

# OFFICE OF THE ATTORNEY GENERAL



93-00140

JIMMY EVANS  
ATTORNEY GENERAL  
STATE OF ALABAMA

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ALABAMA STATE HOUSE  
11 SOUTH UNION STREET  
MONTGOMERY, ALABAMA 36130  
AREA (205) 242-7300

Honorable Jeffrey Wilson  
Mayor, Town of Margaret  
P. O. Box 309  
Margaret, AL 35112

Motor Vehicles - Accident  
Reports - Motor Vehicle  
License and Registration -  
Licenses and Permits

1. A police officer should provide SR-13 forms to the parties involved in any accident he investigates.
2. A police officer investigating a motor vehicle accident should complete the Alabama Uniform Traffic Accident Report which contains the license number of the drivers and the vehicle identification number of each vehicle.

Dear Mayor Wilson:

This opinion is issued in response to your request for an opinion from the Attorney General.

## QUESTION 1

Whether it is proper procedure for an officer to only give an SR-13 form when working an accident where the vehicles involved have been moved since the accident.

FACTS AND ANALYSIS

The Code of Alabama 1975, § 32-7-5 provides as follows:

"The operator of every motor vehicle which is in any manner involved in an accident within this state, in which any person is killed or injured or in which damage to the property of any one person, including himself, in excess of \$250.00 is sustained, shall within 10 days after such accident report the matter in writing to the director. Such report, the form of which shall be prescribed by the director, shall contain only such information as may be necessary to enable the director to determine whether requirements for the deposit of security under section 32-7-6 are inapplicable by reason of the existence of insurance or other exceptions specified in this chapter. The director may rely upon the accuracy of the information unless and until he has reason to believe that the information is erroneous. If such operator is physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within 10 days after learning of the accident, make such report. The operator or the owner shall furnish such additional relevant information as the director shall require."

The form required by this section is the SR-13 form issued by the Director of the Department of Public Safety (Attachment A). The form is required to be filed by the operator of every vehicle involved in an accident in which an individual is killed or in which damage to the property of any one person exceeds \$250.00.

Since an officer will not always be able at the time of the accident to determine the amount of damages caused by the accident, he should provide SR-13 forms to the parties in all accidents which he investigates.

CONCLUSION

A police officer investigating a motor vehicle accident should provide SR-13 forms to the parties involved in the accident in all accidents which he investigates.

QUESTION 2

When a police officer gives SR-13 forms to the drivers involved in an accident and instructs them to obtain driver license information from each other, is it necessary for the officer to check the driver licenses and registrations?

FACTS AND ANALYSIS

The Code of Alabama 1975, § 32-10-7 provides as follows:

"Every law-enforcement officer who in the regular course of duty investigates a motor vehicle accident, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within 24 hours after completing such investigation, forward the necessary completed written report or copy thereof of such accident to the director on the uniform accident report form supplied by the director."

The uniform accident report form is attached to this opinion as Attachment B. The information on that form should be filled in by the investigating officer. This includes the driver license number of the drivers and the vehicle identification number of each vehicle.

CONCLUSION

An officer investigating a motor vehicle accident should complete the Alabama Uniform Traffic Accident Report which

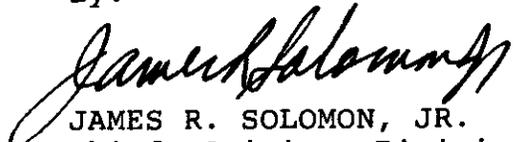
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contains the license number of the drivers and the vehicle identification number of each vehicle.

I hope this sufficiently answers your questions. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS  
Attorney General  
By:



JAMES R. SOLOMON, JR.  
Chief, Opinions Division

JE/JC/cp

Attachments

W2.93/OP