
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 shall be appropriately marked showing it to be an official~~
15 ~~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
18 person would not believe that the signal to stop was given by a police

1 officer; and (b) driving after the signal to stop was reasonable under
2 the circumstances.

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

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