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SENATE BILL 5961

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State of Washington

56th Legislature

1999 Regular Session

By Senators Haugen, Goings, Gardner, Benton, Patterson, Eide, Morton, Sellar, T. Sheldon, Jacobsen, Winsley and Rasmussen

Read first time 02/18/1999. 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 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 any  
12 damage to the motor vehicle, cargo, or debris caused by the removal.

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

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

36 (5) Any driver covered by the provisions of subsection (2) of this  
37 section failing to stop or to comply with any of the requirements of  
38 subsection (3) of this section under said circumstances shall be guilty  
39 of a gross misdemeanor(~~(;- PROVIDED, That)~~). This provision shall not

1 apply to any person injured or incapacitated by such accident to the  
2 extent of being physically incapable of complying herewith.

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

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

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