



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 315
[2015 Assembly Bill 35]

Hit-and-Run Alerts

BACKGROUND

Various Duties in a Vehicular Accident

The statutes place a duty upon the operator of any vehicle involved in certain accidents to stop at the scene. Specifically, the operator of any vehicle involved in an accident that results in injury to or death of any person, or damage to a vehicle which is driven or attended by a person, to immediately stop at the scene of an accident, or as close as possible, and return to the scene and remain at the scene of the accident until the operator does all of the following:

- Gives his or her name, address, and the registration number of the vehicle he or she is driving to the person struck or to the operator or occupant of or person attending any vehicle with whom the operator collided.
- Upon request and if available, exhibits his or her operator's license to the person struck or to the operator or occupant of or person attending any vehicle with whom the operator collided.
- Renders reasonable assistance to any person injured in the accident, including transporting or making arrangements to transport the person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that medical or surgical treatment is necessary or if requested by the injured person.

The statutes also place a duty to immediately report certain accidents upon the operator or occupant of a vehicle. Specifically, the operator or occupant of a vehicle in an accident must immediately, by the quickest means of communication, give notice of such accident to the police department, the sheriff's department, or the traffic department of the county or municipality in

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

which the accident occurred or to a state traffic patrol officer if the accident results in: (1) injury¹ to or death of any person; (2) any damage to state or other government-owned property, except a state or other government-owned vehicle, to an apparent extent of \$200 or more; or (3) total damage to property owned by any one person or to a state or other government-owned vehicle to an apparent extent of \$1,000 or more.

Integrated Crime Alert Network

The Department of Justice (DOJ) administers and maintains an integrated crime alert network. It may use this network to provide information alerts to state agencies, law enforcement, or members of the private sector regarding criminal activity, crime prevention, and missing or endangered persons. Among the various requirements placed upon DOJ are the requirements that it: (1) maintain a list of persons that are engaged in broadcasting or outdoor advertising, that have agreed to be on the list, and that would be appropriate recipients of a report related to a missing “adult at risk”²; and (2) ensure that a law enforcement agency may access the network to disseminate a report regarding a missing adult at risk to persons on this list. Also, DOJ may charge a fee to members of the private sector who receive a report regarding criminal activity, crime prevention, and missing or endangered persons. However, DOJ may not charge a fee to members of the private sector who receive a report regarding a missing adult at risk.

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2015 Wisconsin Act 315 (“the Act”) requires DOJ to allow law enforcement agencies to use the integrated crime alert network to disseminate a report of a violation of the duty to either stop at the scene of an accident or to immediately report an accident (“hit-and-run incident”), discussed above, to entities that DOJ identifies as persons who can effectively broadcast or make public reports, if all of the following conditions are met:

- A person has been killed due to the accident that is related to the violation.
- The law enforcement agency has additional information that could help identify the person who has allegedly committed the violation or the vehicle involved in the violation.
- An alert could help avert further harm or aid in apprehending the person who allegedly committed the violation.

The Act requires a law enforcement agency that receives a report of a hit-and-run incident to disseminate the report through the integrated crime alert network if all of the conditions listed

¹ “Injury” means injury to a person of a physical nature resulting in death or the need of first aid or attention by a physician or surgeon, whether or not first aid or medical or surgical treatment was actually received. [s. 346.70 (1), Stats.]

² An “adult at risk” is an adult who has a developmental disability, who suffers from Alzheimer’s disease or dementia, or who suffers from or could, without access to medication, suffer from cognitive impairment if the impairment would likely render the adult incapable of getting to a familiar location without assistance. [s. 175.51 (1), Stats.]

above are met. The Act also requires that DOJ maintain a list of persons that can effectively broadcast or make public a hit-and-run report and prohibits DOJ from charging a fee to any person who receives a hit-and-run alert.

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