

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.
 Art. 345. Safety and Equipment.
 Art. 347. Commercial and Heavy Vehicles.
 Art. 349. Miscellaneous Rules.
 Art. 351. Licensing.
 Art. 353. Commercial Drivers.

ARTICLE 331
Accidents

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| 331.01 Accidents involving death or personal injuries. | 331.05 Collision with fixtures upon a street or highway. |
| 331.02 Accidents involving damage to vehicle. | 331.06 Immediate reports of accidents. |
| 331.03 Duty to give information and render aid. | 331.07 When driver unable to report. |
| 331.04 Collision with unattended vehicle. | 331.08 Garage keepers to report damaged vehicles. |
| | 331.99 Penalty. |

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 such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 331.03. Every such stop shall be made without obstructing traffic more than is necessary.

(WVaC 17C-4-1)

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 name, address and the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur'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 name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur'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 damage to fixtures 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.

(a) 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.

(b) Whenever the driver is physically incapable of making a written report of an accident as required by law and such driver is not the owner of the vehicle then the owner of the vehicle involved in such accident shall within five days after learning of the accident make such report not made by the driver.

(WVaC 17C-4-8)

331.08 GARAGE KEEPER TO REPORT DAMAGED VEHICLES.

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the Police Department immediately after such motor vehicle is received, giving the engine 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.)