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

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

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

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

(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.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the ________ day of ____________, 2010.

Governor