

By: Representative McBride

To: Judiciary B

HOUSE BILL NO. 393

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

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

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

7 97-9-73. (1) It shall be unlawful for any person to
8 obstruct or resist by force, or violence, or threats, or in any
9 other manner, his lawful arrest or the lawful arrest of another
10 person by any state, local or federal law enforcement officer, and
11 any person or persons so doing shall be guilty of a misdemeanor,
12 and upon conviction thereof, shall be punished by a fine of not
13 more than Five Hundred Dollars (\$500.00), or by imprisonment in
14 the county jail not more than six (6) months, or both.

15 (2) The driver of a motor vehicle who is given a visible or
16 audible signal by a state, local or federal law enforcement
17 officer by emergency light or siren directing the driver to bring
18 his motor vehicle to a stop when such signal is given by such a
19 law enforcement officer acting in the lawful performance of duty
20 upon a reasonable suspicion to believe that the driver in question
21 has committed a crime, and who willfully fails to obey such
22 direction, shall be guilty of a misdemeanor, and upon conviction
23 shall be punished by a fine not to exceed One Thousand Dollars
24 (\$1,000.00) or imprisoned in the county jail for a term not to
25 exceed six (6) months, or both. It shall not be unlawful for a
26 person driving a motor vehicle after dusk to proceed to the



27 nearest well-lighted populated public area before stopping as long
28 as the driver does not exceed the speed limit.

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

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

