

Ordinance No. 2319

ORDINANCE AMENDING PUBLIC RECORDS ORDINANCE,  
CODE OF ORDINANCES, CITY OF BILOXI, MISSISSIPPI, OF 1992 RELATING TO  
MISSISSIPPI UNIFORM CRASH REPORTS

WHEREAS, the City of Biloxi regularly receives public records requests for Mississippi Uniform Crash Reports (the "Reports");

WHEREAS, the Reports are not public records of the City of Biloxi, but are the confidential records of the Mississippi Department of Public Safety;

WHEREAS, Section 63-3-417 of the Mississippi Code of 1972, as amended, governs the procedure by which the Reports may be produced to authorized persons; and

WHEREAS, the City of Biloxi incurs charges for the access of the Reports in order to comply with requests directed to the City of Biloxi.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

SECTION 1: The title of Article IX. of the Code of Ordinances, City of Biloxi, Mississippi of 1992, is hereby amended to read "ARTICLE IX. – PUBLIC RECORDS AND MISSISSIPPI UNIFORM CRASH REPORTS."

SECTION 2: The Code of Ordinances, City of Biloxi, Mississippi, of 1992, is hereby amended by adding a section, to be numbered Section 2-9-9, which section reads as follows:

Sec. 2-9-9. – Mississippi Uniform Crash Reports

(a) Adoption of state law. Section 63-3-417 of the Mississippi Code of 1972, as amended, is hereby incorporated in this article by reference, and each and

(b) Mississippi Uniform Crash Reports are the confidential property of the Mississippi Department of Public Safety and are not public records. However, the Mississippi Department of Public Safety may, upon written request of any person involved in an accident, the spouse or next of kin of any such person, or any person against whom a claim is made as a result of the accident or upon written request of the representative of his estate (collectively, "Authorized Persons"), disclose to such requester or his legal counsel or a representative of his insurer any information contained in such report except the parties' version of the accident as set out in the written report filed by such parties, or may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident.

(c) The Mississippi Department of Public Safety provides access to such records to Authorized Persons for a charge per requested report. Such reports maybe also be accessed on-line through Report Beam, at [www.reportbeam.com](http://www.reportbeam.com), for a charge.

(c) The municipal clerk, or his or her designee, may produce Mississippi Uniform Crash Reports to authorized persons when requested, in accordance with Section 63-3-417 of the Mississippi Code of 1972, as amended, and shall collect in advance the sum charged to the City of Biloxi for the access of the Report, plus

charges allowed by Section 2-9-6 of Code of Ordinances, City of Biloxi, Mississippi of 1992.

SECTION 3: The purpose of this Ordinance is to enable the City of Biloxi to provide for the orderly conduct of government as it specifically relates to the production of public records and requests for confidential records. Due to this purpose, the City Council hereby finds that this Ordinance is essential to the efficient operation of government; therefore, this Ordinance shall become effective as soon thereafter as is legal, provided this ordinance is certified, signed, and published as provided by law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Tisdale, seconded by Councilmember Gines, and was adopted by the following vote:

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Fayard		
	Deming			

The President then declared the Ordinance adopted this the 4<sup>th</sup> day of October, 2016.

(SEAL)

ATTEST:

/s/Karen Brashier

CLERK OF THE COUNCIL

ADOPTED:

/s/ Robert L. Deming III

PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 7<sup>th</sup> day of October, 2016.

APPROVED:

/s/Andrew "FoFo" Gilich

MAYOR