

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 869

Short Title: Speed to Elude Arrest.

(Public)

Sponsors: Representatives Davis; Aldridge, Arnold, Baker, Barbee, Beall, Berry, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Creech, Culp, Daughtry, Decker, Dedmon, Eddins, Fox, Gardner, Goodwin, Grady, Gulley, Hall, Hardy, Howard, Ives, Justus, Kinney, Kiser, McMahan, Miner, Moore, Morris, Preston, Rayfield, Reynolds, Russell, Sexton, Starnes, Tallent, Tolson, Wainwright, Warwick, Watson, Wilkins, C. Wilson, and G. Wilson.

Referred to: Judiciary I.

April 7, 1997

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE PENALTY FOR SPEEDING TO ELUDE ARREST
2 AND TO PROVIDE THAT THERE IS A PRESUMPTION THAT A PERSON IS
3 ELUDING ARREST IF THE PERSON CONTINUES THE SPEEDING
4 VIOLATION FOR A DISTANCE THAT IS A QUARTER OF A MILE OR MORE.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 20-141(j) reads as rewritten:

7 "(j) A person who does one of the following while fleeing or attempting to elude
8 arrest or apprehension by a law enforcement officer with authority to enforce the motor
9 vehicle laws is guilty of a Class 4 ~~misdemeanor~~ felony, and at a minimum shall be
10 punished by a fine of at least five hundred dollars (\$500.00):

- 11 (1) Drives a vehicle on a street or highway in excess of 55 miles per hour
12 and more than 15 miles per hour over the legal limit.
13 (2) Drives a vehicle in excess of 80 miles per hour.
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1 It shall be prima facie evidence that a person is fleeing or attempting to elude arrest or
2 apprehension by a law enforcement officer with authority to enforce the motor vehicle
3 laws if the person violates subdivision (1) or (2) of this subsection for a distance
4 that is a quarter of a mile or more."

5 Section 2. This act becomes effective December 1, 1997, and applies to
6 offenses committed on or after that date.