

**House Study Bill 118 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON BEST)

**A BILL FOR**

1 An Act relating to motor vehicle accidents resulting in injury  
2 or death, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.209, subsection 3, Code 2021, is  
2 amended to read as follows:

3 3. Failure to stop and render aid as required under the laws  
4 of this state or to otherwise comply with section 321.261 in  
5 the event of a motor vehicle accident resulting in the death  
6 or personal injury of another.

7 Sec. 2. Section 321.261, subsection 1, Code 2021, is amended  
8 to read as follows:

9 1. a. The driver of any vehicle who knows or has reason to  
10 believe that the driver's vehicle was involved in an accident  
11 resulting in injury to or death of any person shall immediately  
12 stop the vehicle at the scene of the accident or as close as  
13 possible and if able, shall then return to and remain at the  
14 scene of the accident in accordance with section 321.263.  
15 Every such stop shall be made without obstructing traffic more  
16 than is necessary.

17 b. If the driver of a vehicle leaves the scene of an  
18 accident resulting in injury to or death of a person without  
19 knowledge or reason to believe that the driver's vehicle was  
20 involved in the accident, and later discovers that the driver's  
21 vehicle may have been involved in an accident that resulted in  
22 injury to or death of a person, the driver shall, as soon as  
23 reasonably possible, make a good-faith effort to immediately  
24 contact emergency services or make a 911 call and provide the  
25 dispatcher with any requested information described in section  
26 321.263 and the location and possible time of the accident.

27 Sec. 3. Section 321.555, subsection 1, paragraph f, Code  
28 2021, is amended to read as follows:

29 f. Failure to stop and leave information, ~~or~~ to render aid  
30 ~~as required by,~~ or to otherwise comply with sections 321.261  
31 and 321.263.

32 EXPLANATION

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

35 Under current law, the driver of a vehicle involved in an

1 accident resulting in injury to or death of a person must  
2 immediately stop the vehicle at the scene of the accident or  
3 as close as possible and if able, must then return to and  
4 remain at the scene of the accident. This bill applies the  
5 provision to a driver who knows or has reason to believe that  
6 the driver's vehicle was involved in an accident resulting in  
7 injury to or death of a person.

8 The bill provides that if a driver leaves the scene of an  
9 accident resulting in injury to or death of a person without  
10 knowledge or reason to believe that the driver's vehicle was  
11 involved in the accident, and later discovers that the driver's  
12 vehicle may have been involved in an accident that resulted in  
13 injury to or death of a person, the driver must, as soon as  
14 reasonably possible, make a good-faith effort to immediately  
15 contact emergency services or make a 911 call and provide  
16 the dispatcher with any requested information described in  
17 Code section 321.263 and the location and possible time of  
18 the accident. Under Code section 321.263, such information  
19 includes the driver's name, address, registration number of  
20 the vehicle or other information on the registration receipt,  
21 driver's license information, and other identification data.

22 A person who violates Code section 321.261 relating to  
23 an accident resulting in an injury is guilty of a serious  
24 misdemeanor. A serious misdemeanor is punishable by  
25 confinement for no more than one year and a fine of at least  
26 \$430 but not more than \$2,560. A person who violates Code  
27 section 321.261 relating to an accident resulting in a serious  
28 injury is guilty of an aggravated misdemeanor. An aggravated  
29 misdemeanor is punishable by confinement for no more than two  
30 years and a fine of at least \$855 but not more than \$8,540.  
31 A person who violates Code section 321.261 relating to an  
32 accident resulting in death is guilty of a class "D" felony.  
33 A class "D" felony is punishable by confinement for no more  
34 than five years and a fine of at least \$1,025 but not more  
35 than \$10,245. A violation of Code section 321.261 is subject

H.F. \_\_\_\_\_

1 to mandatory driver's license revocation under Code section  
2 321.209, is considered an offense for purposes of habitual  
3 offender status under Code section 321.555, and may result  
4 in exclusion from an automobile insurance policy under Code  
5 section 515D.4.