S T A T E O F N E W Y O R K

688

2009-2010 Regular Sessions

I N S E N A T E

January 12, 2009

Introduced by Sens. LARKIN, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to limiting public access to accident reports

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The vehicle and traffic law is amended by adding a new section 606 to read as follows:

S 606. ACCESS TO REPORTS. 1. NO REPORT COMPLETED AND FILED WITH THE DEPARTMENT PURSUANT TO THIS ARTICLE SHALL BE MADE AVAILABLE TO ANY PERSON EARLIER THAN THIRTY DAYS AFTER THE DATE OF THE INCIDENT GIVING RISE TO SUCH REPORT; PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO THE PERSON OR PERSONS TO WHOM SUCH REPORTS RELATE AND THEIR LEGAL REPRESENTATIVES; TO LAW ENFORCEMENT AGENCIES IN CARRYING OUT INVESTIGATIONS RELATED TO SUCH REPORTS; AND TO INSURERS PROVIDING INSURANCE PURSUANT TO ARTICLE SIX OF THIS CHAPTER, IN RELATION TO CLAIMS INVESTIGATION ACTIVITIES RELATED TO SUCH REPORTS.

2. NOTHING CONTAINED IN THIS SECTION SHALL BE DEEMED TO AUTHORIZE OR DIRECT THE DEPARTMENT TO MAKE AVAILABLE ANY REPORT FILED WITH THE DEPARTMENT PURSUANT TO THIS ARTICLE IF OTHERWISE PROHIBITED BY ANY OTHER LAW, RULE OR REGULATION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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