

## CHAPTER 180

### MOTOR VEHICLE ACCIDENTS RESULTING IN INJURY OR DEATH

H.F. 524

**AN ACT** relating to motor vehicle accidents resulting in injury or death, providing penalties, and making penalties applicable.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. [Section 321.209, subsection 3](#), Code 2021, is amended to read as follows:

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

Sec. 2. [Section 321.261, subsection 1](#), Code 2021, is amended to read as follows:

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

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

Sec. 3. [Section 321.261, subsections 3 and 4](#), Code 2021, are amended to read as follows:

3. a. Notwithstanding [subsection 2](#), any person failing to stop or to comply with the requirements in [subsection 1](#), in the event of an accident resulting in a serious injury to any person, is guilty upon conviction of an aggravated misdemeanor.

b. Notwithstanding paragraph "a", the driver of a vehicle who knows or has reason to believe that the driver's vehicle caused an accident resulting in a serious injury to one or more persons, and who fails to stop or comply with the requirements of [subsection 1](#), is guilty upon conviction of a class "D" felony.

c. For purposes of [this section subsection](#), "serious injury" means as defined in [section 702.18](#).

4. a. A person failing to stop or to comply with the requirements in [subsection 1](#), in the event of an accident resulting in the death of a person, is guilty upon conviction of a class "D" felony.

b. Notwithstanding paragraph "a", the driver of a vehicle who knows or has reason to believe that the driver's vehicle caused an accident resulting in the death of one or more persons, and who fails to stop or comply with the requirements of [subsection 1](#), is guilty upon conviction of a class "C" felony.

Sec. 4. [Section 321.261](#), Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Notwithstanding any other provision of law to the contrary, any person who has suffered physical, emotional, or financial harm as the result of a motor vehicle accident from which another person who caused the accident failed to stop or to comply with the requirements of [subsection 1](#), as described in [subsection 3](#), paragraph "b", and [subsection 4](#), paragraph "b", shall be considered a victim pursuant to [chapter 915, subchapter II](#), for purposes of any related proceedings against the other person.

Sec. 5. [Section 321.555, subsection 1](#), paragraph f, Code 2021, is amended to read as follows:

*f.* Failure to stop and leave information, ~~or to render aid as required by, or to otherwise comply with~~ [sections 321.261](#) and [321.263](#).

Approved June 16, 2021