H-1075.1

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**HOUSE BILL 1844**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Sells, Robinson, Hayes, and Lovick

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

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

**Sec.**  RCW 46.61.024 and 2010 c 8 s 9065 are each amended to read as follows:

(1) Any driver of a motor vehicle who willfully fails or refuses to immediately bring his or her vehicle to a stop and who drives his or her vehicle in a reckless manner while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and the vehicle shall be equipped with lights and sirens. A "pursuing police vehicle" includes a police vehicle that, after signaling the driver of a motor vehicle to immediately bring his or her vehicle to a stop, does not initiate vehicular pursuit or terminates vehicular pursuit.

(2) It is an affirmative defense to this section which must be established by a preponderance of the evidence that: (a) A reasonable person would not believe that the signal to stop was given by a police officer; and (b) driving after the signal to stop was reasonable under the circumstances.

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

**--- END ---**