
ENGROSSED SUBSTITUTE HOUSE BILL 1076

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Lovick, McDonald, O'Brien, Moeller, Chase, Haigh, Carrell, Simpson and Kagi)

READ FIRST TIME 02/11/03.

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

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

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

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

16 (2) It is an affirmative defense to this section which must be
17 established by a preponderance of the evidence that: (a) A reasonable

1 person would not believe that the signal to stop was given by a police
2 officer; and (b) driving after the signal to stop was reasonable under
3 the circumstances.

4 (3) The license or permit to drive or any nonresident driving
5 privilege of a person convicted of a violation of this section shall be
6 revoked by the department of licensing.

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