

ENGROSSED HOUSE
BILL NO. 2930

By: Satterfield of the House
and
Kerr of the Senate

An Act relating to crimes and punishments; amending
21 O.S. 1991, Section 540A, which relates to
eluding or attempting to elude a peace officer;
modifying penalties for second and subsequent
offenses; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 1991, Section 540A, is
amended to read as follows:

Section 540A. A. Any operator of a motor vehicle who has
received a visual and audible signal, a red light and a siren from a
peace officer driving a motor vehicle showing the same to be an
official police, sheriff, highway patrol or state game ranger
vehicle directing the said operator to bring his vehicle to a stop
and who willfully increases his speed or extinguishes his lights in
an attempt to elude such peace officer, or willfully attempts in any
other manner to elude the peace officer, or who does elude such
peace officer, is guilty of a misdemeanor. The peace officer, while
attempting to stop a violator of this section, may communicate a
request for the assistance of other peace officers from any office,
department or agency. Any peace officer within this state having
knowledge of such request is authorized to render such assistance in

stopping the violator and may effect an arrest under this section upon probable cause. Violation of this ~~section~~ subsection shall constitute a misdemeanor and shall be punishable by not more than one (1) year imprisonment in the county jail or by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00) or by both such fine and imprisonment. A second or subsequent violation of this subsection shall constitute a felony and shall be punishable by not less than one (1) year nor more than three (3) years imprisonment in a state correctional facility or by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00) or by both such fine and imprisonment.

B. 1. Any person who causes an accident, while eluding or attempting to elude an officer, resulting in great bodily injury to any person other than himself while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of this section may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a felony punishable by imprisonment in a state correctional institution for not less than one (1) year and not more than five (5) years, and a fine of not more than Five Thousand Dollars (\$5,000.00).

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 6th day of March, 1996.

Speaker

of the House of
Representatives

Passed the Senate the ____ day of _____, 1996.

President

of the Senate