**South Carolina General Assembly**

119th Session, 2011-2012

**S. 35**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McConnell, Verdin and Rankin

Document Path: l:\s-jud\bills\mcconnell\jud0011.jjg.docx

Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Judiciary**

Summary: Failure to stop

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Judiciary**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 21](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 21](file:///h:\sj%20archive\2011\01-11-11.docx))

3/7/2011 Senate Referred to Subcommittee: Rankin (ch), Campsen, Coleman, Davis, Nicholson

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\35_20101201.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FAILURE OF A DRIVER TO STOP A MOTOR VEHICLE WHEN SIGNALED BY A LAW ENFORCEMENT VEHICLE, SO AS TO PROVIDE THAT A DRIVER MAY PROCEED TO A REASONABLY CLOSE AND SAFE LOCATION BEFORE STOPPING.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56-5-750(A) of the 1976 Code is amended to read:

“(A) In the absence of mitigating circumstances, it is unlawful for a motor vehicle driver, while driving on a road, street, or highway of the State, to fail to stop when signaled by a law enforcement vehicle by means of a siren or flashing light. However, a driver may proceed to a reasonably close and safe location before stopping. The driver must proceed in a safe manner, observe the posted maximum speed limit, and allow the pursuing law enforcement officer to maintain appropriate surveillance of the vehicle. Nothing in this subsection prohibits a law enforcement officer from immediately stopping a vehicle if the officer believes the driver, a passenger, the vehicle, or the manner in which the vehicle is being driven is a threat to public safety. Except as provided in this subsection, ~~An~~ an attempt to increase the speed of a vehicle or in other manner avoid the pursuing law enforcement vehicle when signaled by a siren or flashing light is prima facie evidence of a violation of this section. Failure to see the flashing light or hear the siren does not excuse a failure to stop when the distance between the vehicles and other road conditions are such that it would be reasonable for a driver to hear or see the signals from the law enforcement vehicle.”

SECTION 2. This act takes effect upon approval by the Governor.

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