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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"A boy and his scooter drive a new law," The Star-Ledger, January 27, 2007, p. ____

RWH 4/8/08

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.

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
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.)

6

7 2. This act shall take effect immediately.

8

9

10

11

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

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.

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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
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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.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 997

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2006

The Assembly Transportation and Public Works Committee reports favorably and with amendments Senate Bill No. 997(1R).

As reported, this amended bill requires police departments to mail or fax accident reports to individuals upon request. The bill provides that the police department may require the person requesting the report to provide a completed request form and the appropriate fee prior to faxing or mailing the report. This bill further provides that the police department shall provide the person requesting the report with the option of completing the form and providing the appropriate fee in person, through the mail, or via fax. If enacted, the bill would give individuals the option to have reports mailed, faxed or picked up in person. Currently, some police departments refuse to send accident reports via fax or mail, causing a hardship for individuals seeking accident records who live outside the locality.

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

As reported, Senate Bill No. 997(1R) as amended is identical to Assembly Bill No. 2729 which was amended and released by the committee today.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that the police department shall provide the person requesting the report with the option of submitting the form and providing the appropriate fee in person, through the mail, or via fax.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 997

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2006

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

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

The committee amended the bill to make a technical correction to a statutory citation.

ASSEMBLY, No. 2729

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MARCH 2, 2006

Sponsored by:

Assemblyman **PETER J. BARNES, JR.**

District 18 (Middlesex)

Assemblyman **GORDON M. JOHNSON**

District 37 (Bergen)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/2/2006)

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36 2). The police department may require the person requesting the
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40 notwithstanding, reports obtained pursuant to this act shall not be
41 subject to confidentiality requirements except as provided by
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45 2. This act shall take effect immediately.

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Matter underlined thus is new matter.

1 STATEMENT

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4 accident reports to individuals upon request. The bill further
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7 appropriate fee prior to faxing or mailing the report. If enacted, the
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9 or picked up in-person. Currently, some police departments refuse
10 to send accident reports via fax or mail, causing a hardship for
11 individuals seeking accident records who live outside the locality.

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

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2729

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2006

The Assembly Transportation and Public Works Committee reports favorably and with amendments Assembly Bill No. 2729.

As reported, this amended bill would require police departments to mail or fax accident reports to individuals upon request. The bill provides that the police department may require the person requesting the report to provide a completed request form and the appropriate fee prior to faxing or mailing the report. This bill further provides that the police department shall provide the person requesting the report with the option of completing the form and providing the appropriate fee in person, through the mail, or via fax. If enacted, the bill would give individuals the option to have reports mailed, faxed or picked up in person. Currently, some police departments refuse to send accident reports via fax or mail, causing a hardship for individuals seeking accident records who live outside the locality.

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COMMITTEE AMENDMENTS

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