

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/13/17*

# A Bill

SENATE BILL 363

5 By: Senator Maloch  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING A PERSON LEAVING THE SCENE OF AN  
9 ACCIDENT THAT INVOLVES DAMAGE ONLY TO THE VEHICLE OR  
10 TO THE PERSONAL PROPERTY OF ANOTHER PERSON; AND FOR  
11 OTHER PURPOSES.  
12  
13

### Subtitle

14 CONCERNING A PERSON LEAVING THE SCENE OF  
15 AN ACCIDENT THAT INVOLVES DAMAGE ONLY TO  
16 THE VEHICLE OR TO THE PERSONAL PROPERTY  
17 OF ANOTHER PERSON.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 27-53-102 is amended to read as follows:

24 27-53-102. Accidents involving damage only to vehicle or personal  
25 property of another person – Removal of vehicle.

26 (a)(1) The driver of ~~any a~~ a vehicle involved in an accident resulting  
27 only in damage to a vehicle ~~which~~ that is driven or attended by any person or  
28 to the personal property of another person shall immediately stop the vehicle  
29 at the scene of the accident or as close ~~thereto~~ to the accident as possible,  
30 ~~but~~ and shall immediately return to and ~~in every event shall~~ remain at the  
31 scene of the accident until he or she has fulfilled the requirements of § 27-  
32 53-103.

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

35 (b) An accident of this nature shall include all accidents ~~which~~ that  
36 occur upon the streets or highways, upon the parking area of private business



1 establishments, or elsewhere throughout the state.

2 (c)(1) The driver shall remove his or her vehicle from the roadway,  
3 except that the driver may leave the vehicle in the roadway if the vehicle is  
4 disabled or there is a visible or apparent injury to a person.

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

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

10 (1) Class A misdemeanor if the amount of actual damage is one  
11 thousand dollars (\$1,000) or more but less than ten thousand dollars  
12 (\$10,000);

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

15 (3) Class B misdemeanor if otherwise committed.

16

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

18 27-53-104. Notification if unattended vehicle is struck.

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

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

30

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

32 27-53-105. Striking fixtures or other property upon highway.

33 (a)(1)(A) The driver of any vehicle involved in an accident resulting  
34 only in damage to fixtures or other property legally upon or adjacent to a  
35 highway shall take reasonable steps to locate and notify the owner or person  
36 in charge of the property of that fact and of his or her name and address and

1 of the ~~registration~~ license plate number of the vehicle he or she is driving.

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

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

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

12  
13 */s/Maloch*

14  
15  
16 **APPROVED: 03/23/2017**