

### **CHAPTER FIVE - Vehicular Operation**

- Art. 331. Accidents.
- Art. 333. Driving Under the Influence; Reckless Driving.
- Art. 335. Speed Restrictions.
- Art. 337. Driving on Right; Passing.
- Art. 339. Turning and Starting; Signals.
- Art. 341. Right of Way.
- Art. 343. Special Stops Required.
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- Art. 347. Commercial and Heavy Vehicles.
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### **ARTICLE 331 Accidents**

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| <p><b>331.01 Accidents involving death or personal injuries.</b></p> <p><b>331.02 Accidents involving damage to vehicle.</b></p> <p><b>331.03 Duty to give information and render aid.</b></p> <p><b>331.04 Collision with unattended vehicle.</b></p> <p><b>331.05 Collision with fixtures upon a street or highway.</b></p> | <p><b>331.06 Immediate reports of accidents.</b></p> <p><b>331.07 When driver unable to report.</b></p> <p><b>331.08 Garages to report bullet damage.</b></p> <p><b>331.99 Penalty.</b></p> |
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### **CROSS REFERENCES**

- See sectional histories for similar State law
- Authority to require local accident report - see W. Va. Code 17C-4-15
- Impounding wrecked vehicles - see TRAF. 303.07
- Removal of glass, etc. from highway - see TRAF. 311.01

**331.01 ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES.**

The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident or as close thereto as possible but shall then forthwith return to and shall remain at the scene of the accident until he or she has complied with the requirements of Section 331.03; provided, that the driver may leave the scene of the accident as may reasonably be necessary for the purpose of rendering assistance to an injured person as required by Section 331.03. Every such stop shall be made without obstructing traffic more than is necessary. (WVaC 17C-4-2)

**331.02 ACCIDENTS INVOLVING DAMAGE TO VEHICLE.**

The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 331.03. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with such requirements under such circumstances shall be guilty of a misdemeanor. (WVaC 17C-4-2)

**331.03 DUTY TO GIVE INFORMATION AND RENDER AID.**

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his or her name, address and the registration number of the vehicle he or she is driving and shall upon request and if available exhibit his or her driver's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. (WVaC 17C-4-3)

**331.04 COLLISION WITH UNATTENDED VEHICLE.**

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof. (WVaC 17C-4-4)

**331.05 COLLISION WITH FIXTURES UPON A STREET OR HIGHWAY.**

The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his or her name and address and of the registration number of the vehicle he or she is driving and shall upon request and if available exhibit his or her driver's license and shall make report of such accident when and as required. (WVaC 17C-4-5)

**331.06 IMMEDIATE REPORTS OF ACCIDENTS.**

The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of five hundred dollars (\$500.00) or more shall immediately by the quickest means of communication, whether oral or written, give notice of such accident to the Police Department.

(WVaC 17C-4-6)

**331.07 WHEN DRIVER UNABLE TO REPORT.**

Whenever the driver of a vehicle is physically incapable of making an immediate report of an accident as required in Section 331.06 and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made such report not made by the driver.

(WVaC 17C-4-8)

**331.08 GARAGES TO REPORT BULLET DAMAGE.**

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet, shall report to the Police Department within twenty-four hours after such motor vehicle is received, giving the engine number, registration number, and the name and address of the owner or operator of such vehicle.

(WVaC 17C-4-12)

**331.99 PENALTY.**

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty.)

Any person violating the provisions of Section 331.01 after being involved in an accident resulting in physical injury but not death to any person shall be imprisoned for not more than thirty days, or fined not more than one thousand dollars (\$1,000) or both.

(WVaC 17C-4-1)