HOUSE BILL NO. 393

AN ACT TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO CREATE THE OFFENSE 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 state, local or federal law enforcement officer by emergency light or siren directing the driver to bring his motor vehicle to a stop when such signal is given by such a law enforcement officer acting in the lawful performance of duty upon 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. It shall not be unlawful for a person driving a motor vehicle after dusk to proceed to the...
nearest well-lighted populated public area before stopping as long as the driver does not exceed the speed limit.

(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 Mississippi Department of Corrections for not more than five (5) years, or both.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.