



SPONSOR: Sen. Sokola & Rep. Valihura

DELAWARE STATE SENATE

141st GENERAL ASSEMBLY

SENATE BILL NO. 154

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF AN ACCIDENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend Section 4202(a) of Title 21 of the Delaware Code by striking the phrase "injured person"
2 which appears at the end of the last sentence of said subsection, and by substituting in lieu thereof the following:

3 "injured person, or by contacting appropriate law enforcement or emergency personnel and awaiting their
4 arrival."

5 Section 2. Amend Section 4202(c) of Title 21 of the Delaware Code by striking the phrase "class A
6 misdemeanor" as it appears therein, and by substituting in lieu thereof the phrase "Class E felony", and by striking the
7 phrase "nor more than three years" as it appears therein.

8 Section 3. Amend Section 4202(e) of Title 21 of the Delaware Code by inserting between the phrases "finally
9 determine any" and "violation of this section" as they appear therein the word "misdemeanor".

SYNOPSIS

This Act will ensure that drivers who flee the scene of an accident which results in death will be adequately punished. It provides that the crime will be punished as a Class E felony, which carries a maximum potential prison term of five years. This penalty is equivalent to the maximum penalty which may be imposed upon a person convicted of Vehicular Homicide in the First Degree. The Act also clarifies that drivers involved in accidents involving injury or death have an obligation to contact appropriate law enforcement or emergency personnel and await their arrival at the scene.

Author: Senator Sokola