

House File 428 - Introduced

HOUSE FILE 428

BY HEDDENS and NUNN

A BILL FOR

1 An Act relating to reporting accidents resulting in injury or
2 death, and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.266A Continuing duty to report
2 accidents — injury or death.

3 1. A person operating a motor vehicle who leaves the scene
4 of a motor vehicle accident without knowledge that the accident
5 resulted in injury to or death of another person shall give
6 notice of the accident to the sheriff of the county in which
7 the accident occurred, or the nearest office of the state
8 patrol, or to any other peace officer as near as practicable
9 to the place where the accident occurred immediately after the
10 person obtains knowledge that the accident resulted in injury
11 to or death of another person or that the accident was of such
12 a nature that a reasonable person would anticipate that the
13 accident resulted in injury to or death of another person.

14 2. A person who violates this section is guilty of one of
15 the following:

16 a. If the accident resulted in an injury to a person, a
17 serious misdemeanor.

18 b. If the accident resulted in a serious injury, as defined
19 in section 702.18, to a person, an aggravated misdemeanor.

20 c. If the accident resulted in the death of a person, a
21 class "D" felony.

22 3. A person charged with a violation of this section shall
23 not be charged with a violation of section 321.261, 321.263,
24 or 321.266.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill requires a person operating a motor vehicle
29 who leaves the scene of a motor vehicle accident without
30 knowledge that the accident resulted in injury to or death of
31 another person to give notice of the accident to the sheriff
32 of the county in which the accident occurred, or the nearest
33 office of the state patrol, or to any other peace officer as
34 near as practicable to the place where the accident occurred
35 immediately after the person obtains knowledge that the

1 accident resulted in injury to or death of another person or
2 that the accident was of such a nature that a reasonable person
3 would anticipate that the accident resulted in injury to or
4 death of another person.

5 A person who violates the provisions of the bill is guilty of
6 a serious misdemeanor if the accident resulted in an injury, an
7 aggravated misdemeanor if the accident resulted in a serious
8 injury, or a class "D" felony if the accident resulted in a
9 death. A serious misdemeanor is punishable by a fine of at
10 least \$315 but not to exceed \$1,875 and imprisonment not to
11 exceed one year. An aggravated misdemeanor is punishable by a
12 fine of at least \$625 but not to exceed \$6,250 and imprisonment
13 not to exceed two years. A class "D" felony is punishable
14 by a fine of at least \$750 but not to exceed \$7,500 and
15 imprisonment not to exceed five years. The bill prohibits a
16 person charged with a violation of the bill from being charged
17 with a violation of Code section 321.261, 321.263, or 321.266.