

103^D CONGRESS
1ST SESSION

S. 1424

To amend chapter 4 of title 23, United States Code, to establish a national program concerning motor vehicle pursuits by law enforcement officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

Mr. DORGAN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend chapter 4 of title 23, United States Code, to establish a national program concerning motor vehicle pursuits by law enforcement officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Police Pur-
5 suit Policy Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) accidents occurring as a result of high speed
2 motor vehicle pursuits by law enforcement officers
3 are becoming increasingly common across the United
4 States;

5 (2) the extent of this problem, which is evident
6 despite significant underreporting, makes it essential
7 for all law enforcement agencies to develop and im-
8 plement both policies and training procedures for
9 dealing with these pursuits;

10 (3) a high speed motor vehicle pursuit by a law
11 enforcement officer should be treated like the firing
12 of a police firearm because it involves the use in the
13 community of a deadly force with the potential for
14 causing harm or death to pedestrians and motorists;

15 (4) to demonstrate leadership in response to
16 this national problem, all Federal law enforcement
17 agencies must develop policies and procedures gov-
18 erning motor vehicle pursuits, and provide assistance
19 to State and local law enforcement agencies in insti-
20 tuting such policies and training; and

21 (5) such policies should reasonably balance the
22 need for prompt apprehension of dangerous crimi-
23 nals with the threat to the safety of the general pub-
24 lic posed by high speed pursuits.

1 **SEC. 3. MOTOR VEHICLE PURSUIT REQUIREMENTS FOR**
2 **STATE HIGHWAY SAFETY PROGRAMS.**

3 Section 402(b)(1) of title 23, United States Code, is
4 amended by adding at the end the following new subpara-
5 graph:

6 “(F) on and after July 31, 1995, have in effect
7 throughout the State—

8 “(i) a law (I) that makes it unlawful for
9 the driver of a motor vehicle to increase speed
10 or take any other evasive action if a law en-
11 forcement officer signals the driver to stop the
12 motor vehicle, and (II) that provides, for that
13 any driver who commits such an unlawful act,
14 a minimum penalty of imprisonment for 3
15 months and seizure of the driver’s vehicle; and

16 “(ii) a requirement that each public agency
17 in the State which employs law enforcement of-
18 ficers who in the course of employment may
19 conduct a motor vehicle pursuit (I) shall have
20 in effect a policy, which meets the requirements
21 established by the Secretary, concerning the
22 manner and circumstances in which such a pur-
23 suit should be conducted, (II) shall train all law
24 enforcement officers of the agency in accord-
25 ance with such policy, and (III) shall transmit
26 to the State in such fiscal year a report con-

1 taining information on each motor vehicle pur-
2 suit conducted by a law enforcement officer of
3 the agency.”.

4 **SEC. 4. REPORTING REQUIREMENT.**

5 Not later than one hundred and eighty days after the
6 date of enactment of this Act, the Attorney General, the
7 Secretary of Agriculture, the Secretary of the Interior, the
8 Secretary of the Treasury, the Chief of the Capitol Police,
9 and the Administrator of General Services shall each
10 transmit to Congress a report containing—

11 (1) the policy of the respective department or
12 agency on motor vehicle pursuits by law enforcement
13 officers of the department or agency; and

14 (2) a description of procedures being used to
15 train law enforcement officers of the department or
16 agency in implementation of such policy.

17 The policy of a department or agency contained in a report
18 required by this section shall meet the requirements of sec-
19 tion 402(b)(1)(F) of title 23, United States Code, as
20 added by section 3 of this Act.

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