SENATE BILL NO. 2009

AN ACT TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER IN A MOTOR VEHICLE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 97-9-73, Mississippi Code of 1972, is amended as follows:

97-9-73. (1) It shall be unlawful for any person to obstruct or resist by force, or violence, or threats, or in any other manner, his lawful arrest or the lawful arrest of another person by any state, local or federal law enforcement officer, and any person or persons so doing shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not more than six (6) months, or both.

(2) The driver of a motor vehicle who is given a visible or audible signal by a law enforcement officer by hand, voice, emergency light or siren directing the driver to bring his motor vehicle to a stop and who willfully fails to obey such direction by increasing speed, extinguishing the vehicle lights or otherwise attempting to flee or elude the officer is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed One Thousand Dollars ($1,000.00) or by imprisonment for not more than one (1) year, or both, under the following circumstances:

(a) When such signal is given by a law enforcement officer acting in the lawful performance of duty;

(b) The officer giving the signal is in uniform; and
(c) If occurring at night, any vehicle driven by the officer at the time the signal was given is adequately identified as an official law enforcement vehicle.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.