

- 28 (i) a person involved in the accident, excluding a witness to the accident;
 29 (ii) a person suffering loss or injury in the accident;
 30 (iii) an agent, parent, or legal guardian of a person described in Subsections (3)(a)(i) and
 31 (ii);
 32 (iv) a member of the press or broadcast news media;
 33 (v) a state, local, or federal agency that uses the records for official governmental,
 34 investigative, or accident prevention purposes;
 35 (vi) law enforcement personnel when acting in their official governmental capacity; and
 36 (vii) a licensed private investigator.

37 (b) In accordance with Subsection (3)(a), the department shall disclose whether any person
 38 or vehicle involved in an accident reported under this section was covered by a vehicle insurance
 39 policy, and the name of the insurer.

40 (c) Information provided to a member of the press or broadcast news media under
 41 Subsection (3)(a)(iv) may only include:

- 42 (i) the name, age, sex, and city of residence of each person involved in the accident;
 43 (ii) the make and model year of each vehicle involved in the accident;
 44 (iii) whether or not each person involved in the accident was covered by a vehicle
 45 insurance policy;
 46 (iv) the location of the accident; and
 47 (v) a description of the accident that excludes personal identifying information not listed
 48 in Subsection (3)(c)(i).

49 (d) The department shall disclose to any requesting person the following vehicle accident
 50 history information ~~in~~ ~~§ IN BULK ELECTRONIC FORM~~ ~~§~~ ~~in~~ :

- 51 (i) the make, model year, and vehicle identification number of ~~§ [each] A §~~ vehicle involved in
 52 ~~§ [the] AN §~~ accident;
 53 (ii) the date of the accident; and
 54 (iii) any electronically available data, that excludes personal identifying information, which
 55 describes the accident, including a description of any physical damage to the vehicle.

55a ~~in~~ (e) (i) THE DEPARTMENT MAY PROVIDE THE INFORMATION DESCRIBED IN SUBSECTION
 55b (3)(d) ON UP TO FIVE VEHICLES PER REQUEST.

55c (ii) THE DEPARTMENT SHALL CHARGE A FEE OF \$5.00 PER REQUEST.

55d (f) THE INFORMATION DESCRIBED IN SUBSECTION (3)(d) MAY NOT BE PROVIDED IN BULK
 55e ELECTRONIC FORM. ~~in~~

56 (4) (a) Except as provided in Subsection (4)(b), accident reports filed under this section
 57 may not be used as evidence in any civil or criminal trial arising out of an accident.

58 (b) Upon demand of any party to the trial or upon demand of any court, the department

59 shall furnish a certificate showing that a specified accident report has or has not been made to the
60 department in compliance with law. If the report has been made, the certificate furnished by the
61 department shall show the date, time, and location of the accident, the names and addresses of the
62 drivers, the owners of the vehicles involved, and the investigating officers. The reports may be
63 used as evidence when necessary to prosecute charges filed in connection with a violation of
64 Subsection (5).

65 (5) A person who gives information in reports as required in this chapter knowing or
66 having reason to believe that the information is false is guilty of a class A misdemeanor.

Legislative Review Note
as of 1-18-02 11:04 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel