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A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to amend Section 13A-10-52, Code of Alabama 1975; to include various conditions under which the crime of eluding or attempting to elude a law enforcement officer is subject to heightened criminal penalties; and to provide certain mandatory minimum penalties for multiple convictions of eluding or attempting to elude a law enforcement officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-10-52, Code of Alabama 1975, is amended to read as follows:

"§13A-10-52

(a) It shall be unlawful for a person to intentionally flee by any means from anyone the person knows to be a law enforcement officer if the person knows the officer is attempting to arrest the person.

(b) It shall be unlawful for a person, while operating a motor vehicle on a street, road, alley, or highway in this state, to intentionally flee or attempt to elude a law enforcement officer after having received a signal from the officer to bring the vehicle to a stop.



29 (c) (1) A violation of subsection (a) ~~or (b)~~ is a Class  
30 A misdemeanor ~~Class D felony~~.

31 (2) A violation of subsection (b) is a Class D felony.

32 ~~(2)~~ (3) A violation of subsection (a) or (b) is a Class  
33 C felony if any of the following occur:

34 a. The flight or attempt to elude causes the offender  
35 to strike or collide with another vehicle or pedestrian.

36 b. The flight or attempt to elude causes physical  
37 injury to any other person.

38 c. The flight or attempt to elude results in the  
39 offender crossing the lines of this state into a neighboring  
40 state.

41 d. During the flight or attempt to elude, a child under  
42 14 years of age is present in the vehicle.

43 e. The flight or attempt to elude occurs while the  
44 offender is released on bail, probation, or parole, or while  
45 the offender is serving a sentence in a community corrections  
46 or work release program.

47 f. At the time of the offense, the offender has a  
48 previous conviction for a violation of subsection (a) or (b).

49 ~~(3)~~ (4) A violation of subsection (a) or (b) is a Class  
50 B felony if ~~either~~ any of the following occur:

51 a. The flight or attempt to elude causes serious  
52 physical injury or death to any other person.

53 b. During the flight or attempt to elude, the person  
54 exceeds 20 miles per hour over the legal maximum speed limit.

55 c. During the flight or attempt to elude, the offender  
56 strikes or attempts to strike a law enforcement officer or a



57 vehicle occupied by a law enforcement officer.

58 d. At the time of the offense, the offender has two or  
59 more previous convictions for a violation of subsection (a) or  
60 (b).

61 (d) (1) Upon conviction for a violation of subsection  
62 (a) or (b), the court shall order the suspension of the driver  
63 license of the defendant for a period of not less than six  
64 months nor more than two years.

65 (2) Upon a second conviction for a violation of  
66 subsection (a) or (b) within a five-year period of time, as  
67 measured from the dates of previous arrests for which  
68 convictions were obtained to the date of the current arrest  
69 for which a conviction is obtained, the court shall sentence  
70 the defendant to a minimum of 90 days confinement.

71 (3) Upon a third or subsequent conviction for a  
72 violation of subsection (a) or (b) within a seven-year period  
73 of time, as measured from the dates of previous arrests for  
74 which convictions were obtained to the date of the current  
75 arrest for which a conviction is obtained, the court shall  
76 sentence the defendant to a minimum of 180 days confinement.

77 (e) It is not a violation of this section for an  
78 individual to continue traveling at or below the speed limit,  
79 with or without the vehicle's flashers turned on, with the  
80 intent of stopping the vehicle at the nearest safe place."

81 Section 2. This act shall become effective on October  
82 1, 2026.