

Sixty-third
Legislative Assembly
of North Dakota

SENATE BILL NO. 2310

Introduced by

Senator Oehlke

1 A BILL for an Act to amend and reenact ~~subsection~~subsections 4 and 6 of section 39-08-13 of
2 the North Dakota Century Code, relating to accident report forms; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 4 of section 39-08-13 of the North Dakota Century
5 Code is amended and reenacted as follows:

6 4. The reports required to be forwarded by law enforcement officers and the information
7 contained therein ~~shall not be in the reports is not~~ privileged or held confidential. If,
8 however, the investigating officer expresses an opinion as to fault or responsibility for
9 the accident, the opinion is confidential and not open to public inspection, except as
10 provided in subsection 5. ~~In addition, any information contained in the report which~~
11 ~~identifies an individual, including a driver identification number, name, address, or~~
12 ~~telephone number, is an exempt record as defined under section 44-04-17.1 unless~~
13 ~~the requester is a party to the accident, a party's legal representative, or the insurer of~~
14 ~~any party to the accident.~~ In addition, the following information contained in the report
15 is an exempt record as defined in section 44-04-17.1 unless the requester is a party to
16 the accident, a party's legal representative, or the insurer of any party to the accident
17 or the agent of that insurer:

18 a. Driver identification number of a party in the report;

19 b. Street address of a party in the report;

20 c. Telephone number of a party in the report;

21 d. Insurance company name and policy number of a party in the report; and

22 e. Date of birth of a party in the report.

23 **SECTION 2. AMENDMENT.** Subsection 6 of section 39-08-13 of the North Dakota Century
24 Code is amended and reenacted as follows:

- 1 6. Upon request of any person and upon payment of a fee of two dollars, the director or
2 the law enforcement agency may furnish to a requester a copy of that portion of an
3 investigating officer's accident report which does not disclose the opinion of the
4 reporting officer or contain any exempt information that may not be disclosed, if the
5 report shows that the accident is one for which a driver is required to file a report
6 under section 39-08-09.

7 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.