

SENATE BILL NO. 2310
with Conference Committee Amendments
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Introduced by

Senator Oehlke

1 A BILL for an Act to amend and reenact subsections 4 and 6 of section 39-08-13 of the North
2 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 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, the following information contained in the report
11 is an exempt record as defined in section 44-04-17.1 unless the requester is a party to
12 the accident, a party's legal representative, the insurer of any party to the accident, the
13 agent of that insurer, or the legal representative or insurer of an individual involved in
14 defending or investigating a prior or subsequent claim or accident involving a party to
15 the accident:

- 16 a. Driver identification number of a party in the report;
- 17 b. Telephone number of a party in the report;
- 18 c. Insurance company name and policy number of a party in the report; and
- 19 d. Day and month of birth of a party in the report.

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

22 6. Upon request of any person and upon payment of a fee of two dollars, the director or
23 the law enforcement agency may furnish to a requester a copy of that portion of an
24 investigating officer's accident report which does not disclose the opinion of the

Sixty-third
Legislative Assembly

- 1 reporting officer or contain any exempt information that may not be disclosed, if the
- 2 report shows that the accident is one for which a driver is required to file a report
- 3 under section 39-08-09.