

AVOIDING APPREHENSION AMENDMENT

2005 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael G. Waddoups

House Sponsor: DeMar Bud Bowman

LONG TITLE

General Description:

This bill establishes a specific offense of failure to stop at the command of a peace officer in situations where the offender is not operating a vehicle.

Highlighted Provisions:

This bill:

- ▶ provides that fleeing a peace officer with the intent to avoid arrest is a class A misdemeanor; and
- ▶ clarifies that this offense is a separate offense from the existing offense of an offender's failure to stop at the command of an officer while the offender is operating a motor vehicle.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-8-305.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-8-305.5** is enacted to read:

76-8-305.5. Failure to stop at the command of a law enforcement officer.

A person is guilty of a class A misdemeanor who flees from or otherwise attempts to

elude a law enforcement officer:

- (1) after the officer has issued a verbal or visual command to stop;
- (2) for the purpose of avoiding arrest; and
- (3) by any means other than a violation of Section 41-6-13.5 regarding failure to stop a vehicle at the command of a law enforcement officer.