

# SENATE BILL REPORT

## SB 5282

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As Reported By Senate Committee On:  
Law & Justice, March 3, 1997

**Title:** An act relating to hit and run involving death.

**Brief Description:** Extending the scope of hit and run involving death.

**Sponsors:** Senators Long, Hargrove, Schow, Zarelli and Winsley.

**Brief History:**

**Committee Activity:** Law & Justice: 2/24/97, 3/3/97 [DPS].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5282 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, Long, Stevens and Zarelli.

**Staff:** Mychal Schwartz (786-7444)

**Background:** When a death arises from a hit and run automobile accident in which the "running" driver is the cause of the accident, the law treats that individual the same as a driver who does *not* cause the accident and unlawfully leaves the scene. Hit and run accidents where persons are merely injured are also treated the same as the same accidents were deaths occur.

Hit and run injury (or death) is a level IV, class C felony. Regardless of whether the case involved injury or death, and regardless of who caused the accident, a person convicted with no offender points would have a standard range sentence of three to nine months in jail. A person with nine or more offender points would have a standard range sentence of 63 to 84 months in prison (but would only be sentenced to 60 months because of the statutory maximum sentence for class C felonies).

**Summary of Substitute Bill:** A driver fleeing the scene of an automobile accident, whose driving proximately caused the death of any other person within three years of the accident, is guilty of vehicular homicide.

"Hit and run vehicular homicide" is a level VII, class A felony. A person convicted with no offender points has a standard range sentence of 15-20 months in prison. A person convicted with nine or more offender points has a standard range sentence of 87-116 months in prison.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** Requested on February 21, 1997.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** No one.