

### **IC 9-26-3**

#### **Chapter 3. Duties of State Police Department and Accident Reports**

### **IC 9-26-3-1**

#### **Accident report forms**

Sec. 1. (a) The state police department shall prepare and, upon request, supply to police departments, coroners, sheriffs, and other appropriate agencies or individuals forms for accident reports required under this article.

(b) The forms must be appropriate with respect to the persons required to make the reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers must require sufficiently detailed information to disclose with reference to a traffic accident the causes, locations, and conditions then existing and the persons and vehicles involved.  
*As added by P.L.2-1991, SEC.14.*

### **IC 9-26-3-2**

#### **Use of approved form; sufficiency of information given in report**

Sec. 2. An accident report required to be made in writing must be made on the appropriate form approved by the state police department and must contain all of the required information unless the information is not available.  
*As added by P.L.2-1991, SEC.14.*

### **IC 9-26-3-3**

#### **Transmission of accident reports to bureau**

Sec. 3. The state police department shall transmit to the bureau each accident report or copy of an accident report filed with the state police department under this chapter.  
*As added by P.L.2-1991, SEC.14.*

### **IC 9-26-3-4**

#### **Confidentiality and use of reports; disclosure of identity of person; use as evidence at trial; certificate that report has or has not been made**

Sec. 4. (a) This section does not apply to an accident report filed by a law enforcement officer or filed by a coroner or similar officer under IC 9-26-4-2.

(b) Except as provided in subsection (c), each required accident report and supplemental report is without prejudice to the reporting individual and is for the confidential use of the state police department or other state agencies having use of the records for accident prevention purposes.

(c) The state police department may disclose the identity of a person involved in an accident when the person's identity is not otherwise known or when the person denies being present at the accident.

(d) A report may not be used as evidence in a trial, civil or

criminal, arising out of an accident. However, the state police department shall, upon the demand of a:

- (1) person who has, or claims to have, made a report; or
- (2) court;

furnish a certificate showing that a specified accident report has or has not been made to the state police department solely to prove a compliance or a failure to comply with the requirement that a report be made to the state police department.

*As added by P.L.2-1991, SEC.14.*

### **IC 9-26-3-5**

#### **Gathering, publication, and distribution of statistical information**

Sec. 5. (a) The state police department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based on the reports as to the number and circumstances of traffic accidents, including:

- (1) the total number of accidents;
- (2) the total number of fatalities resulting from traffic accidents;
- (3) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and
- (4) if possible, whether the accident or fatality occurred on a highway that:
  - (A) is part of the national system of interstate and defense highways;
  - (B) has four (4) or more lanes; or
  - (C) is divided into two (2) or more roadways.

(b) Beginning April 30, 2006, and on April 30 of each year thereafter, if the number of fatalities reported in subsection (a) exceeds the average annual number of fatalities in traffic accidents from the previous five (5) years by at least seven percent (7%), the state police department shall submit the report to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this subsection must be in an electronic format under IC 5-14-6.

(c) Beginning April 30, 2006, and on April 30 of each year thereafter, the state police department shall submit a report describing:

- (1) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and
- (2) if possible, whether the accident or fatality described in subdivision (1) occurred on a highway that:
  - (A) is part of the national system of interstate and defense highways;
  - (B) has four (4) or more lanes; or
  - (C) is divided into two (2) or more roadways;

to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this subsection must be in an electronic format under IC 5-14-6.

*As added by P.L.2-1991, SEC.14. Amended by P.L.151-2005, SEC.4.*