

**SENATE, No. 3335**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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INTRODUCED NOVEMBER 14, 2022

**Sponsored by:**

**Senator GORDON M. JOHNSON**

**District 37 (Bergen)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**SYNOPSIS**

Concerns electronic transmission of crash reports.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/1/2022)**

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

18 Every law enforcement officer who investigates a vehicle  
19 accident of which report must be made as required in this Title, or  
20 who otherwise prepares a written or an electronic report as a result  
21 of an accident or thereafter by interviewing the participants or  
22 witnesses, shall **forward a written** electronically transmit an  
23 electronic report of such accident to the commission, on forms  
24 furnished by **it** and in the electronic format prescribed by the  
25 commission, within five days after **his** the law enforcement  
26 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  
31 under supervision, to inspect and copy such reports and shall also  
32 have the right in person to purchase copies of the reports at the  
33 same fee established by section 6 of P.L.2001, c.404 (C.47:1A-5).  
34 If copies of reports are requested other than in person, an additional  
35 fee of up to **\$5.00** \$5 may be added to cover the administrative  
36 costs of the report. Upon request, a police department shall send an  
37 accident report to a person through the mail or via fax **as defined**  
38 **in section 2 of P.L.1976, c.23 (C.19:59-2)**. The police department  
39 may require the person requesting the report to provide a completed  
40 request form and the appropriate fee prior to faxing or mailing the  
41 report. The police department shall provide the person requesting  
42 the report with the option of submitting the form and providing the  
43 appropriate fee either in person, through the mail, or via fax **as**  
44 **defined in section 2 of P.L.1976, c.23 (C.19:59-2)**.

**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.

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

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

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

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

19  
20 2. This act shall take effect immediately.

## 21 22 23 STATEMENT

24  
25 This bill requires crash reports to be transmitted electronically  
26 and requires the Department of Transportation (department) to  
27 adopt rules and regulations to require the electronic transmission of  
28 crash reports. Under current law, law enforcement agencies are  
29 required to submit crash reports, which are sent to the department.  
30 These crash reports are often handwritten. According to an audit  
31 report issued by the Office of the State Auditor of the Department  
32 of Transportation, Bureau of Transportation Data, and Support  
33 Crash Records Unit processing paper or digitally scanned reports is  
34 labor intensive and cost the department \$2.2 million in the 2019  
35 calendar year. This bill implements a recommendation made in the  
36 audit report to provide the department with statutory authority to  
37 implement new regulations requiring the electronic transmission of  
38 crash reports.