

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-380 of the Code of Virginia, relating to the Department of State*  
3 *Police; crash reports maintained by the Department.*

4 [H 1830]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-380 of the Code of Virginia is amended and reenacted as follows:**8 **§ 46.2-380. Reports made under certain sections open to inspection by certain persons; copies;**  
9 **maintenance of reports and photographs for three-year period.**

10 A. Any report of an accident made pursuant to §§ § 46.2-372, 46.2-373, 46.2-375, or § 46.2-377  
11 shall be maintained by the Department *in either hard copy or electronic form* for a period of at least  
12 ~~thirty-six~~ 36 months from the date of the accident and shall be open to the inspection of any person  
13 involved or injured in the accident or as a result thereof, or his attorney or any authorized representative  
14 of any insurance carrier reasonably anticipating exposure to civil liability as a consequence of the  
15 accident or to which the person has applied for issuance or renewal of a policy of automobile insurance.  
16 The Commissioner ~~or Superintendent, or the area or division offices of the Department of State Police~~  
17 ~~having a copy of the report,~~ shall on written request of the person or attorney or any authorized  
18 representative of any insurance carrier reasonably anticipating exposure to civil liability as a  
19 consequence of the accident or to which the person has applied for issuance or renewal of a policy of  
20 automobile insurance, furnish a copy of the report, *in either hard copy or electronic form*, at the  
21 expense of the person, attorney, or representative. Any such report shall also be open to inspection by  
22 the personal representative of any person injured or killed in the accident, including his guardian,  
23 conservator, executor, committee, or administrator, or, if the person injured or killed is under ~~eighteen~~  
24 ~~18 years old of age,~~ his parent or guardian. The Commissioner ~~or Superintendent~~ shall only be required  
25 to furnish under this section copies of reports required by the provisions of this article to be made  
26 directly to the Commissioner ~~or Superintendent, or to the area or division offices of the Department of~~  
27 ~~State Police having a copy of any such report,~~ as the ease may be. The Commissioner and the  
28 ~~Superintendent, acting jointly,~~ may set a reasonable fee for furnishing a copy of any report, provide to  
29 whom payment shall be made, and establish a procedure for payment. ~~Nothing contained in this section~~  
30 ~~shall require any division office of the Department of State Police to furnish any copy when duplicating~~  
31 ~~equipment is not available.~~

32 B. The Commissioner or Superintendent of State Police having a copy of any photograph taken by a  
33 law-enforcement officer relating to a nonfatal accident, shall maintain the negatives for such photographs  
34 in their records for at least ~~thirty-six~~ 36 months from the date of the accident.

ENROLLED

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