

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1403

5 By: Representative Boyd
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE PUBLIC DISCLOSURE OF AN
10 ACCIDENT REPORT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 CONCERNING THE PUBLIC DISCLOSURE OF AN
14 ACCIDENT REPORT.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 27-19-510 is amended to read as follows:
21 27-19-510. Confidentiality of information.

22 ~~Accident reports~~

23 (a) Accident reports An accident report and supplemental information in
24 connection ~~therewith~~ with an accident report required under this subchapter
25 may be examined by any person named in the report or his or her
26 representative designated in writing but shall not be open to general public
27 inspection, ~~nor shall copying of lists of accident reports be permitted and~~
28 is exempt from disclosure under the Freedom of Information Act of 1967, § 25-
29 19-101 et seq., until thirty (30) days have elapsed since the date of the
30 accident.

31 (b) The compiling, copying, or distribution of a list of accident
32 reports to a person not employed by an agency that is the custodian of the
33 reports under this section is not permitted under this subchapter.
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35 SECTION 2. Arkansas Code § 27-53-209 is amended to read as follows:
36 27-53-209. Reports open to public inspection.



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

5 (a) An accident report and supplemental information in connection with
6 an accident report required under this subchapter may be examined by any
7 person named in the report or his or her representative designated in writing
8 but shall not be open to general public inspection and is exempt from
9 disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.,
10 until thirty (30) days have elapsed since the date of the accident.

11 (b) The compiling, copying, or distribution of a list of accident
12 reports to a person not employed by the law enforcement agency that is the
13 custodian of the reports is not permitted under this subchapter.

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15 SECTION 3. Arkansas Code § 27-53-305 is amended to read as follows:
16 27-53-305. Reports to be public records.

17 ~~(a) Except as provided under § 27-53-202(b)(2)(B), all traffic~~
18 ~~accident investigating officers' reports are public records and open to~~
19 ~~public inspection at all reasonable times.~~

20 ~~(b) Photostatic or written copies of the reports may be obtained from~~
21 ~~the Department of Arkansas State Police in the same manner and for the same~~
22 ~~fees as prescribed by § 27-53-210 for the motor vehicle accident reports made~~
23 ~~by members of the Department of Arkansas State Police.~~

24 (a) A traffic accident report and supplemental information in
25 connection with a traffic accident report required under this subchapter may
26 be examined by any person named in the report or his or her representative
27 designated in writing but shall not be open to general public inspection and
28 is exempt from disclosure under the Freedom of Information Act of 1967, § 25-
29 19-101 et seq., until thirty (30) days have elapsed since the date of the
30 accident.

31 (b) The compiling, copying, or distribution of a list of traffic
32 accident reports to a person not employed by the law enforcement agency that
33 is the custodian of the reports is not permitted under this subchapter.