amending R.S.39:4-131.

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3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:

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6 1. R.S.39:4-131 is amended to read as follows:

7 39:4-131. The **[division]** commission shall prepare and supply
8 to police departments and other suitable agencies, forms for
9 accident reports calling for sufficiently detailed information with
10 reference to a motor vehicle accident, including the cause, the
11 conditions then existing, the persons and vehicles involved, the
12 compliance with P.L.1984, c.179 (C.39:3-76.2e et seq.) by the
13 operators and passengers of the vehicles involved in the accident,
14 whether the operator of the vehicle was using a cellular telephone
15 when the accident occurred, and such other information as the
16 **[director]** chief administrator may require.

17 Every law enforcement officer who investigates a vehicle
18 accident of which report must be made as required in this Title, or
19 who otherwise prepares a written report as a result of an accident or
20 thereafter by interviewing the participants or witnesses, shall
21 forward a written report of such accident to the **[division]**
22 commission, on forms furnished by it, within five days after his
23 investigation of the accident.

24 Such written reports required to be forwarded by law
25 enforcement officers and the information contained therein shall not
26 be privileged or held confidential. Every citizen of this State shall
27 have the right, during regular business hours and under supervision,
28 to inspect and copy such reports and shall also have the right in
29 person to purchase copies of the reports at the same fee established
30 by ²**[section 2 of P.L.1963, c.73 (C.47:1A-2)]** section 6 of
31 P.L.2001, c.404 (C.47:1A-5)². If copies of reports are requested
32 other than in person, an additional fee of up to \$5.00 for the first
33 three pages and \$1.00 per page thereafter may be added to cover the
34 administrative costs of the report. Upon request, a police
35 department shall send an accident report to a person through the
36 mail or via fax as defined in section 2 of P.L.1976, c.23 ¹**[as**
37 **amended and supplemented]** (C.19:59-2)¹. The police department
38 may require the person requesting the report to provide a completed
39 request form and the appropriate fee prior to faxing or mailing the
40 report. ²The police department shall provide the person requesting
41 the report with the option of submitting the form and providing the
42 appropriate fee either in person, through the mail, or via fax as
43 defined in section 2 of P.L.1976, c.23 (C.19:59-2).²

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted February 9, 2006.

²Assembly ATR committee amendments adopted June 1, 2006.

1 The provisions of any other law or regulation to the contrary
2 notwithstanding, reports obtained pursuant to this act shall not be
3 subject to confidentiality requirements except as provided by
4 section 28 of P.L.1960, c.52 (C.2A:84A-28).
5 (cf: P.L.2001, c.161, s.2.)

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7 2. This act shall take effect immediately.

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12 Requires police departments to mail or fax accident reports upon
13 request.