

# 2001 RECONVENED SESSION

## HOUSE SUBSTITUTE

011988216

### HOUSE BILL NO. 2239

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor  
on March 26, 2001)

(Patron Prior to Substitute—Delegate Day)

*A BILL to amend and reenact §§ 46.2-894, 46.2-900 and 46.2-901 of the Code of Virginia, relating to the duty of a driver of a vehicle to stop at an accident; penalty.*

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-894, 46.2-900 and 46.2-901 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-894. Duty of driver to stop, etc., in event of accident involving injury or death or damage to attended property.

The driver of any vehicle involved in an accident in which a person is killed or injured or in which an attended vehicle or other attended property is damaged shall immediately stop as close to the scene of the accident as possible without obstructing traffic, as provided in § 46.2-888, and report his name, address, driver's license number, and vehicle registration number forthwith to the State Police or local law-enforcement agency, to the person struck and injured if such person appears to be capable of understanding and retaining the information, or to the driver or some other occupant of the vehicle collided with or to the custodian of other damaged property. The driver shall also render reasonable assistance to any person injured in such accident, including taking such injured person to a physician, surgeon, or hospital if it is apparent that medical treatment is necessary or is requested by the injured person.

Where, because of injuries sustained in the accident, the driver is prevented from complying with the foregoing provisions of this section, the driver shall, as soon as reasonably possible, make the required report to the State Police or local law-enforcement agency and make a reasonable effort to locate the person struck, or the driver or some other occupant of the vehicle collided with, or the custodian of the damaged property, and report to such person or persons his name, address, driver's license number, and vehicle registration number.

*Any person who violates any provision of this section shall be guilty of a Class 5 felony.*

§ 46.2-900. Penalty for violation of §§ 46.2-895 through 46.2-897.

Any person convicted of violating the provisions of §§ 46.2-894 46.2-895 through 46.2-897 shall, if such accident results in injury to or the death of any person, be guilty of a Class 6 felony. If such accident results only in damage to property, the person so convicted shall be guilty of a Class 1 misdemeanor; however, if the vehicle or other property struck is unattended and such damage is less than \$250, such person shall be guilty of a Class 4 misdemeanor. A motor vehicle operator convicted of a Class 4 misdemeanor under this section shall be assigned three demerit points by the Commissioner of the Department of Motor Vehicles.

§ 46.2-901. Suspension of driver's license for failure to report certain accidents.

Any person convicted of violating the provisions of §§ 46.2-894 through 46.2-897 may be punished, in addition to the penalties provided in §§ 46.2-894 and 46.2-900, if such accident resulted only in damage to property and such damage exceeded \$ 500, by suspension of his license or privilege to operate a motor vehicle on the highways of the Commonwealth for a period not to exceed six months by the court. This section shall in no case be construed to limit the authority or duty of the Commissioner with respect to revocation of licenses for violation of §§ 46.2-894 through 46.2-897 as provided in Article 10 (§ 46.2-364 et seq.) of Chapter 3 of this title. Any license revoked under the provisions of this section shall be surrendered to the court to be disposed of in accordance with the provisions of § 46.2-398.

**2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined.**

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HB2239H1