

78B-5-813 Statement of injured person -- When inadmissible as evidence.

Except as otherwise provided in Sections 78B-5-812 through 78B-5-816, any statement, either written or oral, obtained from an injured person within 15 days of an occurrence or while the person is confined in a hospital or sanitarium as a result of injuries sustained in the occurrence, and which statement is obtained by a person whose interest is adverse or may become adverse to the injured person, except a peace officer, is not admissible as evidence in any civil proceeding brought by or against the injured person for damages sustained as a result of the occurrence, unless:

- (1) a written verbatim copy of the statement has been left with the injured party at the time the statement was taken; and
- (2) the statement has not been disavowed in writing within 15 days of the date of the statement or within 15 days after the date of the injured person's initial discharge from the hospital or sanitarium in which the person has been confined, whichever date is later.

Renumbered and Amended by Chapter 3, 2008 General Session