



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 62
[2009 Senate Bill 252]

**Duty to Stop at the Scene of, and to
Report a Motor Vehicle Accident**

CURRENT LAW

Under current law:

1. If an operator of a vehicle has an accident resulting in personal injury or vehicle damage, the operator must immediately stop the vehicle at or near the scene of the accident, provide certain information, and render reasonable assistance to any injured person. If an operator of a vehicle has an accident with an unattended vehicle or with property *on or adjacent to a highway*, the operator must immediately stop and fulfill certain obligations to provide notice of the vehicle operator's identity. The operator of a vehicle involved in an accident resulting in injury or death to a person or damage to property in specified amounts must report the accident to law enforcement as soon as possible.

2. These requirements are applicable not only on highways but also on premises, whether publicly or privately owned, that are held out for public vehicle use, provided by employers to employees for vehicle use, or provided to tenants of certain rental housing for vehicle use. However, these requirements do not apply to private parking areas at farms or single-family residences or to accidents involving only snowmobiles, all-terrain vehicles, or nonmotorized vehicles.

3. A person who commits a failure-to-stop violation or who fails to report an accident for which a report is required is subject to varying penalties, and the owner of a vehicle involved in a failure-to-stop violation may also be subject to penalty as well.

2009 WISCONSIN ACT 62

2009 Wisconsin Act 62 specifies that these failure-to-stop requirements apply to the operator of a vehicle that, whether by operator intention or lack of control, *departs a highway or any premises described above immediately prior* to an accident *if* the accident does not occur on real property *owned*

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

or leased by the operator. The Act also provides that the current accident reporting requirement and owner liability apply with respect to such an accident.

Effective Date: 2009 Wisconsin Act 62 takes effect on March 1, 2010 (the first day of the fourth month beginning after publication).

Prepared by: Don Salm, Senior Staff Attorney

November 23, 2009

DLS:jal