

FINAL BILL REPORT

SHB 1649

C 145 L 01

Synopsis as Enacted

Brief Description: Including striking the body of a deceased person within hit and run.

Sponsors: By House Committee on Judiciary (originally sponsored by Representative Kessler).

House Committee on Judiciary
Senate Committee on Judiciary

Background:

A driver of a vehicle involved in an accident must remain at the scene and provide required information, including the driver's name, address, and insurer, to any person struck or injured or any person occupying a vehicle that has been struck. The driver must also provide reasonable assistance to a person injured in an accident. A driver who is incapable of complying due to injuries sustained in the accident is not subject to penalty.

Failure to remain at the scene in the case of an accident resulting in death is a class B felony. Failure to remain at the scene of an accident resulting in injury to a person is a class C felony.

In a recent case, the Washington Court of Appeals considered whether or not the term person— as used in the hit and run statute included a dead body. The court concluded that the hit and run statute did not apply to a driver who hit the body of a person already deceased because a dead body is not a person under this statute.

Accordingly, because the statute makes it a crime for any hit and run causing injury to a person, it is not a crime for a hit and run causing injury to the body of a deceased person.

Summary:

A driver who commits a hit and run involving striking the body of a deceased person is guilty of a gross misdemeanor.

Votes on Final Passage:

House 96 2

Senate 49 0

Effective: July 22, 2001