

Amendment to SB 409-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 Disobeying an Officer; Penalties. Amend RSA 265:4, II-III to read as follows:

4 II. Any person who violates any provision of paragraph I of this section may have his or her  
5 license or privilege to drive and any registrations issued in his or her name suspended.

6 **III. In addition to the penalty listed in paragraph II:**

7 (a) Any person who violates the provisions of subparagraphs I (a), (b), (d), (e), or (f) of  
8 this section shall be guilty of a class A misdemeanor.

9 ~~III.(a) In addition to the penalties listed in paragraph II,~~ (b) Any person who violates the  
10 provisions of subparagraph I(c) shall be guilty of a class **B felony who, at the time of the offense**  
11 **alleged:**

12 (1) **Drives or operates at a speed more than 30 miles per hour in excess of the**  
13 **prima facie limit;**

14 (2) **Extinguishes the vehicle's exterior lighting to evade detection;**

15 (3) **Operates a vehicle against the designated flow of traffic on a one-way**  
16 **street, divided highway, or off-ramp;**

17 (4) **Intentionally causes a collision with, or damage to, a law enforcement**  
18 **vehicle with the intent to disable said vehicle or elude apprehension;**

19 (5) **Engages in any other extrahazardous behavior in addition to refusing to**  
20 **stop, that is intended to evade apprehension which a reasonable person would know**  
21 **creates a substantial risk of death or serious bodily injury to the officer, the person, or the**  
22 **general public** [A misdemeanor and shall be fined not less than \$500].

23 ~~(b)~~ (c) Any person who violates the provisions of subparagraph I(c), and is involved in a  
24 motor vehicle ~~[accident]~~ **collision** which causes serious bodily injury as defined in RSA 625:11, VI  
25 ~~[while being pursued]~~, shall be guilty of a class B felony.

26 ~~(e)~~ (d) Any person who violates the provisions of subparagraph I(c), and is involved in a  
27 motor vehicle ~~[accident]~~ **collision** which causes the death of another, shall be guilty of a class A  
28 felony.

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AMENDED ANALYSIS

This bill amends the penalties for the offense of disobeying an officer.