

Reprinted 2/28

FEB 5 1980

HOUSE FILE 2453

Place On Calendar

BY COMMITTEE ON TRANSPORTATION

Passed House, Date 2-20-80 (p. 593) Passed Senate, Date _____

Vote: Ayes 78 Nays 15 Vote: Ayes _____ Nays _____

Approved April 7, 1980

Repealed to re-enact w/2/27

A BILL FOR

- 1 An Act providing a penalty for eluding or attempting to
- 2 elude a pursuing law enforcement vehicle.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HOUSE FILE 2453

H-5168

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "siren." the following: "For purposes of this section,
- 4 "peace officer" means those officers designated under
- 5 section eight hundred one point four (801.4),
- 6 subsection seven (7), paragraphs a, b, c, g, and h
- 7 of the Code."

H-5168 FILED
FEBRUARY 6, 1980

BY JAY of Appanoose

Adopted 2/20 (p. 591)

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HOUSE FILE 2453

H-5223

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 5, by striking the word "serious"
- 3 and inserting in lieu thereof the word "simple".^A
- 4 2. Page 1, line 9, by inserting after the word "stop"
- 5 the words "and in doing so exceeds the speed limit ^B
- 6 by twenty-five miles per hour or more".

H-5223 FILED
FEBRUARY 13, 1980

By JAY of Appanoose

DAVITT of Warren

SCHROEDER of Pottawattamie POPE of Polk

A. Lost
B. Adopted 2/20 (p. 592) WALTER of Pottawattamie

HALVORSON of Webster

2453



1 Section 1. Chapter three hundred twenty-one (321), Code
2 1979, is amended by adding the following new section:

3 NEW SECTION. ELUDING OR ATTEMPTING TO ELUDE PURSUING LAW
4 ENFORCEMENT VEHICLE. The driver of a motor vehicle commits
5 a serious misdemeanor if the driver willfully fails to bring
6 the motor vehicle to a stop or otherwise eludes or attempts
7 to elude a marked official law enforcement vehicle driven
8 by a uniformed peace officer after being given a visual or
9 audible signal to stop. The signal given by the peace officer
10 shall be by flashing red light or siren.

11 Sec. 2. Section three hundred twenty-one point two hun-
12 dred nine (321.209), Code 1979, is amended by adding the fol-
13 lowing new subsection:

14 NEW SUBSECTION. Eluding or attempting to elude a law en-
15 forcement vehicle as provided in section one (1) of this Act.

16 EXPLANATION

17 This bill provides that it is a serious misdemeanor for
18 the driver of a motor vehicle to willfully fail to stop or
19 otherwise elude or attempt to elude a law enforcement vehicle
20 after being signaled to stop by a uniformed peace officer.
21 Conviction also will result in revocation of the driver's
22 driving privileges. The bill takes effect July first following
23 its enactment.

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HOUSE FILE 2453

H-5266

1 Amend amendment H-5223 to House File 2453 as follows:
2 1. Page 1, line 4, by striking the figure "9"
3 and inserting in lieu thereof the figure "6".

H-5266 FILED BY SPEAR of Lee
FEBRUARY 20, 1980 LOST (p 592)

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LSB 3820H 68
ms/jw/5.1

*See Transportation
to Pass 3/5 (p. 117)*

HOUSE FILE 2453

By COMMITTEE ON TRANSPORTATION

(As Amended and Passed by the House)

Passed House, Date 3/20/80 (p. 593) Passed Senate, Date 3/27/80 (p. 1120)

Vote: Ayes 78 Nays 15 Vote: Ayes 45 Nays 0

Approved April 7, 1980

A BILL FOR

1 An Act providing a penalty for eluding or attempting to
2 elude a pursuing law enforcement vehicle.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

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1 Section 1. Chapter three hundred twenty-one (321), Code
2 1979, is amended by adding the following new section:

3 NEW SECTION. ELUDING OR ATTEMPTING TO ELUDE PURSUING LAW
4 ENFORCEMENT VEHICLE. The driver of a motor vehicle commits
5 a serious misdemeanor if the driver willfully fails to bring
6 the motor vehicle to a stop or otherwise eludes or attempts
7 to elude a marked official law enforcement vehicle driven
8 by a uniformed peace officer after being given a visual or
9 audible signal to stop and in doing so exceeds the speed limit
10 by twenty-five miles per hour or more. The signal given by
11 the peace officer shall be by flashing red light or siren.
12 For purposes of this section, "peace officer" means those
13 officers designated under section eight hundred one point
14 four (801.4), subsection seven (7), paragraphs a, b, c, g,
15 and h of the Code.

16 Sec. 2. Section three hundred twenty-one point two hun-
17 dred nine (321.209), Code 1979, is amended by adding the fol-
18 lowing new subsection:

19 NEW SUBSECTION. Eluding or attempting to elude a law en-
20 forcement vehicle as provided in section one (1) of this Act.

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Sec. 2. Section three hundred twenty-one point two hundred nine (321.209), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Eluding or attempting to elude a law enforcement vehicle as provided in section one (1) of this Act.

HOUSE FILE 2453

AN ACT

PROVIDING A PENALTY FOR ELUDING OR ATTEMPTING TO ELUDE A PURSUING LAW ENFORCEMENT VEHICLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter three hundred twenty-one (321), Code 1979, is amended by adding the following new section:

NEW SECTION. ELUDING OR ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VEHICLE. The driver of a motor vehicle commits a serious misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual or audible signal to stop and in doing so exceeds the speed limit by twenty-five miles per hour or more. The signal given by the peace officer shall be by flashing red light or siren. For purposes of this section, "peace officer" means those officers designated under section eight hundred one point four (801.4), subsection seven (7), paragraphs a, b, c, g, and h of the Code.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2453, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved April 7, 1980

ROBERT D. RAY
Governor