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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **1442**

March 9, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act  
1.2 relating to crime; modifying crime of fleeing a peace officer; amending  
1.3 Minnesota Statutes 2008, section 609.487, subdivisions 1, 3, 4, 5; repealing  
1.4 Minnesota Statutes 2008, section 609.487, subdivision 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 609.487, subdivision 1, is amended to read:

1.7 Subdivision 1. **Flee; definition.** For purposes of this section, the term "flee" means  
1.8 to increase speed of a motor vehicle, extinguish motor vehicle headlights or taillights,  
1.9 refuse to stop ~~the~~ a motor vehicle, ~~or~~ use other means in a motor vehicle with intent to  
1.10 attempt to elude a peace officer following a signal given by any peace officer to the driver  
1.11 of a motor vehicle; or for the purpose of avoiding arrest, detention, or investigation, or  
1.12 in order to conceal or destroy potential evidence related to the commission of a crime,  
1.13 attempts to evade or elude a peace officer, who is acting in the lawful discharge of an  
1.14 official duty, by means of running, hiding, or by any other means.

1.15 Sec. 2. Minnesota Statutes 2008, section 609.487, subdivision 3, is amended to read:

1.16 Subd. 3. **Fleeing officer; motor vehicle.** (a) Whoever by means of a motor vehicle  
1.17 flees or attempts to flee a peace officer who is acting in the lawful discharge of an official  
1.18 duty, and the perpetrator knows or should reasonably know the same to be a peace officer,  
1.19 is guilty of a felony and may be sentenced to imprisonment for not more than three years  
1.20 and one day or to payment of a fine of not more than \$5,000, or both.

1.21 (b) Whoever, except by means of a motor vehicle, flees or attempts to flee a peace  
1.22 officer is guilty of a misdemeanor.

2.1 Sec. 3. Minnesota Statutes 2008, section 609.487, subdivision 4, is amended to read:

2.2 Subd. 4. **Fleeing officer; death; bodily injury.** Whoever flees or attempts to flee  
2.3 ~~by means of a motor vehicle~~ a peace officer who is acting in the lawful discharge of an  
2.4 official duty, and the perpetrator knows or should reasonably know the same to be a peace  
2.5 officer, and who in the course of fleeing causes the death of a human being not constituting  
2.6 murder or manslaughter or any bodily injury to any person other than the perpetrator may  
2.7 be sentenced to imprisonment as follows:

2.8 (a) if the course of fleeing results in death, to imprisonment for not more than 40  
2.9 years or to payment of a fine of not more than \$80,000, or both; or

2.10 (b) if the course of fleeing results in great bodily harm, to imprisonment for not more  
2.11 than seven years or to payment of a fine of not more than \$14,000, or both; or

2.12 (c) if the course of fleeing results in substantial bodily harm, to imprisonment for not  
2.13 more than five years or to payment of a fine of not more than \$10,000, or both.

2.14 Sec. 4. Minnesota Statutes 2008, section 609.487, subdivision 5, is amended to read:

2.15 Subd. 5. **Revocation; fleeing peace officer offense.** When a person is convicted of  
2.16 operating a motor vehicle in violation of subdivision 3, paragraph (a), or 4, or an ordinance  
2.17 in conformity with those subdivisions, the court shall notify the commissioner of public  
2.18 safety and order the commissioner to revoke the driver's license of the person.

2.19 Sec. 5. **REPEALER.**

2.20 Minnesota Statutes 2008, section 609.487, subdivision 6, is repealed.

APPENDIX

Repealed Minnesota Statutes: 09-2782

**609.487 FLEEING PEACE OFFICER; MOTOR VEHICLE; OTHER.**

Subd. 6. **Fleeing, other than vehicle.** Whoever, for the purpose of avoiding arrest, detention, or investigation, or in order to conceal or destroy potential evidence related to the commission of a crime, attempts to evade or elude a peace officer, who is acting in the lawful discharge of an official duty, by means of running, hiding, or by any other means except fleeing in a motor vehicle, is guilty of a misdemeanor.