

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 59

BY SENATORS SYPOLT, SMITH, AND SWOPE

[Introduced February 10, 2021; referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on the
Judiciary]

1 A BILL to amend and reenact §17C-4-7 of the Code of West Virginia, 1931, as amended, relating
2 to motor vehicle crash reports; requiring law-enforcement officers to submit reports of
3 crashes to the owners and/or drivers of the vehicles involved in the crash in the same
4 manner that law-enforcement officers are required to submit reports of crashes to the
5 Division of Highways; and requiring the investigating law-enforcement officer, within 24
6 hours of a motor vehicle crash, to share the owner/operator and insurance information for
7 all the involved parties with all the other involved parties and/or their insurance agents.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. ACCIDENTS.

§17C-4-7. Reports of crashes.

1 (a) Every law-enforcement officer who, in the regular course of duty, investigates a motor
2 vehicle crash occurring on the public streets or highways of this state resulting in bodily injury to
3 or death of any person or total property damage to an apparent extent of \$1,000 or more shall,
4 either at the time of and at the scene of the crash or thereafter by interviewing participants or
5 witnesses, within 24 hours after completing such investigation, prepare report of such crash either
6 electronically or in writing.

7 (b) The investigating law-enforcement officer shall, within 24 hours of a motor vehicle
8 crash, share the owner/operator and insurance information for all the involved parties with all the
9 other involved parties and/or their insurance agents. The submittal of this information is required
10 whether or not the accident report has been completed.

11 ~~(b)~~ (c) The investigating law-enforcement officer shall submit the report electronically or in
12 writing within 24 hours after completing the investigation to the Division of Highways and the
13 owners and/or drivers of the vehicles involved in the crash in the form and manner approved by
14 the Commissioner of Highways, the Superintendent of the West Virginia State Police and the
15 Commissioner of Motor Vehicles. The Division of Highways shall supply electronic or paper copies
16 of such form to police departments, sheriffs and other appropriate law-enforcement agencies.

17 ~~(e)~~ (d) ~~In the event that~~ If the investigating law-enforcement officer cannot complete the
18 investigation within 10 days of the crash, he or she shall submit a preliminary report of the crash
19 to the Division of Highways and the owners and/or drivers of the vehicles involved in the crash on
20 the 10th day after the crash and submit the final report within 24 hours of completion of the
21 investigation pursuant to subsection ~~(b)~~ (c) of this section.

NOTE: The purpose of this bill is to require law-enforcement officers to submit motor vehicle crash reports to the owners and/or drivers of the vehicles involved in the crash. The bill requires the law-enforcement officer shall, within 24 hours of a motor vehicle crash, share the owner/operator and insurance information for all the involved parties with all the other involved parties and/or their insurance agents. The bill permits replacement or rental provisions to be expedited and victims will not be left without transportation for an extended period while the accident report is being completed.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.