

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 1076**

Chapter 101, Laws of 2003

58th Legislature  
2003 Regular Session

POLICE VEHICLES--ELUDING

EFFECTIVE DATE: 7/27/03

Passed by the House April 22, 2003  
Yeas 96 Nays 1

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 15, 2003  
Yeas 49 Nays 0

BRAD OWEN

**President of the Senate**

Approved May 7, 2003.

GARY LOCKE

**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1076** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

**Chief Clerk**

FILED

May 7, 2003 - 2:15 p.m.

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1076**

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AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

**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  
14 ((his)) the vehicle shall be ((appropriately marked showing it to be an  
15 official police vehicle)) equipped with lights and sirens.

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.

Passed by the House April 22, 2003.

Passed by the Senate April 15, 2003.

Approved by the Governor May 7, 2003.

Filed in Office of Secretary of State May 7, 2003.