



Andy OLSON
STATE REPRESENTATIVE
DISTRICT 15

February 6, 2018

Chair Jeff Barker
House Committee on Judiciary
Hearing Room 347
Salem, OR

Chair Barker and Committee Members,

Re: **HB 4055...A Fix to the Hit & Run Statute**

Thank you for the opportunity to come in front of you to explain what HB 4055 does. When a person is driving and collides with something the new law would require the person to stop and investigate what they have struck. (The words *collide/collision* were substituted for the word “accident” because “accident” does not have a definition under the law and it is important to make it clear that the intent is to deal with situations where a person has collided or struck something).

WHY are we here? Because of a tragic collision that occurred one October evening in 2013 that left two little girls dead...the Court of Appeals essentially told the Legislature to fix the current Hit & Run statutes.

Depending upon the result of the collision (damage to another vehicle, injury/death of another person, damage to property, injury to domestic animal), a person has certain duties that are already enumerated under current law.

ORS 811.700 addresses the collision involving damage to another vehicle or property, a person who is no longer at the scene of the collision and later discovers for the first time that they have been involved in a collision that resulted in property damage, the person is obligated to comply as much as possible with the requirements of the statute such as finding the owner of the property damage and giving the relevant information (this does NOT include calling 911).

ORS 811.705 addresses injury or death to another person, if the person who is no longer at the scene of the collision and later discovers for the first time that they have been involved in a collision that resulted in an injury or death, the person is required to comply with the

requirements of the section as well as call 911 and give identifying information and the location and approximate time of the crash. (This would cover the Garcia-Cisneros case of the Anna and Abbigail).

There is a concern that the 5th Amendment rights of the defendant may be violated by this law! I defer to Bracken McKey, from the Washington County District Attorney's office to bring clarity to the measure.

I would urge your consideration to pass this bill and fix the issue with the hit and run statutes.

Sincerely,

Andy Olson