

REFERENCE TITLE: aggravated unlawful flight; law enforcement.

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2134

Introduced by
Representative Dunn

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 28-622.02; RELATING TO TRAFFIC LAWS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 28, chapter 3, article 2, Arizona Revised
3 Statutes, is amended by adding section 28-622.02, to read:
4 28-622.02. Aggravated unlawful flight from a pursuing law
5 enforcement vehicle; marked and unmarked
6 vehicles; violation; classification
7 A. A DRIVER OF A MOTOR VEHICLE COMMITS AGGRAVATED UNLAWFUL FLIGHT
8 FROM A PURSUING LAW ENFORCEMENT VEHICLE IF THE DRIVER WILFULLY OPERATES A
9 MOTOR VEHICLE IN A MANNER THAT ENDANGERS THE LIFE OF ANOTHER PERSON WHILE
10 ATTEMPTING TO FLEE OR ELUDE A PURSUING OFFICIAL LAW ENFORCEMENT VEHICLE
11 THAT IS EITHER:
12 1. BEING OPERATED IN THE MANNER PRESCRIBED IN SECTION 28-624,
13 SUBSECTION C AND IS APPROPRIATELY MARKED TO SHOW THAT IT IS AN OFFICIAL
14 LAW ENFORCEMENT VEHICLE.
15 2. UNMARKED AND EITHER OF THE FOLLOWING APPLIES:
16 (a) THE DRIVER ADMITS TO KNOWING THAT THE VEHICLE WAS AN OFFICIAL
17 LAW ENFORCEMENT VEHICLE.
18 (b) EVIDENCE SHOWS THAT THE DRIVER KNEW OR SHOULD HAVE KNOWN THAT
19 THE VEHICLE WAS AN OFFICIAL LAW ENFORCEMENT VEHICLE.
20 B. AGGRAVATED UNLAWFUL FLIGHT FROM A PURSUING LAW ENFORCEMENT
21 VEHICLE IS A CLASS 4 FELONY, EXCEPT THAT AGGRAVATED UNLAWFUL FLIGHT FROM A
22 PURSUING LAW ENFORCEMENT VEHICLE IS A CLASS 2 FELONY IF ANY OF THE
23 FOLLOWING APPLIES:
24 1. THE OFFENSE RESULTS IN SERIOUS PHYSICAL INJURY AS DEFINED IN
25 SECTION 13-105 TO ANOTHER.
26 2. AT THE TIME OF THE OFFENSE THE DRIVER WAS TRANSPORTING A MINOR
27 UNDER FIFTEEN YEARS OF AGE.
28 3. AT THE TIME OF THE OFFENSE THE DRIVER WAS IN VIOLATION OF
29 SECTION 28-1381 OR 28-1382.
30 C. A PERSON WHO IS CONVICTED UNDER SUBSECTION B, PARAGRAPH 3 OF
31 THIS SECTION IS NOT ELIGIBLE FOR PROBATION, PARDON, COMMUTATION OR
32 SUSPENSION OF SENTENCE OR RELEASE ON ANY OTHER BASIS UNTIL THE PERSON HAS
33 SERVED NOT LESS THAN FOUR MONTHS IN PRISON.