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SENATE BILL 391

47th legislature - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO CRIMINAL LAW; CREATING THE OFFENSE OF AGGRAVATED
FLEEING A LAW ENFORCEMENT OFFICER; PROVIDING PENALTIES;
ENACTING A NEW SECTION OF THE CRIMINAL CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Criminal Code is enacted
to read:

"~~[NEW MATERIAL]~~ AGGRAVATED FLEEING A LAW ENFORCEMENT
OFFICER. --

A. Aggravated fleeing a law enforcement officer
consists of a person driving while under the influence of
intoxicating liquor or drugs, as provided in Section 66-8-102
NMSA 1978, and willfully refusing to stop the person's motor
vehicle after being given a visual or audible signal to stop,
whether by hand, voice, emergency light, flashing light, siren

underscored material = new
[bracketed material] = delete

1 or other signal, by a uniformed law enforcement officer in
2 pursuit of the person in an appropriately marked law
3 enforcement vehicle.

4 B. Whoever commits aggravated fleeing a law
5 enforcement officer is guilty of a fourth degree felony. "

6 Section 2. EFFECTIVE DATE. --The effective date of the
7 provisions of this act is July 1, 2005.

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