

1 **HANDLING OF MINOR TRAFFIC ACCIDENTS**

2 2008 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Eric K. Hutchings**

5 Senate Sponsor: Michael G. Waddoups

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicles Code by amending provisions relating to a
10 vehicle operator's responsibilities for certain traffic accidents.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires an operator of a vehicle involved in an accident resulting only in damage to
14 another vehicle or property to move the vehicle as soon as possible off the roadway
15 or freeway main lines, shoulders, medians, or adjacent areas to a location on an exit
16 ramp shoulder, a frontage road, the nearest suitable cross street, or other suitable
17 location that does not obstruct traffic;
- 18 ▶ provides that moving a vehicle does not affect the determination of fault for an
19 accident; and
- 20 ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **41-6a-401**, as last amended by Laws of Utah 2007, Chapter 132



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6a-401** is amended to read:

41-6a-401. Accident involving property damage -- Duties of operator, occupant, and owner -- Exchange of information -- Notification of law enforcement -- Penalties.

(1) (a) The operator of a vehicle involved in an accident resulting only in damage to another vehicle or other property shall:

~~[(a) immediately stop the vehicle at the scene of the accident or as close as possible without obstructing traffic more than is necessary; and]~~

(i) move the vehicle as soon as possible off the roadway or freeway main lines, shoulders, medians, or adjacent areas to a location on an exit ramp shoulder, a frontage road, the nearest suitable cross street, or other suitable location that does not obstruct traffic; and

~~[(b)]~~ (ii) remain at the [scene of the accident] location described in Subsection (1)(a) until the operator has fulfilled the requirements of this section.

(b) Moving a vehicle as required under Subsection (1)(a)(i) does not affect the determination of fault for an accident.

(2) Except as provided under Subsection (5), if the vehicle or other property is operated, occupied, or attended by any person or if the owner of the vehicle or property is present, the operator of the vehicle involved in the accident shall:

(a) give to the persons involved:

(i) the operator's name, address, and the registration number of the vehicle being operated; and

(ii) the name of the insurance provider covering the vehicle being operated including the phone number of the agent or provider; and

(b) upon request and if available, exhibit the operator's license to:

(i) any investigating peace officer present;

(ii) the operator, occupant of, or person attending the vehicle or other property damaged in the accident; and

(iii) the owner of property damaged in the accident, if present.

(3) The operator of a vehicle involved in an accident shall immediately and by the quickest means of communication available give notice or cause to give notice of the accident

59 to the nearest office of a law enforcement agency if the accident resulted in property damage to
60 an apparent extent of \$1,000 or more.

61 (4) Except as provided under Subsection (5), if the vehicle or other property damaged
62 in the accident is unattended, the operator of the vehicle involved in the accident shall:

63 (a) locate and notify the operator or owner of the vehicle or the owner of other property
64 damaged in the accident of the operator's name, address, and the registration number of the
65 vehicle causing the damage; or

66 (b) attach securely in a conspicuous place on the vehicle or other property a written
67 notice giving the operator's name, address, and the registration number of the vehicle causing
68 the damage.

69 (5) The operator of a vehicle that provides the information required under this section
70 to an investigating peace officer at the scene of the accident is exempt from providing the
71 information to other persons required under this section.

72 (6) (a) A person who violates the provisions of Subsection (1) is guilty of a class B
73 misdemeanor.

74 (b) A person who violates the provision of Subsection (4) is guilty of a class B
75 misdemeanor.

Legislative Review Note
as of 2-7-08 12:57 PM

Office of Legislative Research and General Counsel

H.B. 452 - Handling of Minor Traffic Accidents

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
