

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

H

D

HOUSE DRH70157-RK-31 (02/28)

Short Title: Fleeing Accident Scene/Increase Penalty.

(Public)

Sponsors: Representative Moore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR LEAVING THE SCENE OF AN
ACCIDENT WHERE A VICTIM HAS SUFFERED SERIOUS BODILY INJURY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-166(a) reads as rewritten:

"(a) The driver of any vehicle who knows or reasonably should know:

(1) That the vehicle which he or she is operating is involved in an accident
or collision; and

(2) That the accident or collision has resulted in injury or death to any
person;

shall immediately stop his or her vehicle at the scene of the accident or collision. The driver shall remain with the vehicle at the scene of the accident until a law-enforcement officer completes the investigation of the accident or collision or authorizes the driver to leave and the vehicle to be removed, unless remaining at the scene places the driver or others at significant risk of injury.

Prior to the completion of the investigation of the accident by a law enforcement officer, or the consent of the officer to leave, the driver may not facilitate, allow, or agree to the removal of the vehicle from the scene for any purpose other than to call for a law enforcement officer, to call for medical assistance or medical treatment as set forth in subsection (b) of this section, or to remove oneself or others from significant risk of injury. If the driver does leave for a reason permitted by this subsection, then the driver must return with the vehicle to the accident scene within a reasonable period of time, unless otherwise instructed by a law enforcement officer. A willful violation of this subsection shall be punished as (i) a Class H felony-felony, or (ii) a Class F felony if any person suffers death or serious bodily injury. For the purposes of this subsection, "serious bodily injury" is defined as set forth in G.S. 14-32.4(a)."

1 **SECTION 2.** This act becomes effective December 1, 2007, and applies to
2 offenses committed on or after that date.