

Senate Bill No. 1735

CHAPTER 688

An act to add Section 2800.4 to the Vehicle Code, relating to vehicles.

[Approved by Governor September 29, 2006. Filed with
Secretary of State September 29, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1735, Cox. Vehicles: police pursuits.

(1) Existing law makes it a misdemeanor for a person operating a motor vehicle to willfully flee or otherwise attempt to elude a pursuing peace officer's motor vehicle under certain conditions. If the pursued vehicle is driven in a willful or wanton disregard for the safety of persons or property, or where that unlawful act proximately causes death or serious bodily injury, the offense is punishable as a misdemeanor or a felony, as specified.

This bill would make it a misdemeanor or felony if a person willfully flees or attempts to elude a pursuing peace officer and the person operating the pursued vehicle willfully drives that vehicle on a highway in a direction opposite to that in which the traffic lawfully moves upon that highway. By creating a new crime this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 2800.4 is added to the Vehicle Code, to read:

2800.4. Whenever a person willfully flees or attempts to elude a pursuing peace officer in violation of Section 2800.1, and the person operating the pursued vehicle willfully drives that vehicle on a highway in a direction opposite to that in which the traffic lawfully moves upon that highway, the person upon conviction is punishable by imprisonment for not less than six months nor more than one year in a county jail or by imprisonment in the state prison, or by a fine of not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000), or by both that fine and imprisonment.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that

may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.