

**HOUSE BILL NO. 1373
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1373

Introduced by

Representatives Mickelson, Carlisle, DeKrey

Senator B. Stenehjem

- 1 A BILL for an Act to create and enact a new section to chapter 12.1-08 of the North Dakota
2 Century Code, relating to the penalty for fleeing a peace officer.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 12.1-08 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Fleeing a peace officer.** Any person, other than the driver of a motor vehicle under
7 section 39-10-71, who willfully fails or refuses to stop or who otherwise flees or attempts to
8 elude, in any manner, a pursuing peace officer, when given a visual or audible signal to stop, is
9 guilty of a class B misdemeanor for a first or second offense and a class A misdemeanor for a
10 subsequent offense. A signal to stop complies with this section if the signal is perceptible to the
11 person and:

- 12 1. If given from a vehicle, the signal is given by hand, voice, emergency light, or
13 siren, and the vehicle is appropriately marked showing it to be an official law
14 enforcement vehicle; or
15 2. If not given from a vehicle, the signal is given by hand, voice, emergency light, or
16 siren, and the officer is in uniform and prominently displays the officer's badge of
17 office.