

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1606

By: Jones

6
7 AS INTRODUCED

8 An Act relating to crimes and punishments; amending
9 21 O.S. 1991, Section 540A, as last amended by
10 Section 210, Chapter 133, O.S.L. 1997 (21 O.S. Supp.
11 1998, Section 540A), which relates to eluding a
12 police officer; modifying circumstances constituting
13 a felony; and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 1991, Section 540A, as
17 last amended by Section 210, Chapter 133, O.S.L. 1997 (21 O.S. Supp.
18 1998, Section 540A), is amended to read as follows:

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

1 violator and may effect an arrest under this section upon probable
2 cause. Violation of this subsection shall constitute a misdemeanor
3 and shall be punishable by not more than one (1) year imprisonment
4 in the county jail or by a fine of not less than One Hundred Dollars
5 (\$100.00) nor more than Two Thousand Dollars (\$2,000.00) or by both
6 such fine and imprisonment. A second or subsequent violation of
7 this subsection shall be punishable by not more than one (1) year in
8 the county jail or by a fine of not less than Five Hundred Dollars
9 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or both
10 such fine and imprisonment.

11 B. ~~1.~~ Any person who ~~causes an accident,~~ while eluding or
12 attempting to elude an officer, ~~resulting in great bodily injury to~~
13 ~~any person other than himself while driving~~ drives or ~~operating~~
14 operates a motor vehicle within this state ~~and who is~~ in violation
15 of the provisions of subsection A of this section in a manner
16 endangering human life or property may be charged with a violation
17 of the provisions of this subsection. Any person who is convicted
18 of a violation of the provisions of this subsection shall be deemed
19 guilty of a felony. The fine for a violation of this subsection
20 shall not be more than Five Thousand Dollars (\$5,000.00). Such fine
21 shall be in addition to any other punishment provided by law and
22 shall not be in lieu of other punishment.

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

27 SECTION 2. This act shall become effective November 1, 1999.

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29 47-1-6329 LAC 6/11/15
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