

"AN ACT TO AMEND SECTIONS 36, 37, 39, AND 40 OF ACT 300 OF 1937, AS AMENDED [ARK. STAT. 75-901, 75-902, 75-904 AND 75-905], TO CLARIFY THAT ACCIDENTS RESULTING IN INJURY TO OR DEATH TO ANY PERSON, ACCIDENTS RESULTING IN DAMAGE TO ATTENDED VEHICLES, ACCIDENTS RESULTING IN DAMAGE TO UNATTENDED VEHICLES, AND ACCIDENTS RESULTING IN DAMAGE TO FIXTURES UPON OR ADJACENT TO THE HIGHWAY SHALL INCLUDE ACCIDENTS UPON STREETS OR HIGHWAYS, UPON PARKING AREAS OF PRIVATE BUSINESS ESTABLISHMENTS, AND ELSEWHERE THROUGHOUT THE STATE; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 36 of Act 300 of 1937, as amended, the same being Arkansas Statutes Section 75-901, is hereby amended to read as follows:

"Section 36. (a) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of section 38. Every such stop shall be made without obstructing traffic more than is necessary. 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) Any person failing to comply with subsection (a) of this Section or with Section 38 of this Act [Ark. Stat. 75-903] shall, upon conviction therefor, be deemed guilty of a Class D felony.

(c) The commissioner shall revoke the operator's or chauffeur's license of the person so convicted."

SECTION 2. Section 37 of Act 300 of 1937, as amended, the same being Arkansas Statutes Section 75-902, is hereby amended to read as follows:

"Section 37. 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. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor. 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. Section 39 of Act 300 of 1937, as amended, the same being Arkansas Statutes Section 75-904, is hereby amended to read as follows:

"Section 39. The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such 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 of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof. 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 4. Section 40 of Act 300 of 1937, as amended, the same being Arkansas Statutes Section 75-905, is hereby amended to read as follows:

"Section 40. The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license, and shall make report of such accident when and as required in section 41 hereof. 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 5. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: February 27, 1987

---