



SPONSOR: Rep. Schwartzkopf & Rep. Smyk & Sen. Ennis &  
Sen. Pettyjohn & Sen. Lopez  
Reps. Baumbach, Collins, Cooke, Gray, Heffernan,  
Mitchell, Yearick; Sens. Lawson, Paradee

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE BILL NO. 28

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REPORTS OF ACCIDENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 4203 of Title 21 by making deletions as shown by strike through and insertions as shown by  
2 underline as follows:

3           § 4203 Duty to report collisions; evidence.

4           (a) After complying with the requirements of §§ 4201 and 4202 of this title, the driver of any vehicle involved in  
5 the following described vehicular collisions shall immediately report such collision to the police agency which has primary  
6 jurisdictional responsibility for the location in which the collision occurred:

7               (1) When the collision results in injury or death to any person;

8               (2) When the collision occurs on a public highway and results in property damage to an apparent extent of  
9 ~~\$500~~ \$2,000 or more; or

10              (3) When it appears that any collision involving a driver whose physical ability is impaired as a result of the  
11 use of alcohol or drugs or any combination thereof.

12           (b) When a collision is not required to be reported under subsection (a) of this section, the driver may report such  
13 collision to the appropriate police agency as described in subsection (a) of this section, after complying with § 4201(b) of  
14 this title.

15           (c) Police agencies may investigate any collision which occurs within that agency's jurisdiction.

16           (d) Police agencies shall investigate and complete the State of Delaware Uniform Traffic Collision Report supplied  
17 by the Delaware Department of Safety and Homeland Security on all reported collisions involving an impaired driver,  
18 apparent property damage to the extent of ~~\$1,000~~ \$2,000 or more or personal injury or death to a person, when such  
19 collisions occur within that agency's jurisdiction.

20           (e) The Department of Safety and Homeland Security may require drivers involved in collisions, or police  
21 departments, to file supplemental reports of collisions upon forms furnished by it whenever the original report is  
22 insufficient in the opinion of the Department of Safety and Homeland Security. Such reports shall be without prejudice,

23 shall be for the information of the Department of Safety and Homeland Security and shall not be open to public inspection.  
24 The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section  
25 but no report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any  
26 trial, civil or criminal, arising out of such collisions.

27 ~~(f) The property damage requirement in subsection (d) of this section for investigation and completion of the~~  
28 ~~Uniform Traffic Collision Report shall be adjusted beginning January 1, 1997, and annually thereafter on January 1 of each~~  
29 ~~calendar year by increasing the previous base rate by an additional \$100, up to a maximum of \$1,500.~~

#### SYNOPSIS

This bill increases the minimum amount of property damage that triggers the mandatory reporting of a vehicular collision to police from \$500 to \$2,000. This bill also increases the minimum amount of property damage requiring police agencies to investigate from \$1,000 to \$2,000. This increase makes Delaware more consistent with other states and reflects the Legislature's intention in 1997 to increase the amount annually by \$100.