

**LEAVING SCENE OF AN INCIDENT WITHOUT REPORTING**  
**(Traffic Infraction)**  
**(Property Damage)**  
**Vehicle & Traffic Law § 600(1)(a)**  
**(Committed on or after July 24, 1986)**

The (*specify*) count is Leaving the Scene of an Incident Without Reporting.

Under our law, any person operating a motor vehicle who knows or has cause to know<sup>1</sup> that damage has been caused to the real property or to the personal property, not including animals, of another, due to an incident involving the motor vehicle operated by such person shall, before leaving the place where the damage occurred, stop, exhibit his or her license [and insurance identification card for such vehicle, when such card is required],<sup>2</sup> and give his or her name, residence, including street and number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy, and license number to the party sustaining the damage, or in case the person sustaining the damage is not present at the place where the damage occurred then he or she shall report the same as soon as physically able to the nearest police station, or judicial officer.

The term “motor vehicle” used in this definition has its own special meaning in our law.

MOTOR VEHICLE means every vehicle operated or driven upon a public highway which is propelled by any power other

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<sup>1</sup> The statute reads: “who, knowing or having cause to know. . . .” VTL § 600(1)(a). To correct a grammatical error in the statute, the instruction instead reads “who knows or has cause to know.”

<sup>2</sup> The statute continues with the words “pursuant to articles six and eight of this chapter.” Articles 6 and 8 of the Vehicle and Traffic Law pertain to the insurance requirements for motor vehicles and should be explained separately if such requirements are in issue.

than muscular power.<sup>3</sup>

In order for you to find the defendant guilty of this offense, the People are required to prove, from all of the evidence in the case, beyond a reasonable doubt, each of the following three elements:

1. That on or about (date), in the county of (county), the defendant, (defendant's name), operated a motor vehicle;
2. That at that time and place, the defendant knew or had cause to know that damage had been caused to the real property or to the personal property, [ not including animals,] of another, due to an incident involving the motor vehicle operated by the defendant; and
3. That the defendant did not, before leaving the place where the damage occurred, stop, exhibit his or her license [and insurance identification card for such vehicle, when such card is required], and give his or her name, residence, including street and number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy, and license number to the party sustaining the damage, or in case the person sustaining the damage was not present at the place where the damage occurred then he/she did not report the same as soon as physically able to the nearest police

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<sup>3</sup> The term "motor vehicle" is defined in Vehicle and Traffic Law § 125. That definition contains exceptions which are not set forth in the text of this charge. The term "public highway" appearing in the definition of "motor vehicle" is itself separately defined in Vehicle and Traffic Law § 134 and the terms within that definition are also separately defined in article one of the Vehicle and Traffic Law. If an exception or definition is in issue, then the charge should be amplified accordingly.

station, or judicial officer.

If you find that the People have proven beyond a reasonable doubt each of those elements, you must find the defendant guilty of this crime.

If you find that the People have not proven beyond a reasonable doubt any one or more of those elements, you must find the defendant not guilty of this crime.