

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 428

91ST GENERAL ASSEMBLY

Reported from the Committee on Public Safety, Law Enforcement and Veteran Affairs, March 29, 2001, with recommendation that the House Committee Substitute for House Bill No. 428 Do Pass.

Taken up for Perfection April 25, 2001. Bill ordered Perfected and printed, as amended.

TED WEDEL, Chief Clerk

1168L.02P

AN ACT

To amend chapter 575, RSMo, by adding thereto one new section relating to eluding a law enforcement official, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 575, RSMo, is amended by adding thereto one new section, to be known as section 575.155, to read as follows:

575.155. 1. A person commits the crime of eluding a law enforcement official if such person:

(1) Operates a motor vehicle after receiving a clearly visible flashing or revolving light and an audible signal, such as a red light and a siren, from a law enforcement official driving a motor vehicle, directing the person to bring the motor vehicle to a stop where such law enforcement official has a reasonable suspicion that a law or local ordinance has been violated; and

(2) Purposely increases the speed of the motor vehicle or extinguishes the lights of the motor vehicle for the purpose of eluding such law enforcement official; or

(3) Purposely attempts in any other manner to elude the law enforcement official; or

(4) Does elude such law enforcement official.

2. Knowingly eluding a law enforcement official is a class D felony when the person eludes a law enforcement official by operating a motor vehicle and such operation presents a substantial risk of serious bodily injury or death to any person, and in all other cases

16 knowingly eluding a law enforcement official is a class A misdemeanor.

17 3. Nothing in this section shall be construed to bar civil suits for unlawful arrest.

18 4. As used in this section, "law enforcement official" means anyone defined as a

19 peace officer in section 590.100, RSMo.