**A** **BILL**

TO AMEND SECTION 56‑5‑750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FAILURE TO STOP A MOTOR VEHICLE WHEN SIGNALED BY A LAW ENFORCEMENT VEHICLE, SO AS TO PROVIDE A PENALTY WHEN A VEHICLE LEADS AN OFFICER ON A HIGH‑SPEED PURSUIT WHICH HAS BEEN VIDEO RECORDED.

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

SECTION 1. Section 56‑5‑750(A) and (B) 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. 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.

(B) A person who violates the provisions of subsection (A):

(1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not less than ninety days nor more than three years. The Department of Motor Vehicles must suspend the person’s driver’s license for at least thirty days; ~~or~~

(2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than five years. The person’s driver’s license must be suspended by the department for a period of one year from the date of the conviction; or

(3) additionally, if found to have led a law enforcement officer on a high‑speed pursuit which was recorded on a law enforcement vehicle video recording device or on an officer’s body‑worn camera, or both, is guilty of a felony and, upon conviction, must be imprisoned for a mandatory minimum period of not less than three years and not more than five years, no part of which may be suspended. The person’s driver’s license must be suspended by the department for a period of one year from the date of the conviction.”

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

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