

SENATE BILL No. 471

By Committee on Judiciary

1-30

9 AN ACT concerning traffic violations; relating to the duties of drivers or
10 occupants to report accidents; amending K.S.A. 8-1602 and K.S.A.
11 2005 Supp. 8-1606 and repealing the existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 8-1602 is hereby amended to read as follows: 8-
15 1602. (a) The driver of any vehicle involved in an accident resulting in
16 injury to, *serious bodily injury to* or death of any person shall immediately
17 stop such vehicle at the scene of such accident, or as close thereto as
18 possible, but shall then forthwith return to and in every event shall remain
19 at the scene of the accident until ~~he or she~~ *the driver* has fulfilled the
20 requirements of K.S.A. 8-1604, *and amendments thereto*. Every such stop
21 shall be made without obstructing traffic more than is necessary.

22 ~~(b) Any person failing to stop or to comply with said requirements~~
23 ~~under such circumstances shall be guilty of a class A misdemeanor. A~~
24 ~~person who violates this section which results in:~~

25 (1) *Injury to any person shall be guilty of a class A person*
26 *misdemeanor.*

27 (2) *Serious bodily injury to any person shall be guilty of a severity*
28 *level 10, person felony.*

29 (3) *The death of any person shall be guilty of a severity level 9, person*
30 *felony.*

31 (c) The director may revoke the license or permit to drive or any
32 nonresident operating privilege of any person so convicted.

33 (d) *As used in this section:*

34 (1) *“Injury” means physical pain, illness or any impairment of a phys-*
35 *ical or mental condition.*

36 (2) *“Serious bodily injury” means injury that involves, either at the*
37 *time of the actual injury or at a later time, a substantial risk of death, a*
38 *substantial risk of serious permanent disfigurement, a substantial risk of*
39 *protracted loss of impairment of the function of any part or organ of the*
40 *body, breaks of bones, fractures of bones or burns of the second or third*
41 *degree.*

42 Sec. 2. K.S.A. 2005 Supp. 8-1606 is hereby amended to read as fol-
43 lows: 8-1606. (a) The driver of a vehicle involved in an accident resulting

1 in injury to, *serious bodily injury to* or death of any person or total damage
2 to all property to an apparent extent of \$1,000 or more shall give notice
3 immediately of such accident, by the quickest means of communication,
4 to the nearest office of a duly authorized police authority.

5 (b) Whenever the driver of a vehicle is physically incapable of giving
6 an immediate notice of an accident as required in subsection (a) and there
7 was another occupant in the vehicle at the time of the accident capable
8 of doing so, such occupant shall make or cause to be given the notice not
9 given by the driver.

10 (c) Whenever the driver of a vehicle is involved in an accident re-
11 sulting in property damage in the amount of \$1,000 or more and such
12 driver believes the conduct of other individuals causing or involved in
13 such accident would place such driver in imminent danger of bodily injury
14 by such individuals, such driver shall be required to provide the notice
15 required by subsection (a), as soon as the imminent danger has passed.

16 (d) ~~Violation of this section is a misdemeanor. A person who violates~~
17 *this section which results in:*

18 (1) *Injury to any person or property damages in excess of \$1,000 shall*
19 *be guilty of a class A person misdemeanor.*

20 (2) *Serious bodily injury to any person shall be guilty of a severity*
21 *level 10, person felony.*

22 (3) *The death of any person shall be guilty of a severity level 9, person*
23 *felony.*

24 (e) *As used in this section, "bodily injury" and "serious bodily injury"*
25 *have the meanings ascribed thereto in K.S.A. 8-1602, and amendments*
26 *thereto.*

27 Sec. 3. K.S.A. 8-1602 and K.S.A. 2005 Supp. 8-1606 are hereby
28 repealed.

29 Sec. 4. This act shall take effect and be in force from and after its
30 publication in the statute book.