

State by State Comparison

STATE	ACCIDENT REPORT POLICY <sup>1</sup>	CODE
Alabama	are available to the public at a fee of \$15.00 per report	Ala. Code § 32-2-8 (Supp. 2005)
Alaska	Accident reports, like other documents in the custody or control of law enforcement or other public officials, should be disclosable pursuant to the state Public Records Act, but as a practical matter will most likely be withheld or redacted at least initially	under one or more of the provisions of AS 40.25.120(a)(6), especially (a)(6)(A)... perhaps (6)(C), that permits withholding when disclosure could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness.
Arizona	are available for review for a non-commercial purpose... However, a law enforcement agency “[s]hall not allow a person to examine the [motor vehicle] accident report or any related investigation report or a reproduction of the accident report or a related investigation report <i>if the request is for a commercial solicitation purpose.</i> ”	A.R.S. § 28-667I(1) (emphasis added).
Arkansas	All traffic accident reports are open to public inspection	Ark. Code Ann. § 27-53-305
California	Accident reports are exempt	Cal. Veh. Code § 20012; Cal. Veh. Code § 1808
Colorado	Same as California	
Connecticut	the FOIC held that a report of a fatal motor vehicle accident was not exempt from disclosure under FOIA	In <i>Calibey v. State Police</i> , Do. #FIC 86-310 (Jan. 28, 1987)
Delaware	State law requires police to submit traffic reports to the Department	21 <i>Del. C.</i> §4203(d).

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<sup>1</sup> Reporters Committee for Freedom of the Press Open Government Guide (2011) [www.rcfp.org/ogg](http://www.rcfp.org/ogg) Guide Compare Tool  
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	of Public Safety of accidents involving an impaired driver, personal injury or deaths and apparent property damage of \$1500.00. Those reports "shall not be open to public inspection." <i>Id.</i> at § 313(b).	
District of Columbus	permits disclosure of motor vehicle accident reports under certain conditions. To obtain report of a motor vehicle accident, one must not be prohibited from obtaining the information to solicit business. In addition, the person seeking information within 21 days of an accident must produce a photo ID and provide a signed statement identifying the requested report, the name of the requester, and states that the requester is not prohibited from obtaining the information.	D.C. Code Ann. § 5-113.06(c); D.C. Code Ann. § 22-3225.14.
Florida	accident reports are subject to Public Records Law	Chapter 119
Georgia	Access to individual Uniform Motor Vehicle Accident reports is limited to those parties named in the report or those that otherwise have a "need" for the report as defined by statute.	O.C.G.A. §5 0-18-72 (a)(4.1).
Hawaii	There is no statutory or case law addressing this issue	
Idaho	provides that any person involved in a motor vehicle accident which is investigated by a law enforcement agency, that person's authorized legal representative and the insurer shall have a right to a complete, unaltered copy of the impact report, or its successors, and the final report prepared by the agency	Idaho Code § 9-335(2)

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Illinois	Open record	5 ILCS 140/7(1)(d)(iv).
Indiana	access to investigatory records of law enforcement agencies may be provided or denied at the agency's discretion; However, certain law enforcement information must be made available. This includes information about an individual who is arrested or jailed and also police logs of crimes, accidents and complaints.	Ind. Code § 5-14-3-4(b)(1); Ind. Code § 5-14-3-5
Iowa	Open record	§ 22.7(5)
Kansas	Open record	K.S.A. 45-217(b). <i>See also</i> Op.Atty.Gen. 79-17 (1979)).
Kentucky	Traffic accident reports are specifically exempted from the ORA under Ky. Rev. Stat. 189.635(5), which provides that “[a]ll accident reports filed with the Department of Kentucky State Police ... shall not be considered open records and shall remain confidential... permits such reports to be made available to news-gathering organizations “solely for the purpose of publishing or broadcasting news.” Ky. Rev. Stat. 189.635(8) contains other limitations on use of the reports by news-gathering organizations. The news-gathering organization shall not use or distribute the report, or knowingly allow its use or distribution, for a commercial purpose other than the news-gathering organization's publication or broadcasting of the information in the	Ky. Rev. Stat. 189.635(5); Ky. Rev. Stat. 61.872 to 61.884; Ky. Rev. Stat. 189.635(8)

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	report. A newspaper, periodical, or radio or television station shall not be held to have used or knowingly allowed the use of the report for a commercial purpose merely because of its publication or broadcast.	
Louisiana	Available to parties to accidents, insurers, attorneys, and "news-gathering organizations"	La. Rev. Stat. Ann. § 44:4(24); § 32:398(H), (K)
Maine	Generally available to the public	
Maryland	Although not generally exempt, a custodian shall deny inspection of police reports of traffic accidents....to either an attorney or a person employed by, retained by, associated with or acting on behalf of an attorney who seeks to use the records for the purpose of soliciting or marketing legal services. This exemption does not apply to an attorney of record of the person who is named in the record.	§ 10-616(h).
Michigan	"The disclosure of accident reports merely for the identification of potentially injured individuals is an unwarranted invasion of privacy, so government entities are not required to make reports public."	<i>Michigan Rehabilitation Clinic v. City of Detroit</i> , 2006 Mich. App. LEXIS 25, at *4 (Jan. 10, 2006).
Minnesota	Accident reports are confidential, except in the case of those involved	§ 169.09, subd. 13(a)(1).
Mississippi	Incident reports are public records. Contact information does not have to be given.	§25-61-12(c). Att'y Gen. No. 2009-534, Oct. 5, 2009 to Bruni

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Missouri	Certain information may be available if maintained on a law enforcement agency's daily log. However, where a municipality has adopted the Model Traffic Ordinance, certain accident reports are unavailable.	Mo.Rev.Stat. § 300.125.
Montana	Accident reports and supplemental information filed with them are confidential and not open for viewing by the general public	Mont. Code Ann. § 61-7-114.
Nebraska	Accident reports prepared by law enforcement officers are public records	<sup>2</sup> Neb. Rev. Stat. §60-699(4)(Reissue 2008).
Nevada	presumably open but Nevada Op. Atty General 2009-05 (2009) held that accident reports submitted by a driver involved in a traffic accident are confidential	NRS 484E.110
New Jersey	accident reports required to be forwarded by law enforcement officers and the information contained therein shall not be privileged or held confidential. Every citizen of this State shall have the right, during regular business hours and under supervision, to inspect and copy such reports and shall also have the right in person to purchase copies of the reports at the same fee established	N.J.S.A. 39:4-131

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New Mexico	Accident reports made by state police officers “shall be furnished to any person upon written application accompanied by a fee as set by the New Mexico state police board.”	§29-2-25, NMSA 1978. <i>See also</i> §29-10-7(A), NMSA 1978 (stating that accident reports are available for public inspection).
North Carolina	A law enforcement officer who investigates a reportable accident must make a written report of the accident within 24 hours of the accident, and that report is a public record	G.S. § 20-166.1 (e).
North Dakota	Generally open, except for that portion containing an investigating officer’s opinion	N.D.C.C. § 39-08-13.
Ohio	Public offices must provide access to accident reports	<i>State ex rel. Wadd v. City of Cleveland</i> , 81 Ohio St.3d 50, 689 N.E.2d 25 (1998) (holding that the city and police department must provide motor vehicle accident reports).
Oklahoma	While not specifically addressed in the Open Records Act, Oklahoma statutes provide that accident reports are to “be made available as soon as practicable upon request” to newspapers and broadcasters.”	47 O.S. § 40.102.A.2.j-k.
Pennsylvania	Only reports created pursuant to accident prevention investigations are exempt	75 Pa.C.S. § 3754(b; under Section 708(b)(16).

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Rhode Island	Police accident reports, including the standard accident report form, police department narrative reports, and witness statements, are public records but portions may be withheld under Exemption (D). The accident reports that drivers are required to file with the R.I. Division of Motor Vehicles are confidential	Opinion of Attorney General PR-04-05 (Mar. 19, 2004), 2004 WL 5328452.; I. Gen. Laws § 31-26-13; pursuant to R.I. Gen. Laws § 31-26-6
South Carolina	Accident reports are available in response to separate written requests for each report sought, and information may not be used for commercial solicitation	S.C. Code Ann. § 56-5-1275.
South Dakota	Generally open	SDCL § 32-34-13, 13.1.
Tennessee	Generally open	T.C.A. § 55-10-108
Texas	Accident reports must be disclosed to requestors unless otherwise exempted	<i>Texas Dept. of Public Safety v. Abbott</i> , 310 S.W.3d 670, 675-76 (Tex.App.-Austin 2010, no pet
Utah	Automobile and watercraft accident reports prepared by operators of vehicles involved in an accident, by witnesses to an accident, or by police officers investigating an accident, may be disclosed to the following: (1) a person involved in the accident or that person's agent, parent, or legal guardian; (2) a person suffering loss in the accident or that person's agent, parent, or legal guardian; (3) a member of the press or broadcast news media; (4) government agencies that will use the record for official government, investigative, or accident	Utah Code Ann. §§ 41-6-40(3)(a), 73-18-13(3).

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	prevention purposes; (5) law enforcement personnel; and (6) licensed private investigators. Information provided to a member of the press or broadcast news media, however, may include only the name, age, sex, and city of residence of each person involved in the accident, the make and model year of each vehicle involved in the accident, whether each person involved in the accident had insurance coverage, the location of the accident, and a description of the accident	
Washington	Reports filled out by those involved in the accident are normally not available as public records. Accident reports filled out by police officers are public records and are generally subject to disclosure, at least once the investigation is complete.	RCW 46.52.080; <i>Guillen v. Pierce County</i> , 144 Wn.2d 696, 31 P.3d 628 (2001)
Wisconsin	Generally open	Wis. Stat. § 346.70(4)(f).
Wyoming	Generally open	

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