

April 19, 2005

**H 1279. SPEEDING TO ELUDE ARREST. TO AMEND THE SPEEDING TO ELUDE ARREST STATUTES TO CLARIFY THE PROXIMATE CAUSE REQUIREMENT WHEN THE OFFENSE RESULTS IN DEATH.** Amends GS 20-141.5 to provide that if anyone dies during or as a result of injuries sustained during a violation of speeding-to-elude-arrest, then the vehicle operator is guilty of a Class H felony. If two or more aggravating factors are present and a death results during the violation, the person is guilty of a Class E felony. The fact of a death resulting from a violation is prima facie evidence that the violation was the proximate cause of death. Directs the Attorney General to develop policies applicable to the pursuit of fleeing or eluding motorists for use by law-enforcement agencies. Provides that each law-enforcement agency must adopt policies that are the same or more restrictive than those adopted by the Attorney General in allowing the initiation of or participation in a pursuit. Effective December 1, 2005, and applies to offenses committed on or after that date and after adoption of policies mandated by act.

**Intro. by Hill.**

Ref. to Judiciary III

GS 20

May 16, 2005

**H 1279. SPEEDING TO ELUDE ARREST.** Intro. 4/19/05. House committee substitute makes the following changes to 1st edition. (1) Clarifies proposed GS 20-141(c) and deletes proposed provision that the fact of death resulting from violation of GS 20-141(a) or (b) is prima facie evidence that the violation was the proximate cause of death. (2) Deletes proposed amendment to GS 20-141(g) that would have directed Attorney General to develop policies applicable to the pursuit of fleeing or eluding motorists for use by law enforcement agencies and would have required law enforcement agencies to adopt those policies or more restrictive ones in allowing the initiation of or participation in a pursuit. (3) Makes conforming changes.

August 29, 2005

**SL 2005-341 (H 1279). SPEEDING TO ELUDE ARREST/RACHEL'S LAW. AN ACT TO AMEND THE SPEEDING TO ELUDE ARREST STATUTES TO CLARIFY THE PROXIMATE CAUSE REQUIREMENT WHEN THE OFFENSE RESULTS IN DEATH.** Summarized in *Daily Bulletin* 4/19/05 and 5/16/05. Enacted August 26, 2005. Effective December 1, 2005.