
HOUSE BILL 2982

State of Washington

55th Legislature

1998 Regular Session

By Representatives Zellinsky, O'Brien, Mitchell, Scott, DeBolt, Fisher, Chandler, Cooper and Hatfield

Read first time . Referred to Committee on .

1 AN ACT Relating to the duty of a driver in an accident; amending
2 RCW 46.52.020; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.52.020 and 1990 c 210 s 2 are each amended to read
5 as follows:

6 (1) A driver of any vehicle involved in an accident resulting in
7 the injury to or death of any person shall immediately stop such
8 vehicle at the scene of such accident or as close thereto as possible
9 but shall then forthwith return to, and in every event remain at, the
10 scene of such accident until he has fulfilled the requirements of
11 subsection (3) of this section; every such stop shall be made without
12 obstructing traffic more than is necessary.

13 (2) The driver of any vehicle involved in an accident resulting
14 only in damage to a vehicle which is driven or attended by any person
15 or damage to other property (~~shall immediately stop such vehicle at
16 the scene of such accident or as close thereto as possible and shall
17 forthwith~~) must move the vehicle as soon as possible off the freeway
18 main lanes, ramps, shoulders, medians, and adjacent areas to a location
19 on the frontage road, the nearest suitable cross street, or other

1 suitable location. The driver must immediately return to, and in any
2 event shall remain at, the scene of such accident until he has
3 fulfilled the requirements of subsection (3) of this section(~~(every~~
4 ~~such stop shall be made without obstructing traffic more than is~~
5 ~~necessary)~~). Moving the vehicle in no way affects fault for an
6 accident. An officer or agency employee may cause a motor vehicle,
7 cargo, or debris to be moved or eliminate any such obstruction; and
8 neither the agency employee, nor anyone acting under the direction of
9 the officer or employee is liable for any damage to the motor vehicle,
10 cargo, or debris caused by the removal.

11 (3) Unless otherwise provided in subsection (7) of this section the
12 driver of any vehicle involved in an accident resulting in injury to or
13 death of any person or damage to any vehicle which is driven or
14 attended by any person or damage to other property shall give his name,
15 address, insurance company, insurance policy number, and vehicle
16 license number and shall exhibit his vehicle driver's license to any
17 person struck or injured or the driver or any occupant of, or any
18 person attending, any such vehicle collided with and shall render to
19 any person injured in such accident reasonable assistance, including
20 the carrying or the making of arrangements for the carrying of such
21 person to a physician or hospital for medical treatment if it is
22 apparent that such treatment is necessary or if such carrying is
23 requested by the injured person or on his behalf. Under no
24 circumstances shall the rendering of assistance or other compliance
25 with the provisions of this subsection be evidence of the liability of
26 any driver for such accident.

27 (4) Any driver covered by the provisions of subsection (1) of this
28 section failing to stop or comply with any of the requirements of
29 subsection (3) of this section under said circumstances shall be guilty
30 of a class C felony and, upon conviction, be punished pursuant to RCW
31 9A.20.020(~~(PROVIDED, That)~~). This provision shall not apply to any
32 person injured or incapacitated by such accident to the extent of being
33 physically incapable of complying herewith.

34 (5) Any driver covered by the provisions of subsection (2) of this
35 section failing to stop or to comply with any of the requirements of
36 subsection (3) of this section under said circumstances shall be guilty
37 of a gross misdemeanor(~~(PROVIDED, That)~~). This provision shall not
38 apply to any person injured or incapacitated by such accident to the
39 extent of being physically incapable of complying herewith.

1 (6) The license or permit to drive or any nonresident privilege to
2 drive of any person convicted under this section or any local ordinance
3 consisting of substantially the same language as this section of
4 failure to stop and give information or render aid following an
5 accident with any vehicle driven or attended by any person shall be
6 revoked by the department.

7 (7) If none of the persons specified are in condition to receive
8 the information to which they otherwise would be entitled under
9 subsection (3) of this section, and no police officer is present, the
10 driver of any vehicle involved in such accident after fulfilling all
11 other requirements of subsections (1) and (3) of this section insofar
12 as possible on his part to be performed, shall forthwith report such
13 accident to the nearest office of the duly authorized police authority
14 and submit thereto the information specified in subsection (3) of this
15 section.

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