

HIT and RUN ACCIDENTS

Leaving the Scene - Charge - Arrest

When an Accident Becomes Hit and Run

Hit and Run accidents are the result of one party causing damage to another party's property or person and leaving the scene before producing the proper driver documentation. Hit and Run charges *can be both* misdemeanors and felonies, depending on the seriousness of the accident.

HIT AND RUN - KNOW THE CALIFORNIA LAW. In California, the driver of any motor vehicle that has been involved in an accident or collision, regardless of the level of seriousness or extent of injury, must stop, find the owner of the damaged property and produce his or her *driver documentation*. Failing to do so could result in criminal charges for *California Hit and Run*.

California DMV Vehicle Codes	
Section 20002	When an accident results only in property damage (including motor vehicles), driver must stop and locate owner or person in charge and exchange driver documentation. If owner of damaged property cannot be located, the driver is not permitted to leave the scene of the accident until the following actions have been completed: a) Leave a note with facts surrounding the case and <u>driver documentation</u> information; b) Report the accident to the California Highway Patrol (CHP) or local police
Sections 20001 20003 20004	Any accident that involves injury or death mandates the driver to perform all actions included in Section 20002 plus render reasonable assistance to the injured party or parties.

The California Law regarding Hit and Run has no exceptions. The types of accidents that are eligible for Hit and Run charges range from simple fender benders on parked, unoccupied vehicles to accidents involving death or serious injury.

TYPES of ACCIDENTS	HIT and RUN?	
• Car accident or other moving motor vehicle collision	<input checked="" type="checkbox"/>	Yes
• Bicycle or pedestrian accident	<input checked="" type="checkbox"/>	Yes
• Damage to parked or unoccupied motor vehicle or property	<input checked="" type="checkbox"/>	Yes
• Accidents occurring on your property or in front of your home	<input checked="" type="checkbox"/>	Yes
• Collisions that you believe are not your fault	<input checked="" type="checkbox"/>	Yes
• Accidents involving death or serious bodily injury	<input checked="" type="checkbox"/>	Yes
• Damage to property by your vehicle when you are not the driver	<input checked="" type="checkbox"/>	Yes

WHY DRIVER DOCUMENTATION IS IMPORTANT. The best way to avoid a California Hit and Run charge is to stop after an accident or collision and immediately exchange your driver documentation. If the damaged property is unoccupied, leaving a visible note with your contact information and facts surrounding the case is acceptable. In all cases, the police must be notified!

DRIVER DOCUMENTATION
<ul style="list-style-type: none"> • Full name • Valid license number and state of issuance • Vehicle Identification Number (VIN) • Insurance carrier's name, address, telephone number and policy number

HIT AND RUN CHARGES - MISDEMEANOR OR FELONY? California Hit and Run charges can be classified as misdemeanors or felonies, depending on the seriousness of the accident, extent of damage, and defendant's past criminal record.

Hit and Run Misdemeanor - For minor traffic accidents, such as fender benders and other minimal property damage with no physical injuries, a misdemeanor charge is the most likely assessment. According to California Law, a Hit and Run Misdemeanor is defined as, "a failure to immediately stop at the scene of a motor vehicle accident resulting in property damage."

Hit and Run Felony - When Hit and Run results in bodily injury or death, a felony will be charged. According to California Law, a Hit and Run Felony is defined as, "a failure to immediately stop at the scene of a motor vehicle accident involving death or permanent injury to any person(s) associated with the accident."

In either case, misdemeanor or felony, a California criminal defense attorney is needed to ensure your best possible Hit and Run defense.

PENALTIES FOR A HIT AND RUN CONVICTION

Depending on whether a hit & run misdemeanor or hit & run felony is charged, penalties for hit 'n run range from no jail time (plus fines and restitution) to one year in jail and, with more serious cases, time in California state prison.

HIRING THE RIGHT ATTORNEY

For first time offenders, some clients rarely serve jail time. In some cases, an agreement is worked out with the victim, Judge, and District Attorney, called a "civil compromise", which results in a dismissal of the defendant's criminal proceedings.