

HOUSE BILL No. 4770

May 23, 2013, Introduced by Reps. Lipton, Graves, Cotter, Rendon, Schmidt, Hovey-Wright, Slavens, Knezek and Oakes and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 503.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 503. (1) FOR 30 DAYS AFTER THE DATE A MOTOR VEHICLE
2 ACCIDENT REPORT IS FILED WITH A LAW ENFORCEMENT AGENCY, ONLY THE
3 FOLLOWING PERSONS MAY ACCESS THE REPORT:

4 (A) THE INDIVIDUALS, VEHICLE OWNERS, AND PROPERTY OWNERS
5 INVOLVED IN THE MOTOR VEHICLE ACCIDENT.

6 (B) A FAMILY MEMBER OF AN INDIVIDUAL INVOLVED IN THE MOTOR
7 VEHICLE ACCIDENT.

8 (C) THE LEGAL REPRESENTATIVE OF AN INDIVIDUAL, VEHICLE OWNER,
9 OR PROPERTY OWNER INVOLVED IN THE MOTOR VEHICLE ACCIDENT.

10 (D) THE INSURANCE PRODUCER, INSURER, OR EMPLOYEE OR AGENT OF
11 THE INSURER OF AN INDIVIDUAL, VEHICLE OWNER, OR PROPERTY OWNER

1 INVOLVED IN THE MOTOR VEHICLE ACCIDENT.

2 (E) THE ATTORNEY GENERAL OR OTHER PROSECUTOR.

3 (F) AN EMPLOYEE OF A RADIO OR TELEVISION STATION LICENSED BY
4 THE FEDERAL COMMUNICATIONS COMMISSION.

5 (G) AN EMPLOYEE OF A NEWSPAPER.

6 (H) A LOCAL, STATE, OR FEDERAL GOVERNMENTAL AGENCY THAT IS
7 OTHERWISE AUTHORIZED TO HAVE ACCESS TO A REPORT IN FURTHERANCE OF
8 THE AGENCY'S DUTIES.

9 (I) AN ENTITY THAT IS AUTHORIZED BY A LAW ENFORCEMENT AGENCY
10 TO MANAGE REPORTS ON BEHALF OF THE LAW ENFORCEMENT AGENCY.

11 (2) A PERSON OR ORGANIZATION THAT IS AUTHORIZED TO ACCESS A
12 MOTOR VEHICLE ACCIDENT REPORT UNDER SUBSECTION (1) EARLIER THAN 30
13 DAYS AFTER THE DATE THE REPORT IS FILED SHALL PRESENT ALL OF THE
14 FOLLOWING TO THE OFFICER OF A LAW ENFORCEMENT AGENCY OR THE ENTITY
15 DESCRIBED IN SUBSECTION (1) (I) WITH WHICH THE REPORT WAS FILED:

16 (A) PROOF THAT THE PERSON OR ORGANIZATION IS AUTHORIZED TO
17 RECEIVE THE REPORT UNDER SUBSECTION (1).

18 (B) A STATEMENT INDICATING THAT FROM THE TIME THE PERSON OR
19 ORGANIZATION IS GRANTED ACCESS TO THE REPORT UNTIL 30 DAYS AFTER
20 THE DATE THE REPORT IS FILED, THE PERSON OR ORGANIZATION
21 ACKNOWLEDGES THAT THE PERSON OR ORGANIZATION IS PROHIBITED FROM
22 DOING EITHER OF THE FOLLOWING:

23 (i) USING THE REPORT FOR ANY COMMERCIAL SOLICITATION OF AN
24 INDIVIDUAL, VEHICLE OWNER, OR PROPERTY OWNER LISTED IN THE REPORT.

25 (ii) DISCLOSING ANY INFORMATION CONTAINED IN THE REPORT TO A
26 THIRD PARTY FOR COMMERCIAL SOLICITATION OF AN INDIVIDUAL, VEHICLE
27 OWNER, OR PROPERTY OWNER LISTED IN THE REPORT.

1 (3) A PERSON THAT KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF
2 A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A
3 FINE OF NOT MORE THAN \$15,000.00, OR BOTH.

4 (4) AS USED IN THIS SECTION:

5 (A) "LAW ENFORCEMENT AGENCY" MEANS ANY OF THE FOLLOWING:

6 (i) THE DEPARTMENT OF STATE POLICE.

7 (ii) THE COUNTY SHERIFF'S OFFICE.

8 (iii) THE POLICE DEPARTMENT OF A LOCAL UNIT OF GOVERNMENT.

9 (B) "LOCAL UNIT OF GOVERNMENT" MEANS A STATE UNIVERSITY OR
10 COLLEGE OR A COUNTY, CITY, VILLAGE, OR TOWNSHIP.

11 (C) "MOTOR VEHICLE ACCIDENT" MEANS AN OCCURRENCE INVOLVING A
12 MOTOR VEHICLE THAT RESULTS IN DAMAGE TO PROPERTY OR INJURY TO AN
13 INDIVIDUAL.

14 (D) "NEWSPAPER" INCLUDES A NEWSPAPER OF GENERAL CIRCULATION
15 THAT IS PUBLISHED AT LEAST ONCE A WEEK, INCLUDES STORIES OF GENERAL
16 INTEREST TO THE PUBLIC, IS USED PRIMARILY FOR THE DISSEMINATION OF
17 NEWS, AND MAY BE PUBLISHED IN HARD COPY FORM OR ON THE INTERNET.
18 NEWSPAPER DOES NOT INCLUDE A PUBLICATION WITH THE PRIMARY PURPOSE
19 OF DISTRIBUTING ADVERTISING OR WITH THE PRIMARY PURPOSE OF
20 PUBLISHING NAMES AND OTHER PERSONAL IDENTIFYING INFORMATION
21 REGARDING PARTIES TO A MOTOR VEHICLE ACCIDENT.

22 (E) "REPORT" MEANS A REPORT COMPLETED BY AN OFFICER OF A LAW
23 ENFORCEMENT AGENCY THAT INDICATES THAT A MOTOR VEHICLE ACCIDENT
24 OCCURRED.