

SENATE BILL NO. 2212

Introduced by

Senators Watne, Schobinger

Representatives Klein, Koppelman

1 A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code,
2 relating to the penalty for fleeing a peace officer.

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

4 **SECTION 1. AMENDMENT.** Section 39-10-71 of the North Dakota Century Code is
5 amended and reenacted as follows:

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

- 12 1. If given from a vehicle, the signal is given by hand, voice, emergency light, or siren,
13 and the stopping vehicle is appropriately marked showing it to be an official police
14 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.