

1 Thousand Dollars (\$3,000.00) shall forward a written report of the
2 collision to the Department of Public Safety if settlement of the
3 collision has not been made within six (6) months after the date of
4 the accident and provided that if a settlement has been made a
5 report of the settlement must be made by the parties. No report is
6 required when all parties involved agree to exchange information and
7 there is no injury, no death, and no damage to property other than
8 vehicles.

9 B. A municipality or county shall have the authority to adopt
10 ordinances or resolutions regarding the response of law enforcement
11 to motor vehicle accidents occurring on private property within its
12 jurisdiction; provided, law enforcement agencies shall respond to
13 and report collisions that occur on private property which involve a
14 personal injury, a driver that may be under the influence of alcohol
15 or any other intoxicating substance, or a vehicle that is the
16 property of the state or a political subdivision of the state.

17 C. Notwithstanding the provisions of Section 7-202 of this
18 title, if any party involved in a collision files a report under
19 this section, the Department shall be responsible for providing the
20 most up-to-date and accurate location information within the
21 Department for either party involved at no cost, and notify all
22 other parties involved in the collision, as specified in the report,
23 that a report has been filed and all other parties shall then
24 furnish the Department, within twenty (20) days, the information as

1 the Department may request to determine whether the parties were in
2 compliance with the requirements of Sections 7-601 through 7-607 of
3 this title at the time of the collision. Upon a finding that an
4 owner or driver was not in compliance with Sections 7-601 through 7-
5 607 of this title, the Department shall then commence proceedings
6 under the provisions of Sections 7-201 and 7-308 through 7-335 of
7 this title.

8 SECTION 2. AMENDATORY 47 O.S. 2021, Section 40-102, is
9 amended to read as follows:

10 Section 40-102. A. 1. Every law enforcement officer who, in
11 the regular course of duty, investigates or receives a report of a
12 traffic collision occurring on public roadways and resulting in
13 injury to or death of a person or total property damage to an
14 apparent extent of ~~Five Hundred Dollars (\$500.00)~~ Three Thousand
15 Dollars (\$3,000.00) or more shall prepare a written report of the
16 collision on the standard collision report form supplied by the
17 Department of Public Safety. The reports shall be forwarded within
18 thirty (30) days of the collision or, if the collision results in
19 the death of any person, then within twenty (20) days of the death
20 of the person, whichever time period is lesser, by the law
21 enforcement agency preparing the report to the Department of Public
22 Safety. No report is required when all parties involved agree to
23 exchange information and there is no injury, no death, and no damage
24 to property other than vehicles.

1 2. Reports of collisions shall be kept confidential for a
2 period of sixty (60) days after the date of the collision; provided,
3 the reports shall be made available as soon as practicable upon
4 request to any:

- 5 a. party involved in the collision,
- 6 b. legal representatives of a party involved in the
7 collision,
- 8 c. state, county or city law enforcement agency,
- 9 d. the Department of Transportation or any county or city
10 transportation or road and highway maintenance agency,
- 11 e. licensed insurance agents of a party involved in the
12 collision,
- 13 f. insurer of a party involved in the collision,
- 14 g. insurer to which a party has applied for coverage,
- 15 h. person under contract with an insurer, as described in
16 subparagraph e, f or g of this paragraph, to provide
17 claims or underwriting information,
- 18 i. prosecutorial authority,
- 19 j. newspaper as defined in Section 106 of Title 25 of the
20 Oklahoma Statutes,
- 21 k. radio or television broadcaster,
- 22 l. licensed private investigators employed by a party
23 involved in the collision, or

1 m. provider of health services to a party involved in the
2 collision.

3 3. Any person who knowingly violates this section and obtains
4 or provides information made confidential by this section is guilty
5 of a misdemeanor and shall be fined no more than Two Thousand Five
6 Hundred Dollars (\$2,500.00). Second and subsequent offenses shall
7 carry a penalty of imprisonment in the county jail for not more than
8 thirty (30) days.

9 B. 1. No public employee or officer shall allow a person to
10 examine or reproduce a collision report or any related investigation
11 report if examination or reproduction of the report is sought for
12 the purpose of making a commercial solicitation. Any person
13 requesting a collision report may be required to state, in writing,
14 under penalty of perjury, that the report will not be examined,
15 reproduced or otherwise used for commercial solicitation purposes.
16 It shall be unlawful and constitute a misdemeanor for any person to
17 obtain or use information from a collision report or a copy thereof
18 for the purpose of making a commercial solicitation.

19 2. As used in this subsection:

20 a. "commercial solicitation" means any attempt to use, or
21 offer for use, personal information contained in a
22 collision report to solicit any person named in the
23 report, or a relative of the person, or to solicit a
24 professional, business, or commercial relationship

1 that is not pursuant to a request under paragraph 2 of
2 subsection A of this section. "Commercial
3 solicitation" does not include publication in a
4 newspaper, as defined in Section 106 of Title 25 of
5 the Oklahoma Statutes, or broadcast of information by
6 news media for news purposes, or obtaining information
7 for the purpose of verification or settlement of
8 claims by insurance companies, and

9 b. "collision report" means any report regarding a motor
10 vehicle collision which has been submitted by an
11 individual or investigating officer on a form
12 prescribed or used by the Department of Public Safety
13 or local police department.

14 3. Publication in a newspaper, as defined in Section 106 of
15 Title 25 of the Oklahoma Statutes, or broadcast by news media for
16 news purposes shall not constitute a resale or use of data for trade
17 or commercial solicitation purposes. Because publication by a
18 newspaper, broadcast by news media for news purposes, or obtaining
19 information for verification or settlement of claims by insurance
20 companies is not a resale or use of data for commercial solicitation
21 purposes, an affidavit shall not be required as a condition for
22 allowing a member of a newspaper or broadcast news media, or
23 allowing an agent, or business serving as an agent, to insurance
24 companies, to examine or obtain a copy of a collision report. Any

1 agent or business obtaining information for verification or
2 settlement of claims involving persons named in a report shall
3 secure an affidavit annually from each client stating the
4 information provided to the client shall not be used for commercial
5 solicitation purposes under penalty of law.

6 4. The Department and local police departments shall include
7 the following or a similar notice upon any copy of a collision
8 report furnished to others: "Warning - State Law. Use of contents
9 for commercial solicitation is unlawful."

10 C. As used in this section:

11 1. "Newspaper" means a legal newspaper as defined in Section
12 106 of Title 25 of the Oklahoma Statutes, provided that the primary
13 purpose of the newspaper is not the publication of personally
14 identifying information concerning parties involved in the traffic
15 collision;

16 2. "Provider of health services" means any person that provides
17 health care services to the injured person under a license,
18 certification or registration issued pursuant to Title 59 of the
19 Oklahoma Statutes, or any hospital or related institution that
20 offers or provides health care services under a license issued
21 pursuant to Section 1-702 et seq. of Title 63 of the Oklahoma
22 Statutes; and

23 3. "Personal information", as defined in Section 162 of Title
24 24 of the Oklahoma Statutes, means the first name or first initial

1 and last name in combination with and linked to any one or more of
2 the following data elements that relate to a resident of this state,
3 when the data elements are neither encrypted nor redacted:

- 4 a. social security number,
- 5 b. driver license number or state identification card
6 number issued in lieu of a driver license, or
- 7 c. financial account number or credit or debit card
8 number in combination with any required security code,
9 access code or password that would permit access to
10 the financial accounts of a resident.

11 Personal information does not include information that is
12 lawfully obtained from publicly available information or from
13 federal, state or local government records lawfully made available
14 to the general public.

15 SECTION 3. This act shall become effective November 1, 2026.

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17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
18 OVERSIGHT, dated 02/24/2026 - DO PASS, As Coauthored.

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