

P.L. 2023, CHAPTER 55, *approved May 8, 2023*

Assembly, No. 4935 (*First Reprint*)

1 AN ACT requiring electronic transmission of crash reports and
2 amending R.S.39:4-131.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.39:4-131 is amended to read as follows:

8 39:4-131. The ¹**[commission]** Department of Transportation¹
9 shall prepare and supply to police departments and other suitable
10 agencies, forms for accident reports calling for sufficiently detailed
11 information with reference to a motor vehicle accident, including the
12 cause, the conditions then existing, the persons and vehicles involved,
13 the compliance with P.L.1984, c.179 (C.39:3-76.2e et seq.) by the
14 operators and passengers of the vehicles involved in the accident,
15 whether the operator of the vehicle was using a cellular telephone
16 when the accident occurred, and such other information as the ¹**[chief**
17 **administrator]** Commissioner of Transportation¹ may require.

18 Every law enforcement officer who investigates a vehicle accident
19 of which report must be made as required in this Title, or who
20 otherwise prepares a written or an electronic report as a result of an
21 accident or thereafter by interviewing the participants or witnesses,
22 shall **[forward a written]** electronically transmit ¹**[an electronic]** a¹
23 report of such accident to the ¹**[commission]** department¹, on forms
24 furnished by **[it]** ¹it¹ and in the electronic format prescribed by the
25 ¹**[commission]** department¹, within five days after **[his]** the law
26 enforcement officer's investigation of the accident.

27 Such written or electronic reports required to be **[forwarded]**
28 prepared by law enforcement officers and the information contained
29 therein shall not be privileged or held confidential. Every citizen of
30 this State shall have the right, during regular business hours and under
31 supervision, to inspect and copy such reports and shall also have the
32 right in person to purchase copies of the reports at the same fee
33 established by section 6 of P.L.2001, c.404 (C.47:1A-5). If copies of
34 reports are requested other than in person, an additional fee of up to
35 **[\$5.00]** \$5 may be added to cover the administrative costs of the
36 report. Upon request, a police department shall send an accident
37 report to a person through the mail or via fax **[as defined in section 2**
38 **of P.L.1976, c.23 (C.19:59-2)]**. The police department may require
39 the person requesting the report to provide a completed request form
40 and the appropriate fee prior to faxing or mailing the report. The

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted December 8, 2022.

1 police department shall provide the person requesting the report with
2 the option of submitting the form and providing the appropriate fee
3 either in person, through the mail, or via fax [as defined in section 2 of
4 P.L.1976, c.23 (C.19:59-2)].

5 The provisions of any other law or regulation to the contrary
6 notwithstanding, reports obtained pursuant to this act shall not be
7 subject to confidentiality requirements except as provided by section
8 28 of P.L.1960, c.52 (C.2A:84A-28).

9 When a motor vehicle accident results in the death or
10 incapacitation of the driver or any passenger, the law enforcement
11 officer responsible for notifying the next of kin that their relative is
12 deceased or incapacitated, also shall inform the relative, in writing,
13 how to obtain a copy of the accident report required by this section and
14 the name, address, and telephone number of the person storing the
15 motor vehicle pursuant to section 1 of P.L.1964, c.81 (C.39:10A-1).

16 The New Jersey Department of Transportation shall adopt,
17 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410
18 (C.52:14B-1 et seq.), rules and regulations to require law enforcement
19 officers to electronically transmit crash reports required to be prepared
20 pursuant to this section.

21 (cf: P.L.2010, c.75, s.2)

22
23 2. This act shall take effect immediately.

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26 _____
27
28 Concerns electronic transmission of crash reports.