Stricken language would be deleted from and underlined language would be added to present law.
Act 615 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

By: Senator Maloch

For An Act To Be Entitled
AN ACT CONCERNING A PERSON LEAVING THE SCENE OF AN
ACCIDENT THAT INVOLVES DAMAGE ONLY TO THE VEHICLE OR
TO THE PERSONAL PROPERTY OF ANOTHER PERSON; AND FOR
OTHER PURPOSES.

Subtitle
CONCERNING A PERSON LEAVING THE SCENE OF
AN ACCIDENT THAT INVOLVES DAMAGE ONLY TO
THE VEHICLE OR TO THE PERSONAL PROPERTY
OF ANOTHER PERSON.

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

SECTION 1. Arkansas Code § 27-53-102 is amended to read as follows:
27-53-102. Accidents involving damage only to vehicle or personal
property of another person — Removal of vehicle.
(a)(1) The driver of any a vehicle involved in an accident resulting
only in damage to a vehicle which that is driven or attended by any person or
to the personal property of another person shall immediately stop the vehicle
at the scene of the accident or as close thereto to the accident as possible,
but and shall 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.
(b) An accident of this nature shall include all accidents which that
occur upon the streets or highways, upon the parking area of private business
establishments, or elsewhere throughout the state.

(c)(1) The driver shall remove his or her 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.

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

(d) A person who knowingly violates this section is upon conviction guilty of a:

(1) Class A misdemeanor if the amount of actual damage is one thousand dollars ($1,000) or more but less than ten thousand dollars ($10,000);

(2) Class D felony if the amount of actual damage is ten thousand dollars ($10,000) or more; or

(3) Class B misdemeanor if otherwise committed.

SECTION 2. Arkansas Code § 27-53-104 is amended to read as follows:

27-53-104. Notification if unattended vehicle is struck.

(a) The driver of any vehicle which collides with any another vehicle which that is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name, and address, and contact information of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

(b) 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.

SECTION 3. Arkansas Code § 27-53-105 is amended to read as follows:

27-53-105. Striking fixtures or other property upon highway.

(a)(1)(A) The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of the property of that fact and of his or her name and address and
of the registration license plate number of the vehicle he or she is driving.

(B) Reasonable steps may include leaving the person's contact information with the damaged vehicle or personal property if the owner of the damaged vehicle or personal property is not present at the accident.

(2) Upon request and if available, the driver shall exhibit his or her driver's license or commercial driver's license and shall make report of the accident when and as required in § 27-53-202.

(b) 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.

/s/Maloch

APPROVED: 03/23/2017