

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-380 of the Code of Virginia, relating to accident reports*  
3 *maintained by the Department of Motor Vehicles.*

4 [H 1748]

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 shall be  
11 maintained by the Department in either hard copy or electronic form for a period of at least 36 months  
12 from the date of the accident and shall be open to the inspection of any person involved or injured in  
13 the accident or as a result thereof, or his attorney or any authorized representative of any insurance  
14 carrier reasonably anticipating exposure to civil liability as a consequence of the accident or to which  
15 the person has applied for issuance or renewal of a policy of automobile insurance. The Commissioner  
16 shall on written request of the person or attorney or any authorized representative of any insurance  
17 carrier reasonably anticipating exposure to civil liability as a consequence of the accident or to which  
18 the person has applied for issuance or renewal of a policy of automobile insurance, furnish a copy of the  
19 report, in either hard copy or electronic form, at the expense of the person, attorney, or representative.  
20 Any such report shall also be open to inspection by the personal representative of any person injured or  
21 killed in the accident, including his guardian, conservator, executor, committee, *next of kin as defined in*  
22 *§ 54.1-2800*, or administrator, or, if the person injured or killed is under 18 years of age, his parent or  
23 guardian. The Commissioner shall only be required to furnish under this section copies of reports  
24 required by the provisions of this article to be made directly to the Commissioner. The Commissioner  
25 may set a reasonable fee for furnishing a copy of any report, provide to whom payment shall be made,  
26 and establish a procedure for payment.

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

ENROLLED

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