

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1649

Chapter 145, Laws of 2001

57th Legislature
2001 Regular Legislative Session

HIT AND RUN ACCIDENTS--DECEASED PERSONS

EFFECTIVE DATE: 7/22/01

Passed by the House March 12, 2001
Yeas 96 Nays 2

FRANK CHOPP
**Speaker of the House of
Representatives**

CLYDE BALLARD
**Speaker of the House of
Representatives**

Passed by the Senate April 9, 2001
Yeas 49 Nays 0

BRAD OWEN
President of the Senate

Approved May 2, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1649** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

May 2, 2001 - 10:37 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1649

Passed Legislature - 2001 Regular Session

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.

Passed the House March 12, 2001.

Passed the Senate April 9, 2001.

Approved by the Governor May 2, 2001.

Filed in Office of Secretary of State May 2, 2001.