

SENATE, No. 997

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 17, 2006

Sponsored by:
Senator BARBARA BUONO
District 18 (Middlesex)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



S997 BUONO

2

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

2

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

5

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

7 39:4-131. The [division] commission shall prepare and supply to
8 police departments and other suitable agencies, forms for accident
9 reports calling for sufficiently detailed information with reference
10 to a motor vehicle accident, including the cause, the conditions then
11 existing, the persons and vehicles involved, the compliance with
12 P.L.1984, c.179 (C.39:3-76.2e et seq.) by the operators and
13 passengers of the vehicles involved in the accident, whether the
14 operator of the vehicle was using a cellular telephone when the
15 accident occurred, and such other information as the [director] chief
16 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 section 2 of P.L.1963, c.73 (C.47:1A-2). If copies of reports are
31 requested other than in person, an additional fee of up to \$5.00 for
32 the first three pages and \$1.00 per page thereafter may be added to
33 cover the administrative costs of the report. Upon request, a police
34 department shall send an accident report to a person through the
35 mail or via fax as defined in section 2 of P.L.1976, c.23 as amended
36 and supplemented. The police department may require the person
37 requesting the report to provide a completed request form and the
38 appropriate fee prior to faxing or mailing the report.

39 The provisions of any other law or regulation to the contrary
40 notwithstanding, reports obtained pursuant to this act shall not be
41 subject to confidentiality requirements except as provided by
42 section 28 of P.L.1960, c.52 (C.2A:84A-28).

43 (cf: P.L.2001, c.161, s.2.)

44

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.

1 2. This act shall take effect immediately.

2 STATEMENT

3

4 This bill requires police departments to mail or fax accident
5 reports to individuals upon request. The bill further provides that
6 the police department may require the person requesting the report
7 to provide a completed request form and the appropriate fee prior to
8 faxing or mailing the report. If enacted, the bill would give
9 individuals the option to have reports mailed, faxed or picked up in-
10 person. Currently, some police departments refuse to send accident
11 reports via fax or mail, causing a hardship for individuals seeking
12 accident records who live outside the locality.

13 The bill also updates references to the Motor Vehicle
14 Commission and the Chief Administrator of the Motor Vehicle
15 Commission.