

HB0313S01 compared with HB0313

~~{deleted text}~~ shows text that was in HB0313 but was deleted in HB0313S01.

Inserted text shows text that was not in HB0313 but was inserted into HB0313S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Steve Eliason proposes the following substitute bill:

HIT AND RUN AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the penalties for a hit and run accident involving property damage.

Highlighted Provisions:

This bill:

- ▶ ~~{changes}~~ modifies the penalty for a hit and run ~~{offense from a class C misdemeanor}~~ accident involving property damage to a class B misdemeanor ~~{if the}~~ for an operator that:

- has ~~{reason to believe}~~ knowledge that the operator ~~{may have been}~~ was involved in an accident and fails to comply with the statutory requirements;
~~{and~~

~~—————> changes the penalty for a hit and run offense from a class B misdemeanor to a class A misdemeanor if the operator has knowledge}~~ or

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- has reason to believe that the operator was involved in an accident and fails to comply with the statutory requirements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-401, as last amended by Laws of Utah 2018, Chapter 272

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) As used in this section:

(a) "Knowledge" or "with knowledge" means, with respect to an individual's own conduct or to circumstances surrounding an individual's conduct, that the individual is aware of the nature of the conduct or the existing circumstances.

(b) "Reason to believe" means information from which a reasonable person would believe that the person may have been involved in an accident.

(2) (a) The operator of a vehicle with knowledge that the operator was involved in, or who has reason to believe that the operator may have been involved in, an accident resulting only in damage to another vehicle or other property:

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

(ii) shall remain at the scene of the accident or the location described in Subsection (2)(a)(i) until the operator has fulfilled the requirements of this section.

(b) Moving a vehicle as required under Subsection (2)(a)(i) does not affect the determination of fault for an accident.

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(c) If the operator has knowledge that the operator was involved in, or reason to believe that the operator may have been involved in, an accident resulting in damage to another vehicle or other property only after leaving the scene of the accident, the operator shall immediately comply as nearly as possible with the requirements of this section.

(3) Except as provided under Subsection (6), 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.

(4) 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 to the nearest office of a law enforcement agency if the accident resulted in property damage to an apparent extent of \$1,500 or more.

(5) Except as provided under Subsection (6), if the vehicle or other property damaged in the accident is unattended, the operator of the vehicle involved in the accident shall:

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

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

(6) The operator of a vehicle that provides the information required under this section to an investigating peace officer at the scene of the accident is exempt from providing the

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information to other persons required under this section.

(7) ~~[(a)]~~ An operator of a vehicle that has knowledge or has reason to believe that the operator may have been involved in an accident and fails to comply with the provisions of this section is guilty of a class [C] B misdemeanor.

~~[(b) An operator of a vehicle that has knowledge that the operator was involved in an accident and fails to comply with the provisions of this section is guilty of a class ~~{B}~~ ~~{A}~~ misdemeanor.]~~