

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4  
5 By: Senator E. Williams  
6

*As Engrossed: S2/5/13*

# A Bill

SENATE BILL 225

## For An Act To Be Entitled

8 AN ACT TO PROTECT THE IDENTITIES OF CHILDREN FROM  
9 BEING DISCLOSED TO THE PUBLIC IN MOTOR VEHICLE  
10 ACCIDENT AND INVESTIGATION REPORTS; AND FOR OTHER  
11 PURPOSES.  
12  
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### Subtitle

15 TO PROTECT THE IDENTITIES OF CHILDREN  
16 FROM BEING DISCLOSED TO THE PUBLIC IN  
17 MOTOR VEHICLE ACCIDENT AND INVESTIGATION  
18 REPORTS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 27-53-202(b), regarding accident reports  
24 and supplemental reports, is amended to read as follows:

25 (b)(1)(A) In addition to the requirements of subsection (a) of this  
26 section, the driver of any taxicab, motor bus, or other motor vehicle  
27 carrying passengers for hire involved in an accident resulting in injury to  
28 or death of any person shall notify the nearest law enforcement agency  
29 immediately.

30 (B) The ~~drivers~~ driver of any taxicab, motor bus, or other  
31 motor vehicle carrying passengers for hire shall make ~~themselves~~ himself or  
32 herself readily available to the investigating agency's office or officers.

33 (2)(A) ~~The~~ Except as provided under subdivision (b)(2)(B) of  
34 this section, the accident report shall contain a full and complete list of  
35 the names and addresses of all passengers occupying the taxicab, bus, or  
36 other vehicle at the time of the accident.



1                    (B) The name and address of a minor occupant who is under  
 2 eighteen (18) years of age shall be included in the report, but the name and  
 3 address of the minor occupant shall:

4                    (i) Not be open to public inspection under this  
 5 subchapter or the Freedom of Information Act of 1967, § 25-19-101 et seq.,  
 6 unless the requestor is the parent, legal guardian, or legal custodian of the  
 7 minor occupant; and

8                    (ii) Be redacted on copies, including without  
 9 limitation written, photostatic, or electronic copies, produced under this  
 10 subchapter or the Freedom of Information Act of 1967, § 25-19-101 et seq.,  
 11 unless the requestor is the parent, legal guardian, or legal custodian of the  
 12 minor occupant.

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 14            SECTION 2. Arkansas Code § 27-53-208(a), regarding use of accident  
 15 reports and supplemental reports, is amended to read as follows:

16            (a)(1) All required accident reports and supplemental reports shall be  
 17 without prejudice to the individual so reporting and ~~shall be~~ are for the use  
 18 of the Department of Arkansas State Police.

19            (2)(A) The Department of Arkansas State Police may disclose the  
 20 identity of a person involved in an accident when the identity is not  
 21 otherwise known or when the person denies his or her presence at the  
 22 accident.

23            (B) They Except as provided under § 27-53-202(b)(2)(B),  
 24 the department may disclose to any person involved in the accident or to  
 25 ~~their~~ his or her attorney or agent the name and address of any ~~and all~~  
 26 occupants and passengers in any of the vehicles involved in the accident as  
 27 may be shown by the reports.

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 29            SECTION 3. Arkansas Code § 27-53-209 is amended to read as follows:  
 30            27-53-209. Reports open to public inspection.

31            ~~All~~ Except as provided under § 27-53-202(b)(2)(B), all motor vehicle  
 32 accident reports made by the Department of Arkansas State Police, and its  
 33 records of traffic violations, shall be open to public inspection at all  
 34 reasonable times.

35  
 36            SECTION 4. Arkansas Code § 27-53-210(a), regarding copies and fees for

1 accident reports, is amended to read as follows:

2 (a) ~~Photostatic~~ Except as provided under § 27-53-202(b)(2)(B),  
3 photostatic or written copies of reports and records may be obtained from the  
4 Director of the Department of Arkansas State Police, or from his or her duly  
5 designated assistants, by any person who ~~shall request the Department of~~  
6 ~~Arkansas State Police for them in writing~~ makes a written request for them to  
7 the department.

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9 SECTION 5. Arkansas Code § 27-53-305(a), regarding reports to be  
10 public records, is amended to read as follows:

11 (a) ~~All~~ Except as provided under § 27-53-202(b)(2)(B), all traffic  
12 accident investigating officers' reports ~~shall be~~ are public records and ~~be~~  
13 open to public inspection at all reasonable times.

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*/s/E. Williams*

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