HOUSE BILL NO. 728

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 when such signal is given by a law enforcement
officer acting in the lawful performance of duty who has a
reasonable suspicion to believe that the driver in question has
committed a crime, and who willfully fails to obey such direction,
shall be guilty of a misdemeanor, and upon conviction shall be
punished by a fine not to exceed One Thousand Dollars ($1,000.00)
or imprisoned in the county jail for a term not to exceed six (6)
months, or both.

(3) Any person who is guilty of violating subsection (2) of
this section by operating a motor vehicle in such a manner as to
indicate a reckless or willful disregard for the safety of persons or property, or who so operates a motor vehicle in a manner manifesting extreme indifference to the value of human life, shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine not to exceed Five Thousand Dollars ($5,000.00), or by commitment to the custody of the State Department of Corrections for not more than five (5) years, or both.

(4) It shall not be unlawful for the driver of a motor vehicle after dusk to proceed to the nearest well-lighted, public area before stopping as long as the driver does not exceed the speed limit.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.