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Kentucky Car Wreck and Malpractice Law

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### **Kentucky Hit and Run Law Becomes a Felony**

Governor Steve Beshear signed a new bill into law today that made it a Felony in Kentucky to Leave the Scene of a Hit and Run Accident. This bill was sponsored by State Representative Tommy Thompson after a 2006 Hit and Run Accident that killed a 14 year old boy in Owensboro, Kentucky. Under this new Hit and Run Law, anyone leaving the scene of a Hit and Run Accident with Injuries will be charged with a Class D Felony and could be fined up to \$10,000.00. Class D Felonies are punishable with Prison Time ranging from 1 to 5 years.

The most recent case in Kentucky that captured national attention was the Hit and Run Wrongful Death of Connie Blount, a University of Kentucky Freshman from Park City, Utah. Shannon Houser of Lexington, was found roughly a week after the Hit and Run Death and charged with a Misdemeanor Charge of Leaving the Scene of an Accident. That charge is punishable by up to 1 year in Jail. Houser will not likely be subject to the New Kentucky Hit and Run Law which takes effect in July 2008. However, Houser is facing a Class D Felony Charge of Tampering With Physical Evidence in addition to his Misdemeanor Charge.

Blount's Father expressed his outrage recently when he found out that Kentucky was one of only three states where a Hit and Run Death did not result in a Felony charge. This new change will probably not satisfy him in this case as it will not likely be applicable. As explained, Shannon Houser still is facing a Class D Felony charge as a result of this Kentucky Hit and Run Accident. You can read more on this story by clicking on the following link and you can also watch a video. <http://www.wkyt.com/home/headlines/18333419.html>.

In the alternative, the Blount Family will have legal recourse against Houser in the form of a Civil Lawsuit. In a Civil Case they will not have to find Houser Guilty beyond a Reasonable Doubt as must happen for Houser to be found guilty on one of the two Criminal Charges. In a Civil Case Houser will have to be found More Likely Than Not Liable for the Death of Connie Blount. If so, he could be liable to her family for her Lost Earnings Capacity, Reasonable Medical and Funeral Expenses, the Loss of Love and Affection and Pain and Suffering.