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HOUSE BILL 2648

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Delvin, Morris, Sterk, Conway, Costa, Benton and Honeyford

Read first time 01/16/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to attempting to elude a pursuing police vehicle;  
2 amending RCW 46.61.024; reenacting and amending RCW 9.94A.320; and  
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.61.024 and 1983 c 80 s 1 are each amended to read  
6 as follows:

7 ((Any)) (1) A driver of a motor vehicle who willfully fails or  
8 refuses to immediately bring his or her vehicle to a stop and who  
9 drives his or her vehicle in a manner indicating a wanton or willful  
10 disregard for the lives or property of others while attempting to elude  
11 a pursuing police vehicle, after being given a visual or audible signal  
12 to bring the vehicle to a stop, ((shall be)) is guilty of a class ((C))  
13 B felony. The signal given by the police officer may be by hand,  
14 voice, emergency light, or siren. The officer giving such a signal  
15 shall be in uniform and his or her vehicle shall be appropriately  
16 marked showing it to be an official police vehicle.

17 (2) A person is guilty of murder in the second degree if a death  
18 occurs while attempting to elude a police vehicle as set out under  
19 subsection (1) of this section.



1           Leading Organized Crime (RCW  
2                   9A.82.060(1)(a))

3    IX       Assault of a Child 2 (RCW 9A.36.130)  
4           Robbery 1 (RCW 9A.56.200)  
5           Manslaughter 1 (RCW 9A.32.060)  
6           Explosive devices prohibited (RCW  
7                   70.74.180)  
8           Indecent Liberties (with forcible  
9                   compulsion) (RCW 9A.44.100(1)(a))  
10          Endangering life and property by  
11            explosives with threat to human being  
12            (RCW 70.74.270)  
13          Over 18 and deliver narcotic from Schedule  
14            III, IV, or V or a nonnarcotic from  
15            Schedule I-V to someone under 18 and  
16            3 years junior (RCW 69.50.406)  
17          Controlled Substance Homicide (RCW  
18            69.50.415)  
19          Sexual Exploitation (RCW 9.68A.040)  
20          Inciting Criminal Profiteering (RCW  
21            9A.82.060(1)(b))  
22          Vehicular Homicide, by being under the  
23            influence of intoxicating liquor or  
24            any drug (RCW 46.61.520)

25    VIII     Arson 1 (RCW 9A.48.020)  
26            Promoting Prostitution 1 (RCW 9A.88.070)  
27            Selling for profit (controlled or  
28                   counterfeit) any controlled substance  
29            (RCW 69.50.410)  
30            Manufacture, deliver, or possess with  
31                   intent to deliver heroin or cocaine  
32            (RCW 69.50.401(a)(1)(i))  
33            Manufacture, deliver, or possess with  
34                   intent to deliver methamphetamine  
35            (RCW 69.50.401(a)(1)(ii))  
36          Vehicular Homicide, by the operation of  
37            any vehicle in a reckless manner (RCW  
38            46.61.520)

1 VII Burglary 1 (RCW 9A.52.020)  
2 Vehicular Homicide, by disregard for the  
3 safety of others (RCW 46.61.520)  
4 Introducing Contraband 1 (RCW 9A.76.140)  
5 Indecent Liberties (without forcible  
6 compulsion) (RCW 9A.44.100(1) (b) and  
7 (c))  
8 Child Molestation 2 (RCW 9A.44.086)  
9 Dealing in depictions of minor engaged in  
10 sexually explicit conduct (RCW  
11 9.68A.050)  
12 Sending, bringing into state depictions of  
13 minor engaged in sexually explicit  
14 conduct (RCW 9.68A.060)  
15 Involving a minor in drug dealing (RCW  
16 69.50.401(f))  
17 Reckless Endangerment 1 (RCW 9A.36.045)  
18 Unlawful Possession of a Firearm in the  
19 first degree (RCW 9.41.040(1)(a))  
20 VI Bribery (RCW 9A.68.010)  
21 Manslaughter 2 (RCW 9A.32.070)  
22 Rape of a Child 3 (RCW 9A.44.079)  
23 Intimidating a Juror/Witness (RCW  
24 9A.72.110, 9A.72.130)  
25 Damaging building, etc., by explosion with  
26 no threat to human being (RCW  
27 70.74.280(2))  
28 Endangering life and property by  
29 explosives with no threat to human  
30 being (RCW 70.74.270)  
31 Incest 1 (RCW 9A.64.020(1))  
32 Manufacture, deliver, or possess with  
33 intent to deliver narcotics from  
34 Schedule I or II (except heroin or  
35 cocaine) (RCW 69.50.401(a)(1)(i))  
36 Intimidating a Judge (RCW 9A.72.160)  
37 Bail Jumping with Murder 1 (RCW  
38 9A.76.170(2)(a))  
39 Theft of a Firearm (RCW 9A.56.300)

1 V Persistent prison misbehavior (RCW  
2 9.94.070)  
3 Criminal Mistreatment 1 (RCW 9A.42.020)  
4 Rape 3 (RCW 9A.44.060)  
5 Sexual Misconduct with a Minor 1 (RCW  
6 9A.44.093)  
7 Child Molestation 3 (RCW 9A.44.089)  
8 Kidnapping 2 (RCW 9A.40.030)  
9 Extortion 1 (RCW 9A.56.120)  
10 Incest 2 (RCW 9A.64.020(2))  
11 Perjury 1 (RCW 9A.72.020)  
12 Extortionate Extension of Credit (RCW  
13 9A.82.020)  
14 Advancing money or property for  
15 extortionate extension of credit (RCW  
16 9A.82.030)  
17 Extortionate Means to Collect Extensions  
18 of Credit (RCW 9A.82.040)  
19 Rendering Criminal Assistance 1 (RCW  
20 9A.76.070)  
21 Bail Jumping with class A Felony (RCW  
22 9A.76.170(2)(b))  
23 Sexually Violating Human Remains (RCW  
24 9A.44.105)  
25 Delivery of imitation controlled substance  
26 by person eighteen or over to person  
27 under eighteen (RCW 69.52.030(2))  
28 Possession of a Stolen Firearm (RCW  
29 9A.56.310)

30 IV Residential Burglary (RCW 9A.52.025)  
31 Theft of Livestock 1 (RCW 9A.56.080)  
32 Robbery 2 (RCW 9A.56.210)  
33 Assault 2 (RCW 9A.36.021)  
34 Escape 1 (RCW 9A.76.110)  
35 Arson 2 (RCW 9A.48.030)  
36 Commercial Bribery (RCW 9A.68.060)  
37 Bribing a Witness/Bribe Received by  
38 Witness (RCW 9A.72.090, 9A.72.100)  
39 Malicious Harassment (RCW 9A.36.080)

1 Threats to Bomb (RCW 9.61.160)  
2 Willful Failure to Return from Furlough  
3 (RCW 72.66.060)  
4 Hit and Run « Injury Accident (RCW  
5 46.52.020(4))  
6 Attempting to Elude a Pursuing Police  
7 Vehicle (RCW 46.61.024)  
8 Vehicular Assault (RCW 46.61.522)  
9 Manufacture, deliver, or possess with  
10 intent to deliver narcotics from  
11 Schedule III, IV, or V or  
12 nonnarcotics from Schedule I-V  
13 (except marijuana or  
14 methamphetamines) (RCW  
15 69.50.401(a)(1)(ii) through (iv))  
16 Influencing Outcome of Sporting Event (RCW  
17 9A.82.070)  
18 Use of Proceeds of Criminal Profiteering  
19 (RCW 9A.82.080 (1) and (2))  
20 Knowingly Trafficking in Stolen Property  
21 (RCW 9A.82.050(2))  
22 III Criminal Mistreatment 2 (RCW 9A.42.030)  
23 Extortion 2 (RCW 9A.56.130)  
24 Unlawful Imprisonment (RCW 9A.40.040)  
25 Assault 3 (RCW 9A.36.031)  
26 Assault of a Child 3 (RCW 9A.36.140)  
27 Custodial Assault (RCW 9A.36.100)  
28 Unlawful possession of firearm in the  
29 second degree (RCW 9.41.040(1)(b))  
30 Harassment (RCW 9A.46.020)  
31 Promoting Prostitution 2 (RCW 9A.88.080)  
32 Willful Failure to Return from Work  
33 Release (RCW 72.65.070)  
34 Burglary 2 (RCW 9A.52.030)  
35 Introducing Contraband 2 (RCW 9A.76.150)  
36 Communication with a Minor for Immoral  
37 Purposes (RCW 9.68A.090)  
38 Patronizing a Juvenile Prostitute (RCW  
39 9.68A.100)

1 Escape 2 (RCW 9A.76.120)  
2 Perjury 2 (RCW 9A.72.030)  
3 Bail Jumping with class B or C Felony (RCW  
4 9A.76.170(2)(c))  
5 Intimidating a Public Servant (RCW  
6 9A.76.180)  
7 Tampering with a Witness (RCW 9A.72.120)  
8 Manufacture, deliver, or possess with  
9 intent to deliver marijuana (RCW  
10 69.50.401(a)(1)(ii))  
11 Delivery of a material in lieu of a  
12 controlled substance (RCW  
13 69.50.401(c))  
14 Manufacture, distribute, or possess with  
15 intent to distribute an imitation  
16 controlled substance (RCW  
17 69.52.030(1))  
18 Recklessly Trafficking in Stolen Property  
19 (RCW 9A.82.050(1))  
20 Theft of livestock 2 (RCW 9A.56.080)  
21 Securities Act violation (RCW 21.20.400)  
22 II Unlawful Practice of Law (RCW 2.48.180)  
23 Malicious Mischief 1 (RCW 9A.48.070)  
24 Possession of Stolen Property 1 (RCW  
25 9A.56.150)  
26 Theft 1 (RCW 9A.56.030)  
27 Trafficking in Insurance Claims (RCW  
28 48.30A.015)  
29 Unlicensed Practice of a Profession or  
30 Business (RCW 18.130.190(7))  
31 Health Care False Claims (RCW 48.80.030)  
32 Possession of controlled substance that is  
33 either heroin or narcotics from  
34 Schedule I or II (RCW 69.50.401(d))  
35 Possession of phencyclidine (PCP) (RCW  
36 69.50.401(d))  
37 Create, deliver, or possess a counterfeit  
38 controlled substance (RCW  
39 69.50.401(b))

1 Computer Trespass 1 (RCW 9A.52.110)  
2 Escape from Community Custody (RCW  
3 72.09.310)  
4 I Theft 2 (RCW 9A.56.040)  
5 Possession of Stolen Property 2 (RCW  
6 9A.56.160)  
7 Forgery (RCW 9A.60.020)  
8 Taking Motor Vehicle Without Permission  
9 (RCW 9A.56.070)  
10 Vehicle Prowl 1 (RCW 9A.52.095)  
11 (~~(Attempting to Elude a Pursuing Police~~  
12 ~~Vehicle (RCW 46.61.024))~~)  
13 Malicious Mischief 2 (RCW 9A.48.080)  
14 Reckless Burning 1 (RCW 9A.48.040)  
15 Unlawful Issuance of Checks or Drafts (RCW  
16 9A.56.060)  
17 Unlawful Use of Food Stamps (RCW 9.91.140  
18 (2) and (3))  
19 False Verification for Welfare (RCW  
20 74.08.055)  
21 Forged Prescription (RCW 69.41.020)  
22 Forged Prescription for a Controlled  
23 Substance (RCW 69.50.403)  
24 Possess Controlled Substance that is a  
25 Narcotic from Schedule III, IV, or V  
26 or Non-narcotic from Schedule I-V  
27 (except phencyclidine) (RCW  
28 69.50.401(d))

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