

"AN ACT TO AMEND SECTION 37 OF ACT 300 OF 1937 [ARK. STAT. 75-902], TO REQUIRE THE DRIVER OF A VEHICLE INVOLVED IN AN ACCIDENT TO REMOVE THE VEHICLE FROM THE ROADWAY UNLESS THE VEHICLE IS DISABLED OR THERE IS A VISIBLE OR APPARENT INJURY TO A PERSON; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 37 of Act 300 of 1937, the same being Arkansas Statute 75-902, is hereby amended to read as follows:

"(a) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 38. Every such stop shall be made without obstructing traffic more than is necessary. The driver shall remove his vehicle from the roadway except that the driver may leave the vehicle in the roadway if the vehicle is disabled or there is a visible or apparent injury to a person.

(b) The removal of a vehicle from the roadway pursuant to this section shall not constitute an admission of liability nor a waiver of a claim for personal injury."

SECTION 2. The Department of Education and the Department of Arkansas State Police shall include instruction within the Department's Driver Education and Training Program and the Drivers Manual concerning when a driver involved in an accident must remove his vehicle from the roadway. The Department shall include the subject for the examination for a driver's license.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. It is hereby found and determined by the General Assembly of the State of Arkansas that the practice of leaving a vehicle on a roadway after an accident can create a serious obstruction of traffic and can endanger the safety of persons traveling on our streets, roads and highways. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect upon passage and approval.

APPROVED: 4/4/87

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