

HB 4534

FILED

2010 MAR 19 PM 4:19

OFFICE OF THE CLERK  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2010



# ENROLLED

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 4534**

(By Delegates Caputo, Manchin, Longstreth,  
Wooton, Hamilton, Miley, Moore, Frazier,  
Fleischauer, Hunt and Brown)



Passed March 11, 2010

In Effect Ninety Days From Passage

# ENROLLED

2010 MAR 19 PM 4:49

COMMITTEE SUBSTITUTE

FOR

OFFICE OF THE CLERK  
SECRETARY OF STATE

## H. B. 4534

(BY DELEGATES CAPUTO, MANCHIN, LONGSTRETH,  
WOOTON, HAMILTON, MILEY, MOORE, FRAZIER,  
FLEISCHAUER, HUNT AND BROWN)

[Passed March 11, 2010; in effect ninety days from passage]

AN ACT to amend and reenact §17C-4-1 of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalty for failing to stop and render aid after a motor vehicle crash; clarifying intent requirement; extending suspension period; and naming the code section “Erin’s Law”.

*Be it enacted by the Legislature of West Virginia:*

That §17C-4-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

### **ARTICLE 4. CRASHES.**

#### **§17C-4-1. Crashes involving death or personal injuries; Erin’s Law.**

- 1 (a) The driver of any vehicle involved in a crash resulting
- 2 in injury to or death of any person shall immediately stop the

3 vehicle at the scene of the crash or as close to the scene as  
4 possible and return to and remain at the scene of the crash  
5 until he or she has complied with the requirements of section  
6 three of this article: *Provided*, That the driver may leave the  
7 scene of the crash as may reasonably be necessary for the  
8 purpose of rendering assistance to an injured person as  
9 required by said section three. Every such stop shall be made  
10 without obstructing traffic more than is necessary.

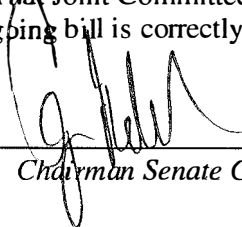
11 (b) Any person knowingly violating the provisions of  
12 subsection (a) of this section after being involved in a crash  
13 resulting in the death of any person is guilty of a felony and,  
14 upon conviction thereof, shall be fined by not more than  
15 \$5,000 or imprisoned in a correctional facility for not less  
16 than one year nor more than five years, or both fined and  
17 confined.

18 (c) Any person knowingly violating the provisions of  
19 subsection (a) of this section after being involved in a crash  
20 resulting in physical injury to any person is guilty of a  
21 misdemeanor and, upon conviction thereof, shall be punished  
22 by confinement in jail for not more than one year, or fined  
23 not more than \$1,000, or both.

24 (d) The commissioner shall revoke the license or permit  
25 or operating privilege to drive of any resident or nonresident  
26 person convicted pursuant to the provisions of this section for  
27 a period of one year from the date of conviction or the date of  
28 release from incarceration, whichever is later.

29 (e) This section may be known and cited as “Erin’s Law”.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

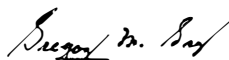
  
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Chairman Senate Committee

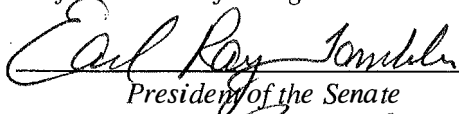
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

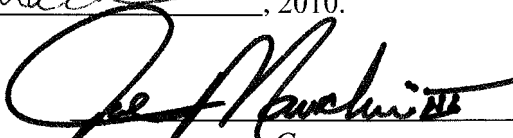
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 19<sup>th</sup>  
day of March, 2010.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 19 2010

Time 10:40 am