



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 165 (as reported without amendment)
Sponsor: Senator Jim Barcia
Committee: Transportation

Date Completed: 5-20-09

RATIONALE

When a local law enforcement agency or State Police post is notified of a traffic accident, the responding officer or his or her supervisor must file a copy of the accident report with the Michigan State Police (MSP) and keep a copy of the report for three years. Since the MSP also retains copies of the reports and makes them available to the public for a \$10 fee, it has been suggested that it is unnecessary for the local agency or post to retain a copy. It also has been suggested that the current fee should be codified.

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Require the Michigan Department of State Police to retain a copy of an accident report.**
- **Delete a requirement that the local police department or MSP post making an accident report keep a copy of it.**
- **Require a copy of an accident report to be made available to the public for \$10.**

The Code requires the driver of a vehicle involved in an accident resulting only in damage to property upon or adjacent to a highway to take reasonable steps to locate the owner or person in charge of that property and notify him or her of the accident. If the owner cannot be found, the driver must immediately report the accident to the nearest or most convenient police officer.

The driver of a motor vehicle involved in an accident that injures or kills any person, or that damages property to an apparent extent of \$1,000 or more, must immediately report the accident at the nearest or most convenient police station, or to the nearest or most convenient police officer.

The officer receiving a report under either of those provisions (or his or her commanding officer) must forward the report to the MSP Director.

The accident report must be retained for at least three years at the local police department, sheriff's department, or local State Police post making the report. The bill would delete this requirement.

Under the bill, a copy of every accident report would have to be retained for three years by the MSP and would have to be made available to the public at a cost of \$10.

MCL 257.621 & 257.622

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Boilerplate language in the Department's budget requires it to make accident data and other information available to the public at cost. Accordingly, the MSP makes crash reports available on its website through the Traffic Crash Purchasing System, for a \$10 fee. Therefore, there is no need for local

law enforcement offices to retain the same records. The bill would revise the statutory requirements to reflect current practice and would provide clear statutory authority for the fee.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.