

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-412 as follows:

6 (625 ILCS 5/11-412) (from Ch. 95 1/2, par. 11-412)

7 Sec. 11-412. Motor vehicle accident reports
8 confidential. All required written motor vehicle accident
9 reports and supplemental reports shall be without prejudice
10 to the individual so reporting and shall be for the
11 confidential use of the Department and the Secretary of State
12 and, in the case of second division vehicles operated under
13 certificate of convenience and necessity issued by the
14 Illinois Commerce Commission, of the Commission, except that
15 the Administrator or the Secretary of State or the Commission
16 may disclose the identity of a person involved in a motor
17 vehicle accident when such identity is not otherwise known or
18 when such person denies his presence at such motor vehicle
19 accident and the Department shall disclose the identity of
20 the insurance carrier, if any, upon demand. The Secretary of
21 State may also disclose notations of accident involvement
22 maintained on individual driving records. The Department may
23 furnish copies of its written accident reports to federal and
24 State agencies that are engaged in highway safety research
25 and studies. Reports furnished to any agency other than the
26 Secretary of State or the Illinois Commerce Commission may be
27 used only for statistical or analytical purposes and shall be
28 held confidential by that agency. No such written report
29 shall be used as evidence in any trial, civil or criminal,
30 arising out of a motor vehicle accident, except that the
31 Administrator shall furnish upon demand of any person who

1 has, or claims to have, made such a written report, or upon
2 demand of any court, a certificate showing that a specified
3 written accident report has or has not been made to the
4 Administrator solely to prove a compliance or a failure to
5 comply with the requirement that such a written report be
6 made to the Administrator.

7 Notwithstanding any other provision of this Code, the
8 Department may also furnish copies of accident records to any
9 person or entity in bulk electronic form, if any name,
10 address, telephone number, or social security number is
11 removed and if the person or entity has stated in writing
12 that the records will be used only for the purpose of
13 identifying vehicles that have been involved in accidents or
14 damaged and not for the purpose of identifying individuals.

15 The Department of Transportation at its discretion may
16 provide for in-depth investigations of accidents involving
17 Department employees. A written report describing the
18 preventability of such an accident may be prepared to enhance
19 the safety of Department employees. Such reports and any
20 opinions expressed in the review of the accident as to the
21 preventability of the accident shall be for the privileged
22 use of the Department and held confidential and shall not be
23 obtainable or used in any civil or criminal proceeding.

24 (Source: P.A. 89-503, eff. 7-1-96.)