

**CIVIL TRAFFIC ORDINANCE
ACCIDENTS--REPORTS--ABANDONED VEHICLES**

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8.52.010 Duty on Striking Unattended Car or Other Property - Penalty

The operator of any vehicle which collided with any unattended vehicle or any property on or next to a public road resulting only in damage to the vehicle or property shall immediately stop and either locate and notify the operator or owner of the vehicle or property of the name, date of birth, and address of the operator and owner of the vehicle striking the unattended vehicle or property or leave in a conspicuous place on the vehicle or property struck a written notice including this information.

The driver shall further make report of the accident as in the case of other accidents upon the public roads.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.020 Duty in Case of Injury to or Death of Person or Damage to Attended Vehicle or Other Property - Penalty

- (a) A driver of any vehicle involved in an accident resulting in the injury to or death of any person shall immediately stop at or as close as possible to the scene of the accident without obstructing traffic more than is necessary, and shall immediately return to and remain at the scene of the accident until the requirements of subsection (c) have been fulfilled.

- (b) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property

shall immediately stop at or as close as possible to the scene of the accident without obstructing traffic more than is necessary, and shall immediately return to remain at the scene of the accident until the requirements of subsection (c) have been fulfilled.

- (c) Unless otherwise provided in subsection (f) 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 or damage to other property shall give his name, date of birth, address, insurance company, insurance policy number, and vehicle license number and shall show his driver's license to any person struck or injured or the driver or any occupant of, or any person attending, any vehicle collided with. The driver shall also give to any person injured in the accident reasonable assistance, including the carrying or the making of arrangements for the carrying of the person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if the carrying is requested by the injured person or on his behalf. Under no circumstances shall the rendering of assistance or other compliance with the provisions of this subsection be evidence of the liability of any driver for the accident.
- (d) Any driver meeting the requirements of subsection (a) who fails to stop or comply with any of the requirements of subsection (c) is guilty of a class C criminal violation. This does not apply to any person injured or incapacitated by an accident to the extent of being physically incapable of complying.
- (e) Any driver meeting the requirements of subsection (b) who fails to stop or comply with any of the requirements of subsection (c) of this section is guilty of a class D criminal violation. This does not apply to any person injured or incapacitated by an accident to the extent of being physically incapable of complying.
- (f) If none of the persons specified are in condition to receive the information to which they are entitled under subsection (c) and no police officer is present, the driver of any vehicle involved in the accident after fulfilling all other requirements of subsections (a) and (c) as far as possible, shall, as soon as possible, report the accident to the nearest office of a police authority and submit the information specified in subsection (c).

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.030 Accident Reports

- (a) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent equal to or greater than the minimum amount required by the State of Washington shall, within twenty-four hours after the accident, make a written report of the accident to the chief of police. Nothing in this subsection prohibits accident reports from being filed by drivers where damage to property is less than the minimum amount.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.040 Accident Reports - Report When Operator Disabled

Whenever the driver of the vehicle involved in any accident for which an accident report is required is physically incapable of making the required accident report and there is another occupant, other than a passenger for hire, in the vehicle at the time of the accident capable of making a report, that occupant shall make a report. Upon recovery the driver shall make a report as required.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.070 Police - Officer's Report

Any police officer present at the scene of any accident or in possession of any facts concerning any accident by way of official investigation shall make report the same as is required of the parties to the accident and as fully as the facts in his possession will permit.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.080 Confidentiality of Reports - Information Required to be Disclosed - Evidence

All required accident reports and supplemental reports and copies shall be without prejudice and shall be for the confidential use of the prosecuting attorney, chief of police, or other person as authorized by law. Any such person shall disclose the names and addresses of persons reported as involved in an accident or as witnesses, the vehicle license plate numbers and descriptions of vehicles involved, and the date, time and location of an accident, to any person who may have a proper interest, including the driver or drivers involved or their legal guardian, the parent of a minor driver, any person injured, the owner of vehicles or property damaged, or any authorized representative of an interested party, their attorney or insurer.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.083 Confidentiality of Reports - Availability of Factual Data to Interested Parties

All of the factual data submitted in report form by the officers, together with the signed statements of all witnesses, except the reports signed by the drivers involved in the accident, shall be made available upon request to the interested parties named in 8.52.080.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.085 Confidentiality of Reports - Fee for Written Information

Any information authorized for release may be furnished in written form for a fee sufficient to meet, but not exceed, the costs incurred. All fees received for the copies shall be deposited in the Skokomish Department of Public Safety fund.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.088 Reports - False Information

A person shall not knowingly give false information in required oral or written reports.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.100 Record of Traffic Charges - Reports of Court - Tribal Court Venue - Driving Under Influence of Liquor or Drugs

The court shall keep or cause to be kept a record of every traffic complaint, traffic citation, notice of infraction, or other legal form of traffic charge deposited with or presented to the court and shall keep a record of every official action by the court, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, finding that a traffic infraction has been committed, dismissal of a notice of infraction, and the amount of fine, forfeiture, or penalty resulting from every traffic complaint, citation, or notice of infraction deposited with or presented to the Tribal Court.

Traffic venue in the Tribal court is over any traffic violation within the Skokomish Indian Reservation.

The officer or prosecuting attorney signing the charge or information in any case involving a charge of driving under the influence of intoxicating liquor or any drug shall immediately request from the Director of the Department of Licensing of Washington State an abstract of convictions and forfeitures.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.52.130 Abstract of Driving Record - Confidentiality - Fees - Penalty

A certified abstract of the driving record will be furnished to the prosecuting attorney. The prosecuting attorney may provide the driving record to approved alcohol/drug assessment or treatment agencies to which the named individual has applied or been assigned for evaluation or treatment.

Any alcohol/drug assessment or treatment agency receiving the certified abstract shall use it exclusively for the purpose of assisting its employees in making a determination as to what level of treatment, if any, is appropriate. The agency, or any of its employees, shall not divulge any information contained in the abstract to a third party.

Any violation of this section is a class C criminal offense.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

Legislative History prior to July 5, 2017

- +Adopted by Resolution No. 95-80 (August 16, 1995)
- Amended by Resolution No. 99-98 (November 4, 1999)
- +Amended by Resolution No. 04-111 (September 8, 2004)

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives