

REFERENCE TITLE: aggravated unlawful flight; law enforcement

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1408

Introduced by

Senators Gowan: Bennett, Bolick, Borrelli, Bravo, Burch, Carroll, Farnsworth, Fernandez, Hoffman, Kavanagh, Kern, Kerr, Marsh, Mesnard, Petersen, Rogers, Shamp, Shope, Wadsack; Representatives Biasiucci, Carbone, Carter, Chaplik, Cook, Diaz, Dunn, Gress, Griffin, Hendrix, Hernandez A, Hernandez C, Hernandez L, Livingston, Marshall, Martinez, Montenegro, Payne, Peña, Willoughby, Wilmeth

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; violation; classification

6 A. A DRIVER OF A MOTOR VEHICLE COMMITS AGGRAVATED UNLAWFUL FLIGHT
7 FROM A PURSUING LAW ENFORCEMENT VEHICLE IF THE DRIVER WILFULLY OPERATES A
8 MOTOR VEHICLE IN A MANNER THAT RECKLESSLY ENDANGERS THE LIFE OF ANOTHER
9 PERSON WHILE ATTEMPTING TO FLEE OR ELUDE A PURSUING OFFICIAL LAW
10 ENFORCEMENT VEHICLE AS DESCRIBED IN SECTION 28-622.01.

11 B. AGGRAVATED UNLAWFUL FLIGHT FROM A PURSUING LAW ENFORCEMENT
12 VEHICLE IS A CLASS 4 FELONY, EXCEPT THAT AGGRAVATED UNLAWFUL FLIGHT FROM A
13 PURSUING LAW ENFORCEMENT VEHICLE IS A CLASS 2 FELONY IF ANY OF THE
14 FOLLOWING APPLIES:

15 1. THE OFFENSE RESULTS IN SERIOUS PHYSICAL INJURY AS DEFINED IN
16 SECTION 13-105 TO ANOTHER.

17 2. AT THE TIME OF THE OFFENSE THE DRIVER WAS TRANSPORTING A MINOR
18 UNDER FIFTEEN YEARS OF AGE.

19 3. AT THE TIME OF THE OFFENSE THE DRIVER WAS IN VIOLATION OF
20 SECTION 28-1381 OR 28-1382.

21 C. A PERSON WHO IS CONVICTED UNDER SUBSECTION B, PARAGRAPH 3 OF
22 THIS SECTION IS NOT ELIGIBLE FOR PROBATION, PARDON, COMMUTATION OR
23 SUSPENSION OF SENTENCE OR RELEASE ON ANY OTHER BASIS UNTIL THE PERSON HAS
24 SERVED NOT LESS THAN FOUR MONTHS IN PRISON.