

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

**House Bill 4566**

**FISCAL  
NOTE**

By Delegates Brooks, Pritt, Martin, Mallow, Green,  
and Stephens

[Introduced January 20, 2026; referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §17C-4-1 of the Code of West Virginia, 1931, as amended, relating  
2 to increasing penalties for hit and run vehicle crashes.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 4. ACCIDENTS.**

### **§17C-4-1. Crashes involving death or personal injuries; Erin's Law.**

1 (a) The driver of any vehicle involved in a crash resulting in the injury to or death of any  
2 person shall immediately stop the vehicle at the scene of the crash or as close to the scene as  
3 possible and return to and remain at the scene of the crash until he or she has complied with the  
4 requirements of §17C-4-3 of this code: *Provided*, That the driver may leave the scene of the crash  
5 as may reasonably be necessary for the purpose of rendering assistance to any person injured in  
6 the crash, as required by §17C-4-3 of this code.

7 (b) Any driver who is involved in a crash in which another person suffers bodily injury and  
8 who intentionally violates §17C-4-1(a) of this code when he or she knows or has reason to believe  
9 that another person has suffered physical injury in said crash is guilty of a misdemeanor and, upon  
10 conviction thereof, shall be fined not more than \$1,000, confined in jail for not more than ~~one year~~  
11 three years, or both fined and confined.

12 (c) Notwithstanding the provisions of §17C-4-1(b) of this code, any driver who is involved in  
13 a crash in which another person suffers serious bodily injury and who intentionally violates §17C-  
14 4-1(a) of this code when he or she knows or has reason to believe that another person has  
15 suffered physical injury in said crash is guilty of a felony and, upon conviction thereof, shall be  
16 fined not more than \$2,500, or imprisoned in a state correctional facility for not less than one year  
17 nor more than ~~three~~ 10 years, or both fined and imprisoned.

18 (d) Notwithstanding the provisions of §17C-4-1(b) or §17C-4-1(c) of this code, any driver  
19 who is involved in a crash that proximately causes the death of another person who intentionally  
20 violates §17C-4-1(a) of this code when he or she knows or has reason to believe that another  
21 person has suffered physical injury in said crash is guilty of a felony and, upon conviction thereof,

22 shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than  
23 one year nor more than ~~five~~ 20 years, or both fined and imprisoned: Provided, That any death  
24 underlying a prosecution under this subsection must occur within one year of the crash.

25 (e) As used in this section:

26 (1) "Bodily injury" means injury that causes substantial physical pain, illness, or any  
27 impairment of physical condition;

28 (2) "Physical injury" means bodily injury, serious bodily injury or death; and

29 (3) "Serious bodily injury" means bodily injury that creates a substantial risk of death, that  
30 causes serious or prolonged disfigurement, prolonged impairment of health, prolonged loss or  
31 impairment of the function of any bodily organ, loss of pregnancy, or the morbidity or mortality  
32 occurring because of a preterm delivery.

33 (f) The commissioner shall revoke the license or permit or operating privilege to drive of  
34 any resident or nonresident person convicted pursuant to the provisions of this section for a period  
35 of one year from the date of conviction or the date of release from incarceration, whichever is later.

36 (g) This section may be known and cited as Erin's Law.

NOTE: The purpose of this bill is to increase the penalties for hit and run offenses.

Strike-throughs indicate language that would be stricken from a heading or the present law  
and underscoring indicates new language that would be added.