

1999 ASSEMBLY BILL 543

October 20, 1999 – Introduced by Representatives STONE, JENSEN, BRANDEMUEHL, URBAN, HAHN, ALBERS, HANDRICK, VRAKAS, KELSO, RYBA and NASS, cosponsored by Senators HUELSMAN and DARLING. Referred to Committee on Highway Safety.

1 **AN ACT** *to amend* 346.67 (title) and (1) (intro.), 346.67 (1) (a) and 346.67 (1) (b)
 2 of the statutes; **relating to:** the duty of a motor vehicle operator who is involved
 3 in an accident with a person or an attended or occupied vehicle.

Analysis by the Legislative Reference Bureau

Under current law, the operator of a motor vehicle who is involved in an accident with an attended or occupied vehicle or with a pedestrian that results in injury or death to a person or damage to a motor vehicle is required to stop at the scene of the accident and provide assistance to any injured person. The operator is also required to provide his or her name, address, driver's license and the registration number of his or her vehicle to any person who is struck and to the owner or operator of any vehicle that is struck. A motor vehicle operator who fails to stop at the scene of an accident and provide the required information and assistance may, depending on the severity of the injuries caused by the accident, be subject to a maximum fine of \$10,000 or imprisonment for up to five years, or both. If the accident occurs on or after December 31, 1999, the motor vehicle operator may be subject to a maximum fine of \$10,000 or imprisonment for up to seven years, or both.

This bill extends the duty to stop at the scene of an accident that results in injury or death to a person or damage to a motor vehicle to the operator of a motor vehicle if the operator knew or should have known that his or her actions caused the accident. An operator who knew or should have known that his or her actions caused an accident and who fails to stop at the scene of the accident and provide any required information and assistance is subject to the same penalties as those currently

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imposed upon the operator of a motor vehicle who is involved in an accident and who fails to stop at the scene of the accident.

This bill also expands the requirements that are imposed on a motor vehicle operator who is required to stop at the scene of an accident. Under this bill, a motor vehicle operator who is required to stop at the scene of an accident must provide his or her name, address, driver's license and vehicle registration number to any person who is struck or injured as a result of the accident and to the operator or occupant of any vehicle that is damaged as a result of the accident.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 346.67 (title) and (1) (intro.) of the statutes are amended to read:

2 **346.67 (title) Duty upon striking person or attended or occupied**
3 **vehicle or causing an accident. (1)** (intro.) The operator of any vehicle who is
4 involved in or who knew or should have known that his or her actions caused an
5 accident resulting in injury to or death of any person or in damage to a vehicle which
6 is driven or attended by any person shall immediately stop such his or her vehicle
7 at the scene of the accident or as close thereto as possible but shall then forthwith
8 return to and in every event shall remain at the scene of the accident until the
9 operator has fulfilled all of the following requirements:

10 **SECTION 2.** 346.67 (1) (a) of the statutes is amended to read:

11 346.67 **(1)** (a) The operator shall give his or her name, address and the
12 registration number of the vehicle he or she is driving to the any person struck or
13 injured as a result of the accident or to the operator or occupant of or person attending
14 any vehicle ~~collided with; and~~ that is damaged as a result of the accident.

15 **SECTION 3.** 346.67 (1) (b) of the statutes is amended to read:

16 346.67 **(1)** (b) The operator shall, upon request and if available, exhibit his or
17 her operator's license to the any person struck or injured as a result of the accident

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1 or to the operator or occupant of or person attending any vehicle ~~collided with; and~~
2 that is damaged as a result of the accident.

3 **SECTION 4. Initial applicability.**

4 (1) This act first applies to accidents occurring on the effective date of this
5 subsection.

6 (END)