

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 bein 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.