

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1025

Short Title: Fleeing or Attempting to Elude.

(Public)

Sponsors: Representative Decker.

Referred to: Judiciary III.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE VEHICLE IN WHICH A PERSON FLEES OR ATTEMPTS TO ELUDE A PURSUING POLICE VEHICLE IS SUBJECT TO FORFEITURE UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-141(j) reads as rewritten:

"(j) Any person convicted of violating this section by operating a vehicle on a street or highway in excess of 55 miles per hour and at least 15 miles per hour over the legal limit while fleeing or attempting to elude arrest or apprehension by a law-enforcement officer with authority to enforce the motor vehicle laws is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) or imprisonment for not more than two years, or both, in the discretion of the court.

When a person who is convicted of fleeing or attempting to elude arrest or apprehension has operated a vehicle at a speed of 70 miles per hour or greater, then the vehicle shall be subject to forfeiture, in the discretion of the court, pursuant to the procedures in G.S. 14-86.1, except that the provisions of G.S. 14-86.1(a)(3) shall not apply."

Sec. 2. This act becomes effective October 1, 1993, and applies only to those offenses committed on or after that date.