

P.L. 1997, CHAPTER 111, *approved June 4, 1997*  
Assembly Committee Substitute for  
Assembly, No. 2617

1 AN ACT establishing criminal penalties for motor vehicle operators  
2 involved in certain hit and run accidents, and supplementing  
3 chapters 11 and 12 of Title 2C of the New Jersey Statutes.  
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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. A motor vehicle operator who knows he is involved in an  
9 accident and knowingly leaves the scene of that accident under  
10 circumstances that violate the provisions of R.S. 39:4-129 shall be  
11 guilty of a crime of the third degree if the accident results in the death  
12 of another person.

13 If the evidence so warrants, nothing in this section shall be deemed  
14 to preclude an indictment and conviction for aggravated manslaughter  
15 under the provisions of N.J.S.2C:11-4 or vehicular homicide under the  
16 provisions of N.J.S.2C:11-5.

17 Notwithstanding the provisions of N.J.S.2C:1-8 or any other  
18 provisions of law, a conviction arising under this section shall not  
19 merge with a conviction for aggravated manslaughter under the  
20 provisions of N.J.S.2C:11-4 or for vehicular homicide under the  
21 provisions of N.J.S.2C:11-5 and a separate sentence shall be imposed  
22 upon each such conviction.

23 Notwithstanding the provisions of N.J.S.2C:44-5 or any other  
24 provisions of law, when the court imposes multiple sentences of  
25 imprisonment for more than one offense, those sentences shall run  
26 consecutively.

27 For the purposes of this section, neither knowledge of the death  
28 nor knowledge of the violation are elements of the offense and it shall  
29 not be a defense that the operator of the motor vehicle was unaware  
30 of the death or of the provisions of R.S. 39:4-129.  
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32 2. A motor vehicle operator who knows he is involved in an  
33 accident and knowingly leaves the scene of that accident under  
34 circumstances that violate the provisions of R.S. 39:4-129 shall be

1 guilty of a crime of the fourth degree if the accident results in serious  
2 bodily injury to another person.

3 If the evidence so warrants, nothing in this section shall be deemed  
4 to preclude an indictment and conviction for aggravated assault or  
5 assault by auto under the provisions of N.J.S.2C:12-1.

6 Notwithstanding the provisions of N.J.S.2C:1-8 or any other  
7 provisions of law, a conviction arising under this section shall not  
8 merge with a conviction for aggravated assault or assault by auto  
9 under the provisions of N.J.S.2C:12-1 and a separate sentence shall  
10 be imposed upon each conviction.

11 Notwithstanding the provisions of N.J.S.2C:44-5 or any other  
12 provisions of law, whenever in the case of such multiple convictions  
13 the court imposes multiple sentences of imprisonment for more than  
14 one offense, those sentences shall run consecutively.

15 For the purposes of this section, neither knowledge of the serious  
16 bodily injury nor knowledge of the violation are elements of the  
17 offense and it shall not be a defense that the driver of the motor  
18 vehicle was unaware of the serious bodily injury or provisions of R.S.  
19 39:4-129.

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21 3. This act shall take effect immediately.

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26 Establishes criminal penalties for certain hit and run drivers.