1054-S AMH ROBE LEON 681

**SHB 1054** - H AMD **191**

By Representative Robertson

**NOT ADOPTED 02/27/2021**

 On page 3, beginning on line 22, after "(a)" strike all material through "(2)" on line 35 and insert "There is reasonable suspicion to believe a person in the vehicle has committed or is committing a criminal offense, and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks associated with the vehicular pursuit under the circumstances;

 (b) The officer notifies a supervising officer immediately upon initiating the vehicular pursuit, informing the supervisor of the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle;

 (c) The officer complies with any agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit;

 (d) The officer complies with any agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable; and

 (e) The officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit.

 (2) A supervising officer shall order the termination of any vehicular pursuit not meeting the requirements under subsection (1) of this section.

 (3)"

 On page 4, after line 4, insert the following:

 "(4) For the purposes of this section, "vehicular pursuit" means an attempt by a uniformed, law enforcement officer in an officially marked patrol vehicle to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle, and the operator of the moving vehicle appears to be resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a manner that endangers the safety of the community or the officer."

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|  |  EFFECT:   Removes and replaces the restrictions on vehicular pursuits in the underlying bill, as follows: * Defines "vehicular pursuit" as an attempt by a uniformed, law enforcement officer in an officially marked patrol vehicle to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle, and the operator of the moving vehicle appears to be resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a manner that endangers the safety of the community or the officer.
* Provides that a peace officer may not engage in a vehicular pursuit unless: There is reasonable suspicion to believe a person in the vehicle has committed or is committing a criminal offense, and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks associated with the vehicular pursuit under the circumstances; the officer notifies a supervising officer immediately upon initiating the vehicular pursuit, informing the supervisor of the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle; the officer complies with agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit; the officer complies with agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable; and the officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit. Requires the supervising officer to order the termination of any vehicular pursuit not meeting these requirements.
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