

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.

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, the insurer of any party to the accident, the
17 | agent of that insurer, or the legal representative or insurer of an individual involved in
18 | defending or investigating a prior or subsequent claim or accident involving a party to
19 | the accident:

- 20 | _____ a. Driver identification number of a party in the report;
21 | _____ b. Telephone number of a party in the report;
22 | _____ c. Insurance company name and policy number of a party in the report; and
23 | _____ d. Day and month of birth of a party in the report.

1 | **SECTION 2. AMENDMENT.** Subsection 6 of section 39-08-13 of the North Dakota Century
2 | Code is amended and reenacted as follows:
3 | 6. Upon request of any person and upon payment of a fee of two dollars, the director or
4 | the law enforcement agency may furnish to a requester a copy of that portion of an
5 | investigating officer's accident report which does not disclose the opinion of the
6 | reporting officer or contain any exempt information that may not be disclosed, if the
7 | report shows that the accident is one for which a driver is required to file a report
8 | under section 39-08-09.