

SENATE BILL NO. 245—COMMITTEE ON TRANSPORTATION

MARCH 11, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning drivers of vehicles involved in accidents resulting in bodily injury to or the death of a person. (BDR 43-558)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public safety; increasing the maximum term of imprisonment for a person who leaves the scene of an accident that results in bodily injury to or the death of a person; prohibiting a prosecuting attorney from dismissing a charge against a person who leaves the scene of an accident that results in bodily injury to or the death of a person in exchange for certain pleas to a lesser charge or for any other reason in certain circumstances; providing that the sentence of a person convicted of such a crime may not be suspended nor may probation be granted to the person; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law generally provides that a person who drives a vehicle while under the influence of alcohol or a prohibited substance and proximately causes substantial bodily harm to or the death of another person is guilty of a category B felony and must be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and by a fine of not less than \$2,000 and not more than \$5,000. A prosecuting attorney is prohibited from dismissing a charge against a person who commits such an offense in exchange for certain pleas to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. The sentence of a person convicted of such a crime may not be suspended nor may probation be granted to the person. (NRS 484C.430)

Existing law also generally requires the driver of any vehicle involved in an accident that results in bodily injury to or the death of a person to stop his or her



vehicle immediately at or near the scene of the accident and return to and remain at the scene until the driver provides certain information and renders reasonable assistance to any injured person. A person who violates such a provision is guilty of a category B felony and must be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years and by a fine of not less than \$2,000 and not more than \$5,000. (NRS 484E.010, 484E.030)

This bill increases the maximum term of imprisonment for a person who leaves the scene of an accident that results in bodily injury to or the death of a person from 15 years to 20 years, thereby making the penalties the same for leaving the scene of such an accident and driving under the influence of alcohol or a prohibited substance and proximately causing substantial bodily harm to or the death of another person. This bill also prohibits a prosecuting attorney from dismissing a charge against a person who leaves the scene of such an accident in exchange for certain pleas to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. Finally, this bill provides that the sentence of a person convicted of such a crime may not be suspended nor may probation be granted to the person.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 484E.010 is hereby amended to read as follows:

484E.010 1. The driver of any vehicle involved in an accident on a highway or on premises to which the public has access resulting in bodily injury to or the death of a person shall immediately stop his or her vehicle at the scene of the accident or as close thereto as possible, and shall forthwith return to and in every event shall remain at the scene of the accident until the driver has fulfilled the requirements of NRS 484E.030.

2. Every such stop must be made without obstructing traffic more than is necessary.

3. A person failing to comply with the provisions of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than ~~15~~ 20 years and by a fine of not less than \$2,000 nor more than \$5,000.

4. A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 3 may not be suspended nor may probation be granted.



1 **Sec. 2.** The amendatory provisions of this act apply to an
2 offense committed on or after October 1, 2015.

