

Senate Bill 383

By: Senator Hamrick of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to
2 when public disclosure of records is not required and disclosure of exempting legal authority,
3 so as to change certain provisions relating to motor vehicle accident reports; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
8 disclosure of records is not required and disclosure of exempting legal authority, is amended
9 by striking paragraph (4.1) of subsection (a) and inserting in lieu thereof the following:

10 "(4.1) Individual Georgia Uniform Motor Vehicle Accident Reports, except upon the
11 submission of a written statement of need by the requesting party, such statement to be
12 provided to the custodian of records and to set forth the need for the report pursuant to
13 this Code section; provided, however, that any person or entity whose name or
14 identifying information is contained in a Georgia Uniform Motor Vehicle Accident
15 Report shall be entitled, either personally or through a lawyer or other representative, to
16 receive a complete copy of such report without redaction of information contained therein
17 except pursuant to subparagraph (D) or (J) of this paragraph; and provided, further, that
18 Georgia Uniform Motor Vehicle Accident Reports shall not be available in bulk for
19 inspection or copying by any person absent a written statement showing the need for each
20 such report pursuant to the requirements of this Code section. For the purposes of this
21 subsection, the term 'need' means that the natural person or legal entity who is requesting
22 in person or by representative to inspect or copy the Georgia Uniform Motor Vehicle
23 Accident Report:

- 24 (A) Has a personal, professional, or business connection with a party to the accident;
25 (B) Owns or leases an interest in property allegedly or actually damaged in the
26 accident;

1 (C) Was allegedly or actually injured by the accident;

2 (D) Was a witness to the accident; provided, however, that this subparagraph shall
 3 apply only to accident reports on accidents that occurred more than 30 days prior to the
 4 request and which shall have the name, street address, telephone number, and driver's
 5 license number redacted;

6 (E) Is the actual or alleged insurer of a party to the accident or of property actually or
 7 allegedly damaged by the accident;

8 (F) Is a prosecutor or a publicly employed law enforcement officer;

9 (G) Is alleged to be liable to another party as a result of the accident;

10 (H) Is an attorney stating that he or she needs the requested reports as part of a criminal
 11 case, or an investigation of a potential claim involving contentions that a roadway,
 12 railroad crossing, or intersection is unsafe;

13 (I) Is gathering information as a representative of a news media organization; or

14 (J) Is conducting research in the public interest for such purposes as accident
 15 prevention, prevention of injuries or damages in accidents, determination of fault in an
 16 accident or accidents, or other similar purposes; provided, however, that this
 17 subparagraph ~~will~~ shall apply only to accident reports on accidents that occurred more
 18 than 30 days prior to the request and which shall have the name, street address,
 19 telephone number, and driver's license number redacted;"

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.