

1 IN THE HOUSE BY JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 373

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the availability and
7 use of motor vehicle accident reports; and
8 providing for an effective date."

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

10 * Section 1. AS 28.35.120 is repealed and re-enacted to read:

11 Sec. 28.35.120. USE AND AVAILABILITY OF ACCIDENT
12 REPORTS. (a) Except as provided in (b) of this section, a
13 report made in accordance with secs. 80 - 100 of this chap-
14 ter may be used in any court or other proceeding subject to
15 the rules of the court:

16 (1) by the person who submitted the reports while
17 testifying, for the purpose of refreshing his recollection
18 of matters contained in the report;

19 (2) to impeach the credibility of the person
20 who submitted the report;

21 (3) in evidence, subject to all valid objections
22 to the admissibility of the report.

23 (b) An accident report may not be used in evidence in
24 a criminal action against the person who made the report.

25 (c) The department shall permit the inspection and
26 copying of the reports, and shall furnish copies or certi-
27 fied copies of them on demand to a person involved in the
28 accident, including the insurers or attorneys of those
29 persons. The department may make a reasonable charge for

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copies of the reports.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.