

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 579

Introduced by Murante, 49.

Read first time January 21, 2015

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-695
- 2 and 60-699, Reissue Revised Statutes of Nebraska; to increase the
- 3 dollar amount of damage resulting from an accident required for
- 4 reporting by a peace officer; to change the dollar amount of damage
- 5 resulting from an accident required for reporting by an operator as
- 6 prescribed; to authorize a fee for a copy of a peace officer report;
- 7 and to repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-695, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-695 It shall be the duty of any peace officer who investigates
4 any traffic accident in the performance of his or her official duties in
5 all instances of an accident resulting in injury or death to any person
6 or in which estimated damage exceeds five ~~one~~ thousand dollars to the
7 property of any one person to submit an original report of such
8 investigation to the Accident Records Bureau of the Department of Roads
9 within ten days after each such accident. The department shall have
10 authority to collect accident information it deems necessary and shall
11 prescribe and furnish appropriate forms for reporting.

12 Sec. 2. Section 60-699, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-699 (1) The operator of any vehicle involved in an accident
15 resulting in injuries or death to any person or damage to the property of
16 any one person, including such operator, to an apparent extent of more
17 than five ~~one~~ thousand dollars for accidents occurring inside the city
18 limits of a city of the metropolitan class, and more than one thousand
19 dollars for all other accidents, shall within ten days forward a report
20 of such accident to the Department of Roads. If the operator is
21 physically incapable of making the report, the owner of the motor vehicle
22 involved in the accident shall, within ten days from the time he or she
23 learns of the accident, report the matter in writing to the Department of
24 Roads. The Department of Roads or Department of Motor Vehicles may
25 require operators involved in accidents to file supplemental reports of
26 accidents upon forms furnished by it whenever the original report is
27 insufficient in the opinion of either department. The operator or the
28 owner of the motor vehicle shall make such other and additional reports
29 relating to the accident as either department requires. Such records
30 shall be retained for the period of time specified by the State Records
31 Administrator pursuant to the Records Management Act.

1 (2) The report of accident required by this section shall be in two
2 parts. Part I shall be in such form as the Department of Roads may
3 prescribe and shall disclose full information concerning the accident.
4 Part II shall be in such form as the Department of Motor Vehicles may
5 prescribe and shall disclose sufficient information to disclose whether
6 or not the financial responsibility requirements of the Motor Vehicle
7 Safety Responsibility Act are met through the carrying of liability
8 insurance. The form used for the report shall be so perforated that the
9 parts may be readily separated.

10 (3) Upon receipt of a report of accident, the Department of Roads
11 shall determine the reportability and classification of the accident and
12 enter all information into a computerized data base. Upon completion, the
13 department shall separate the parts of the accident report and shall
14 forward Part II of the report to the Department of Motor Vehicles for
15 processing as provided in section 60-506.01.

16 (4) Such reports shall be without prejudice. All reports made by
17 peace officers, made to or filed with peace officers in their respective
18 offices or departments, or filed with or made by or to any other law
19 enforcement agency of the state shall be open to public inspection, but
20 accident reports filed by the operator or owner of a motor vehicle
21 pursuant to this section shall not be open to public inspection. The
22 office or department may charge a fee of up to fifteen dollars for a copy
23 of a report made by a peace officer of the office or department. The fact
24 that a report by an operator or owner has been so made shall be
25 admissible in evidence solely to prove compliance with this section, but
26 no such report or any part of or statement contained in the report shall
27 be admissible in evidence for any other purpose in any trial, civil or
28 criminal, arising out of such accidents nor shall the report be referred
29 to in any way or be any evidence of the negligence or due care of either
30 party at the trial of any action at law to recover damages.

31 (5) The failure by any person to report an accident as provided in

1 this section or to correctly give the information required in connection
2 with the report shall be a Class V misdemeanor.

3 Sec. 3. Original sections 60-695 and 60-699, Reissue Revised
4 Statutes of Nebraska, are repealed.