

Senate Engrossed

aggravated unlawful flight; law enforcement

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

# SENATE BILL 1408

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.