

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 858

Session of
1979

INTRODUCED BY WAGNER, MARCH 27, 1979

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 27, 1979

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, changing the time limit for reporting accidents.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Sections 3746 and 3747 of Title 75, act of
6 November 25, 1970 (P.L.707, No.230), known as the Pennsylvania
7 Consolidated Statutes, are amended to read:

8 § 3746. [Immediate notice] Notice of accident to police
9 department.

10 (a) General rule.--The driver of a vehicle involved in an
11 accident shall [immediately by the quickest means of
12 communication] within 18 hours of the accident give notice to
13 the nearest office of a duly authorized police department if the
14 accident involves:

15 (1) injury to or death of any person; or

16 (2) damage to any vehicle involved to the extent that it
17 cannot be driven under its own power in its customary manner
18 without further damage or hazard to the vehicle, other

1 traffic elements, or the roadway, and therefore requires
2 towing.

3 (b) Duty of occupant if driver disabled.--Whenever the
4 driver of a vehicle is physically incapable of giving [an
5 immediate] notice of an accident as required in subsection (a)
6 and there is another occupant in the vehicle at the time of the
7 accident capable of doing so, the occupant shall make or cause
8 to be given the notice not given by the driver.

9 (c) Investigation by police officer.--Every accident
10 reported to a police department required in this section shall
11 be investigated by a police officer who shall provide each
12 driver a signed statement that the accident was reported.

13 § 3747. Written report of accident by driver or owner.

14 (a) General rule.--If a police officer does not investigate
15 an accident required to be investigated by section 3746
16 (relating to [immediate] notice of accident to police
17 department), the driver of a vehicle which is in any manner
18 involved in the accident shall, within five days of the
19 accident, forward a written report of the accident to the
20 department.

21 (b) Supplemental reports.--The department may require any
22 driver of a vehicle involved in an accident of which written
23 report must be made as provided in this section to file
24 supplemental written reports whenever the original report is
25 insufficient in the opinion of the department.

26 (c) Exception for disabled persons.--A written accident
27 report is not required under this subchapter from any person who
28 is physically incapable of making a report during the period of
29 incapacity.

30 (d) Duty of owner if driver disabled.--Whenever the driver

1 is physically incapable of making a written report of an
2 accident as required in this section and the driver is not the
3 owner of the vehicle, then the owner of the vehicle involved in
4 the accident shall, within five days after the accident, make
5 the report not made by the driver.

6 (e) Confidentiality of reports.--All written reports
7 required in this section to be forwarded to the department by
8 drivers or owners of vehicles involved in accidents shall be
9 without prejudice to the individual so reporting and shall be
10 for the confidential use of the department or any other
11 governmental agency or their representatives having use for the
12 records for accident prevention purposes, except that the
13 department shall disclose the identity of a person involved in
14 an accident when the identity is not otherwise known or when the
15 person denies his presence at the accident and shall disclose
16 whether any person or vehicle was covered by a vehicle insurance
17 policy and the name of the insurer.

18 (f) Use of reports as evidence.--No accident reports
19 forwarded under the provisions of this section shall be used as
20 evidence in any trial, civil or criminal, arising out of an
21 accident except that the department shall furnish upon demand of
22 any party to the trial, or upon demand of any court, a
23 certificate showing that a specified accident report has or has
24 not been made to the department in compliance with the law and,
25 if the report has been made, the date, time and location of the
26 accident, the names and addresses of the drivers and the owners
27 of the vehicles involved. The reports may be used as evidence
28 when necessary to prosecute charges filed in connection with a
29 violation of section 3748 (relating to false reports).

30 (g) Compliance with other laws required.--This section does

1 not affect the duty of filing accident reports required by any
2 other statute or regulations made thereunder.

3 Section 2. This act shall take effect in 60 days.