

1 IN THE HOUSE

BY THE RULES COMMITTEE BY RE-
QUEST OF THE LEGISLATIVE COUNCIL

2 HOUSE BILL NO. 152

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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14 by repealed.

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

17 (e) ~~(f)~~ REQUIREMENT OF NOTICE AND EXAMINATION
18 BEFORE MAKING REPAIRS: IMPOUNDING OF VEHICLE: AUTHORIZING
19 REPAIRS. It shall be unlawful for any person to make, or
20 cause to be made, any repairs to any damage or injury to a
21 motor vehicle which could have been caused by collision with
22 any person or property without first notifying the department
23 of state police UNITED STATES MARSHAL, Chief of Police, or
24 in the absence of such officers, the nearest DEPUTY UNITED
25 STATES MARSHAL, policeman or other peace officer, who shall
26 immediately make an examination of such vehicle and make a
27 full report thereof, which shall also be subscribed by the
28 person in whose custody the vehicle then is, a copy of which
29 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 N (f) IMMEDIATE NOTICE OF ACCIDENT. The driver of a
17 E vehicle which is in any manner involved in an accident re-
18 W sulting in bodily injury to or death of any person or total
19 M property damage to an apparent extent of two hundred dollars
20 A or more shall immediately by the quickest means of communica-
21 T tion give notice of such accident to the local police depart-
22 T ment if such accident occurs within a municipality, otherwise
23 E to the department of state police.

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

1 N and to the local police department if the accident occurs
2 E within a municipality.

3 W (h) FORM OF REPORT. The form of accident report
4 required under subsection (g) can be obtained from any local
5 M police department or department of state police.

6 A (i) ADDITIONAL INFORMATION.

7 T 1. The department of state police may require any
8 T driver of a vehicle involved in an accident of which report
9 E must be made as provided in this Act to file supplemental
10 R reports whenever the original report is insufficient in the
11 opinion of the department.

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

20 D (j) WHEN DRIVER UNABLE TO REPORT.

21 1. An accident report is not required under this
22 Act from any person who is physically incapable of making
23 report during the period of such incapacity.

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

1 N 3. Whenever the driver is physically incapable of
2 E making a written report of an accident as required in sub-
3 W section (g) and such driver is not the owner of the vehicle,
4 then the owner of the vehicle involved in such accident shall
5 M within five days after learning of the accident make
6 A such report not made by the driver.

7 T (k) ACCIDENT REPORT FORMS.

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

19 E 2. Every accident report required to be made in
20 D writing shall be made on the appropriate form approved by the
21 department and shall contain all of the information required
22 therein unless not available.

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

28 O (m) PENALTY FOR FAILURE TO REPORT. The department shall
29 F suspend the license or permit to drive and any non-resident

1 N operating privileges of any person failing to report an acci-
2 E dent as herein provided until such report has been filed, and
3 W the department may extend such suspension not to exceed thirty
4 M days. Any person failing to make a report as required herein
5 A shall be guilty of a misdemeanor and upon conviction thereof
6 T shall be fined not more than two hundred dollars or imprisoned
7 T for not more than ninety days, or shall be punished by both
8 E such fine and imprisonment.
9 R

10 Sec. 4. No report made in accordance with the requirements
11 of this Act shall be used in evidence in any criminal or civil
12 action arising out of the accident that was the subject of the
13 report.

14 Sec. 5. This Act shall take effect immediately upon its
15 passage and approval or upon its becoming law without such approval.
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