

SENATE BILL No. 361

By Committee on Ways and Means

1-18

1 AN ACT concerning motor vehicles; relating to violations of the uniform
2 act regulating traffic on highways; increasing criminal penalties for a
3 driver who leaves the scene of a vehicular accident when the accident
4 results in the death of any person or more than one person, if the driver
5 knew or reasonably should have known that such accident resulted in
6 injury or death; amending K.S.A. 8-1602 and repealing the existing
7 section.

8
9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 8-1602 is hereby amended to read as follows: 8-
11 1602. (a) The driver of any vehicle involved in an accident resulting in
12 injury to, great bodily harm to or death of any person or damage to any
13 attended vehicle or property shall immediately stop such vehicle at the
14 scene of such accident, or as close thereto as possible, but shall then
15 immediately return to and in every event shall remain at the scene of the
16 accident until the driver has fulfilled the requirements of K.S.A. 8-1604,
17 and amendments thereto.

18 (b) ~~A person who violates~~ *Violation of* subsection (a) when an
19 accident results in:

20 (1) Total property damages of less than \$1,000 ~~shall be guilty of~~ *is* a
21 misdemeanor and, upon conviction, shall be punished as provided in
22 K.S.A. 8-2116, and amendments thereto.

23 (2) Injury to any person or total property damages ~~in excess of~~ \$1,000
24 or more ~~shall be guilty of~~ *is* a class A person misdemeanor.

25 (3) Great bodily harm to any person ~~shall be guilty of~~ *is* a severity
26 level 8, person felony.

27 (4) The death of any person ~~shall be guilty of~~ *is* a severity level 6,
28 person felony, except as provided in ~~subsection (a)(5)~~ *subsections (b)(5)*
29 *and (b)(6)*.

30 (5) The death of any person, if the ~~person~~ *driver* knew or reasonably
31 should have known that such accident resulted in injury or death, ~~shall be a~~
32 ~~level 5~~ *is a severity level 4*, person felony, *except as provided in subsection*
33 *(b)(6)*.

34 (6) *The death of more than one person, if the driver knew or*
35 *reasonably should have known that such accident resulted in injury or*
36 *death, is a severity level 3, person felony.*

1 (c) The director may revoke the license or permit to drive or any
2 nonresident operating privilege of any person—~~se~~ convicted *of a violation*
3 *of this section.*

4 (d) The driver shall comply with the provisions of K.S.A. 8-15,107,
5 and amendments thereto.

6 Sec. 2. K.S.A. 8-1602 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.