SPONSOR: Rep. Ramone & Sen. McBride;
Reps. D. Short, Hudson, Dukes, Wilson; Sen. Hocker

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 328

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

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

Section 1. Amend § 4202, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4202 Duty of driver involved in collision resulting in injury or death to any person; penalty.

(a) The driver of any vehicle involved in an collision resulting in injury or death to any person shall immediately stop such vehicle at the scene of such collision. Said stop should be made as close to the scene of the collision as possible without obstructing traffic more than necessary. The driver shall give the driver's name, address and the registration number of the driver's vehicle and exhibit a driver's license or other documentation of driving privileges to the person struck or the driver or occupants of any vehicle collided with and shall render to any person injured in such collision reasonable assistance, including the carrying of such person to a hospital or physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person, or by contacting appropriate law-enforcement or emergency personnel and awaiting their arrival.

(b) Whoever violates subsection (a) of this section when that person has been involved in a collision resulting in injury to any person shall be guilty of ~~an unclassified misdemeanor~~ a class G felony, be fined not less than $1,000 nor more than $3,000 or imprisoned not less than 1 year nor more than 2 years.

SYNOPSIS

When a person is convicted of a hit-and-run that resulted in injuries to the other driver, they are currently only subject to the charge of an unclassified misdemeanor. This bill will change the charge to a class G felony in order to bring the charge in line with the gravity of the crime committed.

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Released: 04/19/2016 11:45 AM