

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/17/21

# A Bill

HOUSE BILL 1505

5 By: Representatives C. Fite, *McCullough*  
6 By: Senator B. Ballinger  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE PENALTY FOR A  
10 DRIVER WHO FAILS TO REMAIN AT THE SCENE OF AN  
11 ACCIDENT THAT RESULTS IN DEATH OR PERSONAL INJURY;  
12 AND FOR OTHER PURPOSES.  
13  
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## Subtitle

16 TO AMEND THE LAW CONCERNING THE PENALTY  
17 FOR A DRIVER WHO FAILS TO REMAIN AT THE  
18 SCENE OF AN ACCIDENT THAT RESULTS IN  
19 DEATH OR PERSONAL INJURY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 *SECTION 1. Arkansas Code § 27-53-101 is amended to read as follows:*  
25 *27-53-101. Requirements in accidents involving death or personal*  
26 *injuries.*

27 *(a) ~~(1)~~ As used in this section:*

28 *(1) "Physical injury" means the:*

29 *(A) Impairment of physical condition;*

30 *(B) Infliction of substantial pain; or*

31 *(C) Infliction of bruising, swelling, or a visible mark*  
32 *associated with physical trauma; and*

33 *(2) "Serious physical injury" means physical injury that:*

34 *(A) Creates a substantial risk of death; or*

35 *(B) Causes protracted disfigurement, protracted impairment*  
36 *of health, or loss or protracted impairment of the function of any bodily*



1 member or organ.

2 (b)(1) The driver of ~~any~~ a vehicle involved in an accident resulting  
3 in physical injury or serious physical injury to or death of any person shall  
4 immediately stop the vehicle at the scene of the accident or as close ~~thereto~~  
5 as possible to the scene of the accident, but shall then immediately return  
6 to and ~~in every event shall~~ remain at the scene of the accident until he or  
7 she has fulfilled the requirements of § 27-53-103.

8 (2) Every such stop shall be made without obstructing traffic  
9 more than is necessary.

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

13 ~~(b)(c)~~(1) ~~Any~~ If a person failing fails to comply with subsection  
14 ~~(a)(b)~~ of this section or with § 27-53-103 and the accident results in:

15 (A) Physical injury to another person, he or she shall  
16 upon conviction be deemed is guilty of a Class D felony; or

17 (B) Serious physical injury to or death of another person,  
18 he or she upon conviction is guilty of a Class B felony.

19 (2) ~~The Commissioner of Motor Vehicles~~ Secretary of the  
20 Department of Finance and Administration shall revoke the driver's license or  
21 commercial driver's license of the person ~~so convicted~~ convicted under  
22 subdivision (c)(1) of this section.

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24 /s/C. Fite

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27 APPROVED: 4/5/21  
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