

2016 -- H 7394

LC003916

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Introduced By: Representatives Nardolillo, Johnston, Hull, Jacquard, and Canario

Date Introduced: January 28, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-27-4.1 of the General Laws in Chapter 31-27 entitled "Motor  
2 Vehicle Offenses" is hereby amended to read as follows:

3 **31-27-4.1. Eluding a law enforcement officer with a motor vehicle in a high speed**  
4 **pursuit.** -- Any person who in an attempt to elude or flee from a police officer in an emergency  
5 police vehicle in a high speed pursuit of the person, operates a motor vehicle at speeds greater  
6 than fifteen (15) miles per hour over the speed limit, or who causes property damage only in  
7 excess of one thousand dollars (\$1,000); shall upon conviction be guilty of a felony and shall be  
8 imprisoned for no more than five (5) years incarceration at the adult correction institutions (ACI),  
9 and/or be subject to a fine of not less than five thousand dollars (\$5,000) but not more than ten  
10 thousand dollars (\$10,000), and may have their license suspended for not less than one year but  
11 not more than two (2) years, and may be subject to the forfeiture of the motor vehicle.

12 (1) ~~For the first conviction, may be subject to the following sanctions:~~

13 (i) ~~Up to one year incarceration at the adult correction institutions (A.C.I.) and a fine of~~  
14 ~~five hundred dollars (\$500) but not more than one thousand dollars (\$1,000);~~

15 (ii) ~~License suspension of not less than ninety (90) days but not more than six (6) months~~  
16 ~~and forfeiture of the motor vehicle.~~

17 (2) ~~For a second or subsequent conviction, the person shall:~~

18 (i) ~~Be sentenced to two (2) years at the A.C.I., but not more than five (5) years;~~

19 (ii) ~~Be fined a fine of two thousand dollars (\$2,000) but not more than five thousand~~

1 ~~dollars (\$5,000);~~

2 (iii) ~~Receive a license suspension of not less than one year but not more than five (5)~~

3 ~~years; and~~

4 (iv) ~~Forfeit the motor vehicle.~~

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would increase the penalty for anyone found guilty of reckless driving while  
2 eluding a police officer to a felony punishable by up to five (5) years imprisonment and may be  
3 subjected to a fine of between five thousand dollars (\$5,000) and ten thousand dollars (\$10,000),  
4 a loss of license from one to two (2) years, and a possible forfeiture their motor vehicle.

5           This act would take effect upon passage.

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