

By: Representative Miles

To: Transportation;
Judiciary A

HOUSE BILL NO. 653

1 AN ACT TO AMEND SECTION 63-3-417, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE CERTAIN
3 INFORMATION OBTAINED FROM MOTOR VEHICLE ACCIDENT REPORTS TO
4 PERSONS OR ENTITIES FOR THE PURPOSE OF COMPILING VEHICLE HISTORY
5 REPORTS FOR USE BY LAW ENFORCEMENT, CONSUMERS AND BUSINESSES; TO
6 AUTHORIZE THE DEPARTMENT TO CHARGE AND COLLECT FEES FOR PROVIDING
7 SUCH INFORMATION; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 63-3-417, Mississippi Code of 1972, is
10 amended as follows:

11 63-3-417. (1) All required accident reports and
12 supplemental reports shall be without prejudice to the individual
13 so reporting and, except as otherwise provided in this section,
14 shall be for the confidential use of the department; however, the
15 department may, upon written request of any person involved in an
16 accident or upon written request of the representative of his
17 estate, his surviving spouse or one or more of his surviving next
18 of kin, disclose to such requester or his legal counsel or a
19 representative of his insurer any information contained in such
20 report except the parties' version of the accident as set out in
21 the written report filed by such parties, or may disclose the
22 identity of a person involved in an accident when such identity is
23 not otherwise known or when such person denies his presence at
24 such accident. The admissibility of an accident report into
25 evidence in any court shall be governed by the Mississippi Rules
26 of Evidence. However, the department shall furnish, upon demand
27 of any person who has, or claims to have, made such a report or,
28 upon demand of any court, a certificate showing that a specified
29 accident report has or has not been made to the department solely

30 to prove a compliance or a failure to comply with the requirement
31 that such a report be made to the department.

32 (2) Notwithstanding the provisions of subsection (1) of this
33 section or the provisions of any other law to the contrary, the
34 department may supply vehicle-specific accident data to any person
35 or entity, in bulk electronic form, for the purpose of compiling
36 vehicle history reports for use by law enforcement, consumers and
37 businesses. The department may charge and collect fees at a
38 negotiated price established by the department for providing such
39 data. A person or entity that requests access to such data must
40 agree, in writing, to use information obtained from such data only
41 for the purpose of identifying vehicles that have been involved in
42 accidents and any damage to those vehicles. A person or entity
43 obtaining such data may not use such information to identify or
44 contact persons or individuals.

45 (3) The report required by Section 63-3-411 may be used in
46 proving uninsured status of the owner and operator of a vehicle in
47 any action to enforce a claim under the uninsured motorist
48 provisions of an automobile liability policy, but only as provided
49 in Section 13-1-124.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2005.