

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4143

By: Manger

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2021, Sections 10-108 and 40-102, which relate to traffic collisions and reports; modifying damage amount requiring a written report of collision; exempting certain accidents from reporting requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2021, Section 10-108, is amended to read as follows:

Section 10-108. A. Except for collisions occurring on private property, the operator of a motor vehicle which is in any manner involved in a collision upon any road, street, highway or elsewhere within this state resulting in bodily injury to or death of any person or in which it is apparent that damage to one vehicle or other property is in excess of ~~Three Hundred Dollars (\$300.00)~~ Three Thousand Dollars (\$3,000.00) shall forward a written report of the collision to the Department of Public Safety if settlement of the collision has not been made within six (6) months after the date of

1 the accident and provided that if a settlement has been made a
2 report of the settlement must be made by the parties. No report is
3 required when all parties involved agree to exchange information and
4 there is no injury, no death, and no damage to property other than
5 vehicles.

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

14 C. Notwithstanding the provisions of Section 7-202 of this
15 title, if any party involved in a collision files a report under
16 this section, the Department shall be responsible for providing the
17 most up-to-date and accurate location information within the
18 Department for either party involved at no cost, and notify all
19 other parties involved in the collision, as specified in the report,
20 that a report has been filed and all other parties shall then
21 furnish the Department, within twenty (20) days, the information as
22 the Department may request to determine whether the parties were in
23 compliance with the requirements of Sections 7-601 through 7-607 of
24 this title at the time of the collision. Upon a finding that an

1 owner or driver was not in compliance with Sections 7-601 through 7-
2 607 of this title, the Department shall then commence proceedings
3 under the provisions of Sections 7-201 and 7-308 through 7-335 of
4 this title.

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

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

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

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

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

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

17 2. As used in this subsection:

18 a. "commercial solicitation" means any attempt to use, or
19 offer for use, personal information contained in a
20 collision report to solicit any person named in the
21 report, or a relative of the person, or to solicit a
22 professional, business, or commercial relationship
23 that is not pursuant to a request under paragraph 2 of
24 subsection A of this section. "Commercial

solicitation" does not include publication in a newspaper, as defined in Section 106 of Title 25 of the Oklahoma Statutes, or broadcast of information by news media for news purposes, or obtaining information for the purpose of verification or settlement of claims by insurance companies, and

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

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

1 secure an affidavit annually from each client stating the
2 information provided to the client shall not be used for commercial
3 solicitation purposes under penalty of law.

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

8 C. As used in this section:

9 1. "Newspaper" means a legal newspaper as defined in Section
10 106 of Title 25 of the Oklahoma Statutes, provided that the primary
11 purpose of the newspaper is not the publication of personally
12 identifying information concerning parties involved in the traffic
13 collision;

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

21 3. "Personal information", as defined in Section 162 of Title
22 24 of the Oklahoma Statutes, means the first name or first initial
23 and last name in combination with and linked to any one or more of
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1 the following data elements that relate to a resident of this state,
2 when the data elements are neither encrypted nor redacted:

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

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

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

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