



## **City of Atlanta Police Department Temporarily Halts Accident Reports for Non-Injury Automobile Accidents**

The City of Atlanta Police Department (APD) is making a major temporary change to its accident response protocol in an effort “to protect the health and safety” of its staff and customers and to “mitigate the impact of COVID-19.” APD will no longer dispatch its officers to the scene of non-injury automobile accidents. Instead, APD has directed that individuals involved in a non-injury automobile accident should fill out a [SR-13 form](#). The SR-13 form includes information normally found on a Georgia Motor Vehicle Crash Report, such as the location of the accident and the vehicles and drivers involved. However, the SR-13 form notably provides that it is “for personal use and should not be mailed to the Department of Driver Services, as it will be destroyed upon receipt.” APD did not provide a specific deadline for how long this new policy will be in place. It is possible that other jurisdictions and counties, especially in large metro areas or those in COVID-19 hotspots, may follow suit.

What does this mean for insurers? First, many insurance policies require that the police be notified and a police report be completed as a condition precedent for coverage. A coverage question may arise to determine if a self-completed SR-13 form is sufficient to qualify as a police report. As the SR-13 is not submitted to the Georgia Department of Driver Services, insurers will not be able to submit an open records request to obtain the SR-13 form and will have to instead rely on the involved parties for important information about the accident in order to determine coverage and liability. In addition, this new procedure could lead to questions of liability, as no citations will be issued for non-injury accidents as an officer will not respond to the accident scene. As such, there is the potential for fraud and misrepresentation due to the self-completed nature of the SR-13 form in comparison to an official police report completed by the neutral, responding police officer.

In light of this new APD policy, it is important to specifically request the SR-13 form from all involved parties for non-injury accidents. In addition, it is also important to send an open records request to obtain any 911 calls confirming that the involved parties were not injured in the accident. These calls may also provide other important information about the accident or the parties. Moreover, it will be especially important for insureds to take photographs of the property damage to both vehicles after an accident, as there will be no accident report or body camera footage to confirm the extent of any claimed property damage. Insurers may also want to consider taking the recorded statements of the involved parties as soon as practicable after being notified of an accident in order to get each side’s description of the accident, as that information will no longer be available on the accident report.

*If you wish to discuss this update or have any questions, please contact Swift Currie attorneys:*

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*The foregoing is not intended to be a comprehensive analysis of the full effect of these changes. Nothing in this notice should be construed as legal advice. This document is intended only to notify our clients and other interested parties about important recent developments. Every effort has been made to ascertain the accuracy of the information contained within this notice.*

A stylized logo consisting of the letters "s" and "c" in a cursive font, with a diagonal slash between them, set against a yellow background.