

§13157-D. ATV accident report data

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Data" means information existing in an electronic medium and contained in an accident report database. [PL 2025, c. 692, §4 (NEW).]

B. "Nonpersonally identifiable accident report data" means any data in an accident report that are not personally identifiable accident report data. [PL 2025, c. 692, §4 (NEW).]

C. "Personally identifiable accident report data" means:

(1) A person's name, residential and post office box mailing address, social security number, date of birth and driver's license number;

(2) An ATV registration number;

(3) An insurance policy number;

(4) Information contained in any free text data field of an accident report; and

(5) Any other information contained in a data field of an accident report that may be used to identify a person. [PL 2025, c. 692, §4 (NEW).]

[PL 2025, c. 692, §4 (NEW).]

2. Accident report information. An accident report made by a law enforcement officer or a report of an ATV accident made by an operator as required by sections 13157-B and 13157-C is for the purposes of statistical analysis and accident prevention. A report or statement contained in the accident report, or a report as required by section 13157-B and section 13157-C, subsection 1, or a decision made as a result of that report or statement is confidential and may not be admitted as evidence in any trial, civil or criminal, arising out of the accident. Such a report may be admissible as evidence solely to prove compliance with this section.

Notwithstanding this section, the Game Warden Colonel may disclose the date, time and location of an accident reported under sections 13157-B and 13157-C; the names and addresses of operators, owners and injured persons; the names and addresses of witnesses; and the name and address of the investigating officer. On written request, the Game Warden Colonel may furnish a photocopy of the investigating officer's report at the expense of the person making the request.

[PL 2025, c. 692, §4 (NEW).]

3. Accident report database; public dissemination of accident report data. Data maintained, administered or contributed to by the Bureau of Warden Service must be treated as follows.

A. Except as provided in paragraph B, personally identifiable accident report data maintained, administered or contributed to by the Bureau of Warden Service is confidential. [PL 2025, c. 692, §4 (NEW).]

B. The Bureau of Warden Service may disseminate an ATV registration number contained in an accident report database maintained, administered or contributed to by the Bureau of Warden Service to a person only if that person provides the Bureau of Warden Service an affidavit stating that the person will not:

(1) Use the ATV registration number to identify or contact a person; or

(2) Disseminate the ATV registration number to another person. [PL 2025, c. 692, §4 (NEW).]

C. The Bureau of Warden Service may publicly disseminate nonpersonally identifiable accident report data maintained, administered or contributed to by the Bureau of Warden Service. [PL 2025, c. 692, §4 (NEW).]

[PL 2025, c. 692, §4 (NEW).]

4. Reasonable fees. The Bureau of Warden Service may charge reasonable fees for ATV accident report data. The cost of furnishing a copy of the report is not subject to the limitations of Title 1, section 408-A.

[PL 2025, c. 692, §4 (NEW).]

5. Violation. A person commits a Class E crime if that person:

A. Is an operator involved in a reportable ATV accident and knowingly fails to give a correct name and address when requested by a law enforcement officer at the scene; [PL 2025, c. 692, §4 (NEW).]

B. Is the operator involved in a reportable ATV accident under this section or is the owner of an ATV involved in a reportable accident and knowingly fails to produce the ATV or, if the ATV is operational, return it to the scene when requested by the investigating officer; or [PL 2025, c. 692, §4 (NEW).]

C. Obtains an ATV registration number pursuant to section 13155 and knowingly uses that ATV registration number to identify or contact a person or knowingly disseminates that ATV registration number to another person. [PL 2025, c. 692, §4 (NEW).]

[PL 2025, c. 692, §4 (NEW).]

SECTION HISTORY

PL 2025, c. 692, §4 (NEW).

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