

HIT & RUN ACCIDENTS & ARRESTS

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Despite its rather simple moniker, in Nevada, the term hit and run can encompass an enormous amount of legal considerations and can lead to both civil and criminal consequences for those involved. Nevada law requires its citizens to take certain actions before they can legally leave an accident. Those actions can vary depending on what was hit - if a structure was occupied or not, the amount of property damage involved, or if someone was injured. Knowing what you or someone else is required to provide, depending on the situation, is an important part of being an accountable Nevadan and hopefully will save you from unwanted legal trouble. Here are some basic requirements for common hit and run scenarios:

Occupied Vehicle: If you are involved in a car accident with another occupied vehicle, you are required to stop in a manner that is least obstructive to traffic. For documentation, you will be required to provide your name, address, registration, and upon request you are also required to provide your driver license. If an officer arrives to the scene and requests it, you will need to show or possibly surrender your license. If parties involved are injured, you are required to render aid which could include calling an ambulance or carrying them to safety. This requirement is situational and the law would look at what a “reasonable” person would do. Failure to meet any of these standards could result in criminal charges from misdemeanors to felonies.

Unoccupied/Unattended Property: Upon hitting an unattended structure such as a light pole or a parked car you must immediately stop, minimize road obstructions or hazards by getting your vehicle and/or the unattended property out of the road if possible and try to find the property’s owner. If you cannot find the property owner, you must then secure a “conspicuous note” to the property with your name, the vehicle’s owner’s name (if you do not own the car), and addresses. By conspicuous, the law simply means it needs to be in a place that the property owner will find it.

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If an officer is called to the scene and completes a report then no further reporting is legally required. However, if no officer is present, you are required to contact the nearest police station or Nevada Highway Patrol. Alternatively you can complete an accident report through DMV. You must report the accident within ten days of the event. If for some reason you are physically incapable of reporting an accident, you will not be penalized but if you do become able to complete the report at any point after, you must do so. You will most likely be held accountable somehow for the value of the property you have damaged whether it be in a civil suit or as restitution in a criminal case.

If someone is charged with a hit and run, they could be apprehended by the justice system. In more serious cases where the officers know who the culprit is, an arrest warrant could be issued sending officers to take the offender into custody. In other situations, the case may be referred to the hit and run detective unit in order for an investigation to be completed to find the at fault party, and to provide necessary documentation such as proof of insurance to the victim or owner of the damaged property. If you have been cited, charged with or contacted by a detective

concerning an allegation for DUI, contacting an attorney can help you prepare to make formal statements and to explain and possibly reduce the potential consequences.

In the event someone is injured in an accident where the culprit took off, contacting an attorney immediately could prevent key evidence from being destroyed so as to help identify the runner. Typically the make, model, and a partial plate number is needed for the Hit and Run Detective Unit to be able to locate an at fault driver. This information can be collected from victims, witnesses, or could result from obtaining local camera footage. Acting quickly is necessary to prevent its destruction.

If you have been injured by or arrested for a hit and run or have any questions about the foregoing, please contact me directly at hprice@cpklaw.com.