
SUBSTITUTE SENATE BILL 5961

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Haugen, Goings, Gardner, Benton, Patterson, Eide, Morton, Sellar, T. Sheldon, Jacobsen, Winsley and Rasmussen)

Read first time 03/05/99.

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)(a) 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 return to, and in any event~~) must move the vehicle as soon
18 as possible off the roadway or freeway main lanes, shoulders, medians,
19 and adjacent areas to a location on an exit ramp shoulder, the frontage

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

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

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

30 (4) 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 under said circumstances shall be guilty
33 of a class C felony and, upon conviction, be punished pursuant to RCW
34 9A.20.020((;- PROVIDED, That)). This provision shall not apply to any
35 person injured or incapacitated by such accident to the extent of being
36 physically incapable of complying herewith.

37 (5) Any driver covered by the provisions of subsection (2) of this
38 section failing to stop or to comply with any of the requirements of
39 subsection (3) of this section under said circumstances shall be guilty

1 of a gross misdemeanor(~~(: PROVIDED, That)~~). This provision shall not
2 apply to any person injured or incapacitated by such accident to the
3 extent of being physically incapable of complying herewith.

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

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

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