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HOUSE BILL 1649

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State of Washington

57th Legislature

2001 Regular Session

By Representative Kessler

Read first time 01/31/2001. Referred to Committee on Judiciary.

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

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

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

30 (c) This subsection shall not apply to any person injured or  
31 incapacitated by such accident to the extent of being physically  
32 incapable of complying with this section.

33 (5) Any driver covered by the provisions of subsection (2) of this  
34 section failing to stop or to comply with any of the requirements of  
35 subsection (3) of this section under said circumstances shall be guilty  
36 of a gross misdemeanor: PROVIDED, That this provision shall not apply  
37 to any person injured or incapacitated by such accident to the extent  
38 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 or her part to be performed, shall forthwith report  
13 such accident to the nearest office of the duly authorized police  
14 authority and submit thereto the information specified in subsection  
15 (3) of this section.

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