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**SUBSTITUTE HOUSE BILL 1649**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representative Kessler)

Read first time . Referred to Committee on .

1 AN ACT Relating to hit and run causing injury to the body of a  
2 deceased person; amending 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 2000 c 66 s 1 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 or involving striking the body of  
8 a deceased person shall immediately stop such vehicle at the scene of  
9 such accident or as close thereto as possible but shall then forthwith  
10 return to, and in every event remain at, the scene of such accident  
11 until he or she has fulfilled the requirements of subsection (3) of  
12 this section; every such stop shall be made without obstructing traffic  
13 more than is necessary.

14 (2) The driver of any vehicle involved in an accident resulting  
15 only in damage to a vehicle which is driven or attended by any person  
16 or damage to other property shall immediately stop such vehicle at the  
17 scene of such accident or as close thereto as possible and shall  
18 forthwith return to, and in any event shall remain at, the scene of  
19 such accident until he or she has fulfilled the requirements of

1 subsection (3) of this section; every such stop shall be made without  
2 obstructing traffic more than is necessary.

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

20 (4)(a) Any driver covered by the provisions of subsection (1) of  
21 this section failing to stop or comply with any of the requirements of  
22 subsection (3) of this section in the case of an accident resulting in  
23 death is guilty of a class B felony and, upon conviction, is punishable  
24 according to chapter 9A.20 RCW.

25 (b) Any driver covered by the provisions of subsection (1) of this  
26 section failing to stop or comply with any of the requirements of  
27 subsection (3) of this section in the case of an accident resulting in  
28 injury is guilty of a class C felony and, upon conviction, is  
29 punishable according to chapter 9A.20 RCW.

30 (c) Any driver covered by the provisions of subsection (1) of this  
31 section failing to stop or comply with any of the requirements of  
32 subsection (3) of this section in the case of an accident involving  
33 striking the body of a deceased person is guilty of a gross  
34 misdemeanor.

35 (d) This subsection shall not apply to any person injured or  
36 incapacitated by such accident to the extent of being physically  
37 incapable of complying with this section.

38 (5) Any driver covered by the provisions of subsection (2) of this  
39 section failing to stop or to comply with any of the requirements of

1 subsection (3) of this section under said circumstances shall be guilty  
2 of a gross misdemeanor: PROVIDED, That this provision shall not apply  
3 to any person injured or incapacitated by such accident to the extent  
4 of being physically incapable of complying herewith.

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

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

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