

---

HOUSE BILL 2345

---

State of Washington

57th Legislature

2002 Regular Session

By Representatives Lovick, Delvin, O'Brien, Morell, Berkey, Casada,  
Conway and Wood

Read first time 01/15/2002. Referred to Committee on Transportation.

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 2001 c 145 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)(a) 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  
17 the scene of such accident or as close thereto as possible and shall  
18 forthwith return to, and in any event~~) must move the vehicle as soon  
19 as possible off the roadway or freeway main lanes, shoulders, medians,

1 and adjacent areas to a location on an exit ramp shoulder, the frontage  
2 road, the nearest suitable cross street, or other suitable location.  
3 The driver shall remain at((7)) the ((scene of such accident)) suitable  
4 location until he or she has fulfilled the requirements of subsection  
5 (3) of this section((; every such stop shall be made without  
6 obstructing traffic more than is necessary)). Moving the vehicle in no  
7 way affects fault for an accident.

8 (b) A law enforcement officer or representative of the department  
9 of transportation may cause a motor vehicle, cargo, or debris to be  
10 moved from the roadway; and neither the department of transportation  
11 representative, nor anyone acting under the direction of the officer or  
12 the department of transportation representative is liable for damage to  
13 the motor vehicle, cargo, or debris caused by reasonable efforts of  
14 removal.

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

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

37 (b) Any driver covered by the provisions of subsection (1) of this  
38 section failing to stop or comply with any of the requirements of  
39 subsection (3) of this section in the case of an accident resulting in

1 injury is guilty of a class C felony and, upon conviction, is  
2 punishable according to chapter 9A.20 RCW.

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

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

11 (5) Any driver covered by the provisions of subsection (2) of this  
12 section failing to stop or to comply with any of the requirements of  
13 subsection (3) of this section under said circumstances shall be guilty  
14 of a gross misdemeanor: PROVIDED, That this provision shall not apply  
15 to any person injured or incapacitated by such accident to the extent  
16 of being physically incapable of complying herewith.

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

23 (7) If none of the persons specified are in condition to receive  
24 the information to which they otherwise would be entitled under  
25 subsection (3) of this section, and no police officer is present, the  
26 driver of any vehicle involved in such accident after fulfilling all  
27 other requirements of subsections (1) and (3) of this section insofar  
28 as possible on his or her part to be performed, shall forthwith report  
29 such accident to the nearest office of the duly authorized police  
30 authority and submit thereto the information specified in subsection  
31 (3) of this section.

--- END ---