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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 26-H 7576, RELATING TO ACCESS TO PUBLIC RECORDS March 31, 2026

The ACLU of Rhode Island supports this legislation, which would make traffic accident data public in accordance with restrictions on its use under federal law.

Despite the fact that many other states make this data public – and even make it easy for members of the public to make use of, and analyze, it – the state Department of Transportation refuses to do so, wrongly claiming that it is barred by federal law from doing so.

In fact, the federal law the DOT cites, 23 U.S.C. 407, only provides that this information “*shall not be subject to discovery or admitted into evidence* in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed” by the data. Those specified limitations are a far cry from the DOT’s assertion that they have no authority under that law to release the data under any circumstances.

Because this information provides important data that can help shape better public policy, and in light of the strong interest evinced from pedestrian safety groups and other organizations that work on traffic safety issues in analyzing this data, the ACLU urges passage of this legislation in order to better promote the public’s right to know and to potentially promote better ideas for making our roads safer.