

**MOTOR VEHICLE OPERATOR FLEEING A
PEACE OFFICER**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Ty McCartney

This act modifies the Motor Vehicles Code by clarifying the fleeing from a peace officer provisions. This act clarifies that after a signal from a peace officer to stop a vehicle, a separate offense exists for either operating a vehicle in willful disregard of the signal while endangering others or for attempting to flee a peace officer.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-6-13.5, as last amended by Chapter 216, Laws of Utah 1999

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

Section 1. Section **41-6-13.5** is amended to read:

41-6-13.5. Failure to respond to officer's signal to stop -- Fleeing -- Causing property damage or bodily injury -- Suspension of driver's license -- Forfeiture of vehicle -- Penalties.

(1) (a) An operator who receives a visual or audible signal from a peace officer to bring ~~his~~ the vehicle to a stop may not:

(i) operate ~~his~~ the vehicle in willful or wanton disregard of the signal so as to interfere with or endanger the operation of any vehicle or person ~~and may not~~; or

(ii) attempt to flee or elude a peace officer by vehicle or other means.

(b) A person who violates Subsection (1)(a) is guilty of a felony of the third degree.

The court shall, as part of any sentence under this Subsection (1), impose a fine of not less than \$1,000.

(2) (a) An operator who violates Subsection (1) and while so doing causes death or serious bodily injury to another person, under circumstances not amounting to murder or aggravated murder, is guilty of a felony of the second degree.

(b) The court shall, as part of any sentence under this Subsection (2), impose a fine of

not less than \$5,000.

(3) (a) In addition to the penalty provided under this section or any other section, a person who violates Subsection (1)(a) or (2)(a) shall have [~~his driver's~~] the person's driver license revoked [~~pursuant to~~] under Subsection 53-3-220(1)(a)(ix) for a period of one year.

(b) The court shall forward the report of the conviction to the division. If the person is the holder of a [~~driver's~~] driver license from another jurisdiction, the court shall notify the division and the division shall notify the appropriate officials in the licensing state.