

HB 230 -- Dangerous Vehicular Flight

Sponsor: Sommer

This bill specifies that any person who commits any misdemeanor or felony offense and then flees the scene of the offense in a vehicle in a manner that creates a substantial risk of serious physical injury or death to any person is guilty of the crime of dangerous vehicular flight. Upon conviction, he or she will be punished by imprisonment for a term of not less than three years for a first offense and will not be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for three years. A person convicted of a second offense of dangerous vehicular flight will be punished by imprisonment for a term of not less than five years and will not be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for five years. A person convicted of a third or subsequent offense of dangerous vehicular flight will be punished by imprisonment for a term of not less than 10 years and will not be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for 10 years. The punishment imposed under these provisions will be in addition to any punishment for the crime committed at the scene of the offense from which the person was fleeing.

The bill modifies the crime of resisting or interfering with arrest, detention, or stop, a class A misdemeanor, by specifying that resisting an arrest, detention, or stop by fleeing in a vehicle in a manner that creates a substantial risk of serious physical injury or death to any person is a class D felony. However, when the flight results in serious physical injury or death to any person, the person is guilty of a class C felony and a person punished under this provision will not be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for two years.

The bill adds three hours of training within the law enforcement continuing education three-year reporting period on the handling of high speed pursuits of offenders who are fleeing the scene of a crime in a vehicle in a dangerous manner or who are resisting arrest, detention, or stop by fleeing in a vehicle in a dangerous manner to the continuing education requirements for peace officers.