

1 IN THE HOUSE BY THE RULES COMMITTEE  
2 BY REQUEST OF THE LEGISLATIVE COUNCIL

3 HOUSE BILL NO. 152

4 IN THE LEGISLATURE OF THE STATE OF ALASKA

5 FIRST LEGISLATURE - FIRST SESSION

6 A BILL

7 For an Act entitled: "An Act relating to the duties of the opera-  
8 tor of a vehicle involved in an accident;  
9 prescribing report requirements; providing  
10 penalties; amending Sec. 50-5-5, ACLA 1949;  
11 repealing subsection (e) of said section;  
12 and providing for an effective date."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

14 Section 1. Subsection (e) of Sec. 50-5-5, ACLA 1949 is here-  
15 by repealed.

16 Sec. 2. Subsection (f) of Sec. 50-5-5, ACLA 1949 is hereby  
17 amended to read as follows:

18 (e) ~~((F))~~ REQUIREMENT OF NOTICE AND EXAMINATION

19 BEFORE MAKING REPAIRS: IMPOUNDING OF VEHICLE: AUTHORIZING

20 REPAIRS. It shall be unlawful for any person to make, or  
21 cause to be made, any repairs to any damage or injury to a  
22 motor vehicle which could have been caused by collision with  
23 any person or property without first notifying the department  
24 of state police ~~UNITED STATES MARSHAL~~, Chief of Police, or  
25 in the absence of such officers, the nearest ~~DEPUTY UNITED~~  
26 STATES MARSHAL, policeman or other peace officer, who shall  
27 immediately make an examination of such vehicle and make a  
28 full report thereof, which shall also be subscribed by the  
29 person in whose custody the vehicle then is, a copy of which  
shall be mailed or delivered to the department of state

1           police /TREASURER/. Provided, however, if no such official  
2           be within 10 miles of the place where the vehicle is brought  
3           for repair, then no notice or examination shall be required.  
4           If there is any ground for suspecting that the vehicle has  
5           been involved in a collision with any person, such vehicle  
6           shall be impounded at the expense of the owner, for which  
7           the custodian shall have a lien, and shall be accessible only  
8           to officers detailed to the investigation of the case until  
9           released. If, however, there is no reason to suspect that  
10          the damage to the motor vehicle was caused by collision with  
11          any person or property, the repair of such vehicle may be  
12          authorized by the officer in charge of the investigation at  
13          any time after the expiration of 24 hours thereafter.

14          Sec. 3. Sec. 50-5-5, ACLA 1949, is hereby amended by adding  
15          the following subsections to read as follows:

16                 (f) IMMEDIATE NOTICE OF ACCIDENT. The driver of a  
17                 vehicle involved in an accident resulting in injury to or  
18                 N death of any person or property damage to an apparent extent  
19                 E of two hundred dollars or more shall immediately by the  
20                 W quickest means of communication give notice of such accident  
21                 to the local police department if such accident occurs within  
22                 M a municipality, otherwise to the department of state police.

23                 A                 (g) WRITTEN REPORT OF ACCIDENT. The driver of a vehicle  
24                 T which is in any manner involved in an accident resulting in  
25                 T bodily injury to or death of any person or total property  
26                 E damage to an apparent extent of two hundred dollars or more  
27                 R shall, within two days after such accident, forward a written  
28                 report of such accident to the department.

29                 (h) FORM OF REPORT. The form of accident report

1 N required under subsection (g) can be obtained from any local  
2 E police department or department of state police.

3 W (i) ADDITIONAL INFORMATION.

4 1. The department of state police may require any  
5 M driver of a vehicle involved in an accident of which report  
6 A must be made as provided in this Act to file supplemental  
7 T reports whenever the original report is insufficient in the  
8 T opinion of the department and may require witnesses of acci-  
9 E dent to render reports to the department.

10 R 2. Every law enforcement officer who, in the regu-  
11 lar course of duty, investigates a motor-vehicle accident of  
12 N which report must be made as required in this Act, either at  
13 E the time of and at the scene of the accident or thereafter  
14 W by interviewing the participants or witnesses shall, within  
15 twenty four hours after completing such investigation, forward  
16 M a written report of such accident to the department.

17 A (j) WHEN DRIVER UNABLE TO REPORT.

18 T 1. An accident report is not required under this  
19 T Act from any person who is physically incapable of making  
20 E report during the period of such incapacity.

21 R 2. Whenever the driver of a vehicle is physically  
22 incapable of giving an immediate notice of an accident as  
23 N required in subsection (f) and there was another occupant in  
24 E the vehicle at the time of the accident capable of doing so,  
25 W such occupant shall make or cause to be given the notice not  
26 given by the driver.

27 3. Whenever the driver is physically incapable of  
28 making a written report of an accident as required in sub-  
29 section (g) and such driver is not the owner of the vehicle,

1 N then the owner of the vehicle involved in such accident shall  
2 E within five days days after learning of the accident make  
3 W such report not made by the driver.

4 (k) ACCIDENT REPORT FORMS.

5 M 1. The department of state police shall prepare  
6 A and upon request supply to police departments, coroners, local  
7 T peace officers, garages and other suitable agencies or in-  
8 T dividuals forms for accident reports required hereunder,  
9 E appropriate with respect to the persons required to make  
10 R such reports and the purposes to be served. The written  
11 reports to be made by persons involved in accidents and by  
12 N investigating officers shall call for sufficiently detailed  
13 E information to disclose with reference to a traffic accident  
14 W the cause, conditions then existing, and the persons and  
15 vehicles involved.

16 M 2. Every accident report required to be made in  
17 A writing shall be made on the appropriate form approved by the  
18 T department and shall contain all of the information required  
19 T therein unless not available.

20 E (l) FALSE REPORTS Any persons who give information  
21 R in reports as required in subsection (f) or (g), knowing or  
22 having reason to believe that such information is false shall  
23 N be fined not more than one thousand dollars, or imprisoned  
24 E for not more than one year, or both.

25 W (m) PENALTY FOR FAILURE TO REPORT. The department shall  
26 suspend the license or permit to drive and any nonresident  
27 operating privileges of any person failing to report an acci-  
28 dent as herein provided until such report has been filed, and  
29 the department may extend such suspension not to exceed thirty

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1 days. Any person failing to make a report as required herein  
2 shall be guilty of a misdemeanor and upon conviction thereof  
3 shall be fined not more than two hundred dollars or imprisoned  
4 for not more than ninety days, or shall be punished by both  
5 such fine and imprisonment.

6 Sec. 4. This Act shall take effect immediately upon its  
7 passage and approval or upon its becoming law without such appro-  
8 val.