

HB 1692 -- VALENTINE'S LAW

SPONSOR: Sparks

This bill creates "Valentine's Law", which establishes the offense of aggravated fleeing a stop or detention of a motor vehicle. A person commits such offense if he or she knows or reasonably should know that a law enforcement officer is attempting to detain or stop a motor vehicle and, in various ways described in the bill, he or she flees. A person is presumed to be fleeing an attempted vehicle detention or stop if he or she continues to operate a motor vehicle after he or she has seen or reasonably should have seen clearly visible emergency lights or has heard or reasonably should have heard an audible signal emanating from the pursuing law enforcement vehicle. While it is not a defense to prosecution of this offense that the officer was acting unlawfully, the provisions of the bill do not bar civil suits for unlawful arrest. The offense of aggravated fleeing a stop or detention when a person operates a vehicle at a high rate of speed or in such a way that creates a substantial risk of serious physical injury or death to any person is a class D felony without eligibility for probation, parole, or conditional release until the person has served at least one year of his or her sentence. The offense when, as a result of the fleeing, the person causes physical injury to another person is a class B felony. If, as a result of the fleeing, a person causes death to another person, the offense is a class A felony.