

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/17/21

A Bill

HOUSE BILL 1505

By: Representatives C. Fite, *McCullough*

By: Senator B. Ballinger

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTY FOR A
DRIVER WHO FAILS TO REMAIN AT THE SCENE OF AN
ACCIDENT THAT RESULTS IN DEATH OR PERSONAL INJURY;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE PENALTY
FOR A DRIVER WHO FAILS TO REMAIN AT THE
SCENE OF AN ACCIDENT THAT RESULTS IN
DEATH OR PERSONAL INJURY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

*SECTION 1. Arkansas Code § 27-53-101 is amended to read as follows:
27-53-101. Requirements in accidents involving death or personal
injuries.*

(a)~~(1)~~ As used in this section:

(1) "Physical injury" means the:

(A) Impairment of physical condition;

(B) Infliction of substantial pain; or

*(C) Infliction of bruising, swelling, or a visible mark
associated with physical trauma; and*

(2) "Serious physical injury" means physical injury that:

(A) Creates a substantial risk of death; or

*(B) Causes protracted disfigurement, protracted impairment
of health, or loss or protracted impairment of the function of any bodily*



member or organ.

(b)(1) The driver of ~~any~~ a vehicle involved in an accident resulting in physical injury or serious physical injury to or death of any person shall immediately stop the vehicle at the scene of the accident or as close ~~thereto~~ as possible to the scene of the accident, but shall then immediately return to and ~~in every event shall~~ remain at the scene of the accident until he or she has fulfilled the requirements of § 27-53-103.

(2) Every such stop shall be made without obstructing traffic more than is necessary.

(3) An accident of this nature shall include all accidents which occur upon the streets or highways, upon the parking area of private business establishments, or elsewhere throughout the state.

~~(b)(c)~~(1) ~~Any~~ If a person failing fails to comply with subsection ~~(a)~~(b) of this section or with § 27-53-103 and the accident results in:

(A) Physical injury to another person, he or she shall upon conviction ~~be deemed~~ is guilty of a Class D felony; or

(B) Serious physical injury to or death of another person, he or she upon conviction is guilty of a Class B felony.

(2) ~~The Commissioner of Motor Vehicles~~ Secretary of the Department of Finance and Administration shall revoke the driver's license or commercial driver's license of the person ~~so convicted~~ convicted under subdivision (c)(1) of this section.

/s/C. Fite

APPROVED: 4/5/21