

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1145

Introduced by Friesen, 34.

Read first time January 19, 2022

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to public records; to amend section 60-699,
- 2 Reissue Revised Statutes of Nebraska; to change provisions relating
- 3 to public records regarding motor vehicle accident reports; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-699, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-699 (1) The operator of any vehicle involved in an accident
4 resulting in injuries or death to any person or damage to the property of
5 any one person, including such operator, to an apparent extent that
6 equals or exceeds one thousand five hundred dollars shall within ten days
7 forward a report of such accident to the Department of Transportation.
8 Such report shall not be required if the accident is investigated by a
9 peace officer. If the operator is physically incapable of making the
10 report, the owner of the motor vehicle involved in the accident shall,
11 within ten days from the time he or she learns of the accident, report
12 the matter in writing to the Department of Transportation. The Department
13 of Transportation or Department of Motor Vehicles may require operators
14 involved in accidents to file supplemental reports of accidents upon
15 forms furnished by it whenever the original report is insufficient in the
16 opinion of either department. The operator or the owner of the motor
17 vehicle shall make such other and additional reports relating to the
18 accident as either department requires. Such records shall be retained
19 for the period of time specified by the State Records Administrator
20 pursuant to the Records Management Act.

21 (2) The report of accident required by this section shall be in two
22 parts. Part I shall be in such form as the Department of Transportation
23 may prescribe and shall disclose full information concerning the
24 accident. Part II shall be in such form as the Department of Motor
25 Vehicles may prescribe and shall disclose sufficient information to
26 disclose whether or not the financial responsibility requirements of the
27 Motor Vehicle Safety Responsibility Act are met through the carrying of
28 liability insurance.

29 (3) Upon receipt of a report of accident, the Department of
30 Transportation shall determine the reportability and classification of
31 the accident and enter all information into a computerized database. Upon

1 completion, the Department of Transportation shall electronically send
2 Part II of the report to the Department of Motor Vehicles for purposes of
3 section 60-506.01.

4 (4) Such reports shall be without prejudice. Except as provided in
5 section 84-712.05, a report regarding an accident made by a peace
6 officer, made to or filed with a peace officer in the peace officer's
7 office or department, or filed with or made by or to any other law
8 enforcement agency of the state shall be open to public inspection, but
9 an accident report filed by the operator or owner of a motor vehicle
10 pursuant to this section shall not be open to public inspection. Date of
11 birth information, excluding the year of birth, and operator's license
12 number information of an operator or owner included in any report
13 required under this section shall be confidential and shall not be a
14 public record under section 84-712.01. Year of birth information of an
15 operator or owner included in any report required under this section
16 shall not be confidential and shall be a public record under section
17 84-712.01. The fact that a report by an operator or owner has been so
18 made shall be admissible in evidence solely to prove compliance with this
19 section, but no such report or any part of or statement contained in the
20 report shall be admissible in evidence for any other purpose in any
21 trial, civil or criminal, arising out of such accidents nor shall the
22 report be referred to in any way or be any evidence of the negligence or
23 due care of either party at the trial of any action at law to recover
24 damages.

25 (5) The failure by any person to report an accident as provided in
26 this section or to correctly give the information required in connection
27 with the report shall be a Class V misdemeanor.

28 Sec. 2. Original section 60-699, Reissue Revised Statutes of
29 Nebraska, is repealed.