

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1606

By: Jones

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 540A, as last amended by Section 210, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1998, Section 540A), which relates to eluding a police officer; modifying penalty; 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, as last amended by Section 210, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1998, 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~~ the vehicle of that operator to a stop and who willfully increases ~~his~~ the speed or extinguishes ~~his~~ the lights of the vehicle 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~~ felony. 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 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 be punishable by not more than one (1) year in the county jail or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or both such fine and imprisonment felony.

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~~ that person 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. The fine for a violation of this subsection shall not be more than Five Thousand Dollars (\$5,000.00). Such fine shall be in addition to any other punishment provided by law and shall not be in lieu of other punishment.

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, 1999.

47-1-5502            LAC            6/12/15