

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 97

HOUSE BILL 2388

AN ACT

AMENDING SECTION 28-667, ARIZONA REVISED STATUTES; RELATING TO ACCIDENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-667, Arizona Revised Statutes, is amended to
3 read:

4 28-667. Written accident report; definition

5 A. A law enforcement officer or public employee who, in the regular
6 course of duty, investigates a motor vehicle accident resulting in bodily
7 injury, death or damage to the property of any person in excess of one
8 thousand dollars or the issuance of a citation shall complete a written
9 report of the accident as follows:

10 1. Either at the time of and at the scene of the accident or after the
11 accident by interviewing participants or witnesses.

12 2. Within twenty-four hours after completing the investigation.

13 B. Every law enforcement officer or public employee who, in the
14 regular course of duty, investigates a motor vehicle accident that results
15 in damage to the property of any person in an amount of one thousand dollars
16 or less, but that does not result in the issuance of a citation or bodily
17 injury or death, shall complete a portion of the written report of the
18 accident. The portion of the written report shall:

19 1. Be completed either at the time of and at the scene of the accident
20 or after the accident by interviewing participants or witnesses.

21 2. Be completed within twenty-four hours after completing the
22 investigation.

23 3. Include the following minimum information:

24 (a) The time, day, month and year of the accident.

25 (b) Information adequate to identify the location of the accident.

26 (c) Identifying information for all involved parties and witnesses,
27 including name, age, sex, address, telephone number, vehicle ownership and
28 registration and proof of insurance.

29 (d) A narrative description of the facts of the accident, a simple
30 diagram of the scene of the accident and the investigating officer's name,
31 agency and identification number.

32 C. The agency employing the officer or public employee:

33 1. Shall not allow a person to examine the accident report or any
34 related investigation report or a reproduction of the accident report or a
35 related investigation report if the request is for a commercial solicitation
36 purpose.

37 2. May require a person requesting the accident or related
38 investigative report to state under penalty of perjury that the report is not
39 examined or copied for a commercial solicitation purpose.

40 3. Shall MAY retain the original report.

41 4. SHALL MAINTAIN AN ELECTRONIC COPY OF THE ORIGINAL REPORT IF THE
42 AGENCY ELECTS NOT TO RETAIN THE ORIGINAL REPORT PURSUANT TO PARAGRAPH 3 OF
43 THIS SUBSECTION.

44 5. Shall immediately forward a copy of the report to the
45 department for its use.

1 D. The department may place notes, date stamps, identifying numbers,
2 marks or other information on the copies as needed, if they do not alter the
3 original information reported by the investigating officer or public
4 employee.

5 E. For the purposes of this section, "commercial solicitation purpose"
6 means a request for an accident report if there is neither:

7 1. A relationship between the person or the principal of the person
8 requesting the accident report and any party involved in the accident.

9 2. A reason for the person to request the report other than for the
10 purposes of soliciting a business or commercial relationship.

~~APPROVED BY THE GOVERNOR APRIL 25, 2003.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2003.~~

Passed the House February 24, 2003

Passed the Senate April 17, 2003

by the following vote: 59 Ayes,

by the following vote: 29 Ayes,

1 Nays, 0 Not Voting

0 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Ken Bennett
President of the Senate

German L. Fryer
Chief Clerk of the House

Cherrin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

21 day of April, 2003

at 2:30 o'clock P M.

Janet Ramsey
Secretary to the Governor

Approved this 25 day of

April, 2003,

at 1:00 o'clock P M.

Jan Noyes
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 2003,

at 4:35 o'clock P M.

Janet K. Brewer
Secretary of State

H.B. 2388