

2026 -- S 2310

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- ACCIDENTS AND ACCIDENT REPORTS -- THE MATTHEW O'GARA ACT OF 2026

Introduced By: Senators Tikoian, Raptakis, Patalano, Appollonio, Famiglietti, Ciccone, Gallo, DiPalma, Dimitri, and Burke

Date Introduced: January 23, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. This act shall be known and may be cited as the "The Matthew O'Gara Act
2 of 2026."

3 SECTION 2. Section 31-26-1 of the General Laws in Chapter 31-26 entitled "Accidents
4 and Accident Reports" is hereby amended to read as follows:

5 **31-26-1. Duty to stop in accidents resulting in personal injury** **Duty to stop in accidents**
6 **resulting in personal injury -- The Matthew O'Gara Act of 2026.**

7 (a) The driver of any vehicle knowingly involved in an accident resulting in injury to,
8 serious bodily injury to, or death of any person shall immediately stop the vehicle at the scene of
9 the accident or as close to it as possible, but shall then immediately return to and in every event
10 shall remain at the scene of the accident until he or she has fulfilled the requirements of § 31-26-
11 3. A stop shall be made without obstructing traffic more than is necessary.

12 (b) Any person knowingly failing to stop or to comply with the requirements under
13 circumstances which result in injury to any person shall upon conviction be punished by a
14 mandatory loss of license for at least one year and not more than ~~five (5)~~ ten (10) years and
15 imprisonment for not less than eighteen (18) months and not more than ~~five (5)~~ ten (10) years,
16 ~~and/or fined~~ plus a fine of up to five thousand dollars (\$5,000).

17 (c)(1) Any person knowingly failing to stop or to comply with the requirements under
18 circumstances which result in serious bodily injury to any person shall upon conviction be punished

1 as follows:

(i) Every person convicted of a first violation shall be punished by imprisonment for not less than ~~one year~~ eighteen (18) months and for not more than ten (10) years and by a fine of not less than one thousand dollars (\$1,000), nor more than five thousand dollars (\$5,000). The sentencing judge shall have the discretion to sentence the person to any unit of the adult correctional institutions. Additionally, the license of the person shall be revoked for a period of ~~up to~~ at least two (2) years and not more than ten (10) years. The license privilege shall not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles establishes that no grounds exist which would authorize refusal to issue a license and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.

11 (ii) For a second or subsequent conviction under this subsection within a five (5) year
12 period, a person shall be punished by imprisonment for not less than two (2) years nor more than
13 fifteen (15) years and by a fine of not less than three thousand dollars (\$3,000) nor more than ten
14 thousand dollars (\$10,000). The sentencing judge shall have the discretion to sentence the person
15 to any unit of the adult correctional institutions. Additionally, the license of the person shall be
16 revoked for a period of up to at least four (4) years and not more than fifteen (15) years. The license
17 privilege shall not be reinstated until evidence satisfactory to the administrator of the division of
18 motor vehicles establishes that no grounds exist which would authorize refusal to issue a license
19 and until the person gives proof of financial responsibility pursuant to chapter 32 of this title.

(2) As used in this subsection, "serious bodily injury" means physical injury that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.

23 (d) Any person knowingly failing to stop or to comply with the requirements under
24 circumstances which result in the death of any person, shall upon conviction be punished pursuant
25 to the provisions of this subsection as follows:

1 responsibility pursuant to chapter 32 of this title.

2 (2) Every person convicted of a second or subsequent violation of this subsection within a
3 five (5) year period shall be punished by imprisonment in the state prison for not less than ~~five (5)~~
4 ten (10) years and for not more than twenty (20) years, in any unit of the adult correctional
5 institutions in the discretion of the sentencing judge, by a fine of not less than ten thousand dollars
6 (\$10,000) nor more than twenty thousand dollars (\$20,000) and his or her license to operate a motor
7 vehicle shall be revoked for a period of not less than five (5) years ten (10) years and may be
8 permanently revoked. ~~The If less than a permanent revocation is imposed the~~ license privilege shall
9 not be reinstated until evidence satisfactory to the administrator of the division of motor vehicles
10 establishes that no grounds exist which would authorize the refusal to issue a license, and until the
11 person gives proof of financial responsibility pursuant to chapter 32 of this title.

12 (e) This section shall apply in its entirety to any driver of a motor vehicle knowingly
13 involved in an accident with a pedestrian or a person riding a bicycle.

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- ACCIDENTS AND ACCIDENT
REPORTS -- THE MATTHEW O'GARA ACT OF 2026

1 This act would increase the penalties for a first offense of leaving the scene of an accident
2 resulting in death to a minimum ten (10) years in incarceration, a minimum of ten thousand dollars
3 (\$10,000) and a minimum license revocation of ten (10) years. It would also increase other penalties
4 in this section from a minimum of five (5) years to ten (10) years in prison for violation.

5 This act would take effect upon passage.

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