

that such funds with accrued interest shall be held subject to draft and payment at the expiration of the period of deposit. If, after making such designation, the board deems the surety given insufficient, it may require a new bond; or if, in its opinion, the public interests require, may vacate, revoke, or modify any such designation, and again advertise and designate a depository.

In lieu of deposits in banks the treasurer, upon direction of the county board shall purchase securities issued either by the government of the United States or by the following agencies of the United States: Federal Home Loan Banks, Federal Intermediate Credit Banks, Federal Land Banks, Bank for Cooperatives, and the Federal National Mortgage Association as they deem in the best interest of the county, provided that any securities so purchased mature within three years after purchase. Interest and profits which accrue from such investment shall, when collected, be credited to the general revenue fund of the county. Losses which result from such investment shall be chargeable to the general revenue fund of the county and not to the county treasurer or the board or invested as provided in sections 471.56 and 475.66. Interest and profits which accrue from such investment shall, when collected, be credited to the general revenue fund of the county.

Sec. 3. Notwithstanding any other law to the contrary, the board of commissioners of Kandiyohi county is authorized to construct a temporary diversion structure to channel water from Judicial Ditch No. 1 to Big Kandiyohi Lake.

Sec. 4. This act is effective the day following final enactment.

Approved March 28, 1978.

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#### CHAPTER 679-H.F.No.2256

*An act relating to highway traffic regulation; concerning accident reports; making reports available for accident prevention purposes to additional agencies; concealing the identity of involved persons; amending Minnesota Statutes 1976, Section 169.09, Subdivision 13.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 169.09, Subdivision 13, is amended to read:

Subd. 13. **ACCIDENT REPORTS CONFIDENTIAL.** All written reports and supplemental reports required to be provided to the department of public safety by this section shall be without prejudice to the individual so reporting and shall be for the confidential use of the department of public safety, the Minnesota department of transportation, and appropriate federal, county and municipal governmental agencies for accident prevention purposes, except that the department of public safety or any law enforcement department of any municipality or county in this state shall, upon written

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request of any person involved in an accident or upon written request of the representative of his estate, his surviving spouse, or one or more of his surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to such requester, his legal counsel or a representative of his insurer any information contained therein except the parties' version of the accident as set out in the written report filed by such parties or may disclose 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. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department of public safety shall furnish upon the demand of any person who has, or claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department of public safety solely to prove a compliance or a failure to comply with the requirements that such report be made to the department of public safety. Disclosing any information contained in any accident report, except as provided herein, is unlawful and a misdemeanor.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this chapter from testifying in any trial, civil or criminal, arising out of an accident, as to facts within his knowledge. It is intended by this subdivision to render privileged the reports required but it is not intended to prohibit proof of the facts to which such reports relate. Legally qualified newspaper publications shall upon request to a law enforcement agency be given an oral statement covering only the time and place of the accident, the names and addresses of the parties involved, and a general statement as to how the accident happened without attempting to fix liability upon anyone, but said legally qualified newspaper publications shall not be given access to the hereinbefore mentioned confidential reports, nor shall any such statements or information so orally given be used as evidence in any court proceeding, but shall merely be used for the purpose of a proper publication of the news.

This subdivision shall supersede other state law relating to data privacy or confidentiality with regard to accident reports. When these reports are released for accident prevention purposes the identity of any involved person shall not be revealed. Data contained in these reports shall only be used for accident prevention purposes, except as otherwise provided by this subdivision. Accident reports and data contained therein which may be in the possession or control of departments or agencies other than the department of public safety shall not be discoverable under any provision of law or rule of court.

Approved March 28, 1978.

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CHAPTER 680-H.F.No.2267

*An act relating to emergency telephone systems; providing for the payment of certain costs of operating emergency telephone systems; amending Minnesota Statutes, 1977 Supplement, Section 403.11.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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