LRB9215783DHgc

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AN ACT in relation to vehicles.

Be it enacted by the People of the State of Illinois,represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by
changing Section 11-412 as follows:

б (625 ILCS 5/11-412) (from Ch. 95 1/2, par. 11-412) 11-412. Motor vehicle accident 7 Sec. reports 8 confidential. All required written motor vehicle accident 9 reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for 10 the confidential use of the Department and the Secretary of State 11 in the case of second division vehicles operated under 12 and, 13 certificate of convenience and necessity issued by the Illinois Commerce Commission, of the Commission, except that 14 15 the Administrator or the Secretary of State or the Commission 16 may disclose the identity of a person involved in a motor vehicle accident when such identity is not otherwise known or 17 18 when such person denies his presence at such motor vehicle 19 accident and the Department shall disclose the identity of 20 the insurance carrier, if any, upon demand. The Secretary of State may also disclose notations of accident involvement 21 22 maintained on individual driving records. The Department may furnish copies of its written accident reports to federal and 23 State agencies that are engaged in highway safety research 24 25 and studies. Reports furnished to any agency other than the Secretary of State or the Illinois Commerce Commission may be 26 27 used only for statistical or analytical purposes and shall be held confidential by that agency. No such written report 28 29 shall be used as evidence in any trial, civil or criminal, arising out of a motor vehicle accident, except that the 30 Administrator shall furnish upon demand of any person who 31

has, or claims to have, made such a written report, or upon demand of any court, a certificate showing that a specified written accident report has or has not been made to the Administrator solely to prove a compliance or a failure to comply with the requirement that such a written report be made to the Administrator.

7 Notwithstanding any other provision of this Code, the 8 Department may also furnish copies of accident records to any 9 person or entity in bulk electronic form, if any name, address, telephone number, or social security number is 10 11 removed and if the person or entity has stated in writing 12 that the records will be used only for the purpose of identifying vehicles that have been involved in accidents or 13 damaged and not for the purpose of identifying individuals. 14

15 The Department of Transportation at its discretion may 16 provide for in-depth investigations of accidents involving Department employees. A written report describing 17 the preventability of such an accident may be prepared to enhance 18 19 the safety of Department employees. Such reports and any opinions expressed in the review of the accident as to the 20 21 preventability of the accident shall be for the privileged use of the Department and held confidential and shall not be 22 23 obtainable or used in any civil or criminal proceeding. (Source: P.A. 89-503, eff. 7-1-96.) 24

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