

# Legislative Analysis

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## HIT AND RUN INVOLVING SERIOUS IMPAIRMENT OR DEATH

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### House Bill 5842

Sponsor: Rep. John Stakoe  
Committee: Criminal Justice

Complete to 5-28-04

### A SUMMARY OF HOUSE BILL 5842 AS INTRODUCED 4-29-04

The bill would amend the Michigan Vehicle Code. Currently, a driver of a vehicle who knows or who has reason to believe that he or she has been involved in an accident that has resulted in the serious impairment of a body function or the death of a person is required to immediately stop at the scene of an accident and remain there until he or she fulfills the provisions of Section 619. A violation is a felony punishable by not more than five years imprisonment, a maximum fine of \$5,000, or both. If another person died as a result of the accident, the punishment is a maximum term of imprisonment of 15 years, a fine of not more than \$10,000, or both.

House Bill 5842 would revise this provision to instead require a driver who knew or had reason to believe that he or she had been involved in an accident to stop his or her vehicle and comply with the provisions of Section 619. (The language about serious impairment or death would be deleted.) The bill would also clarify that the five-year felony would be for an accident that resulted in serious impairment of a body function and the 15-year felony would be for an accident in which another person died.

Section 619 of the code requires a driver who knew or who had reason to believe that he or she had been involved in an accident resulting in injury or death to a person or damage to any vehicle to give his or her name, address, and car registration number, along with showing his or her driver's license, to a police officer, the person who had been struck, or the occupants of the other vehicle. In addition, the driver is required to render reasonable assistance in securing medical aid or transportation of any injured persons.

The bill would revise Section 619 by eliminating the element of "knowing" or "having reason to believe". Therefore, leaving the scene of an accident that resulted in death or injury to a person or damage to any vehicle would be a violation regardless of whether the person knew or had reason to believe that a person had been killed or injured or another vehicle had been damaged.

MCL 257.617 and 257.619

**FISCAL IMPACT:**

To the extent that the bill resulted in more convictions under these provisions, the bill could increase state and local corrections costs.

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