

## H.B. 24

# TRAFFIC ACCIDENT CLEARANCE AMENDMENTS

Representative **Eric K. Hutchings** proposes the following amendments:

1. *Page 1, Lines 21 through 23:*

21           ▶     increases the property damage limit from \$1,000 to {~~\$2,000~~} \$1,500 for requiring an  
operator  
22     of a vehicle to give notice of an accident to the nearest office of a law enforcement  
23     agency;

2. *Page 1, Line 26 through Page 2, Line 29:*

26           ▶     authorizes {~~the Department of Transportation or~~} a law enforcement agency with  
jurisdiction to remove  
27     a vehicle, cargo, or other personal property that has been damaged or spilled within  
28     the right-of-way of a roadway on the state highway system, is blocking the roadway, or is  
29     endangering public safety;

3. *Page 2, Lines 30 through 36:*

30           ▶     provides that the Department of Transportation or a law enforcement agency shall not be  
held responsible for any  
31     damages or claims that result from exercising the authority or the failure to exercise the authority to  
remove a  
32     vehicle, cargo, or personal property; and  
33                 {~~requires the owner and carrier, if any, of the vehicle, cargo, or personal property~~  
34     ~~removed or disposed of to reimburse the Department of Transportation or other law~~  
35     ~~enforcement agency for all costs incurred in removing and subsequently disposing~~  
36     ~~of the property; and~~}

4. *Page 2, Lines 56 through 57:*

56           (i) move the vehicle as soon as possible off the roadway or freeway main lines,  
57     shoulders, medians, or adjacent areas to {~~a~~} the nearest safe location on an exit ramp shoulder, a  
frontage road,

5. *Page 3, Lines 76 through 79:*

76           (3) The operator of a vehicle involved in an accident shall immediately and by the

77      quickest means of communication available give notice or cause to give notice of the accident  
78      to the nearest office of a law enforcement agency if the accident resulted in property damage to  
79      an apparent extent of [\$1,000]   {~~\$2,000~~}   \$1,500   or more.

6.   *Page 4, Lines 98 through 100:*

98           (1) As a result of a motor vehicle accident,   {~~the Department of Transportation or~~}   a law  
99      enforcement agency   with jurisdiction   may, without the consent of the owner or carrier, remove a vehicle,  
    cargo,  
100     or other personal property that:

7.   *Page 4, Lines 105 through 111:*

105           (2) The Department of Transportation or a law enforcement agency shall not be held  
106      responsible for any damages or claims that result from   exercising any authority or   the failure to exercise  
    any authority  
107      granted under this section provided they are acting in good faith.  
108           {~~(3) The owner and carrier, if any, of the vehicle, cargo, or personal property removed~~  
109      or disposed of in accordance with this section shall reimburse the Department of  
110      Transportation or other law enforcement agency for all costs incurred in the removal and  
111      subsequent disposition of the vehicle, cargo, or personal property.}