

105TH CONGRESS
1ST SESSION

S. 1236

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 1997

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

A BILL

To amend title 23, United States Code, to provide for 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 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) in 1996—

1 (A) 377 deaths occurred in the United
2 States as a result of high-speed motor vehicle
3 pursuits; and

4 (B) 103 of those deaths were police offi-
5 cers or innocent bystanders who died as a result
6 of high-speed motor vehicle pursuits;

7 (2) in 1995, of the high-speed motor vehicle
8 pursuits conducted during that year, approxi-
9 mately—

10 (A) 40 percent resulted in accidents;

11 (B) 20 percent resulted in injury; and

12 (C) 1 percent resulted in death;

13 (3) a recent study found that approximately 60
14 percent of high-speed motor vehicle pursuits resulted
15 from pursuits that were not related to felony of-
16 fenses;

17 (4) an insufficient amount of statistical data
18 and documentation concerning high-speed motor ve-
19 hicle pursuits is available;

20 (5) a recent study found that although only 31
21 percent of law enforcement agencies maintain con-
22 sistent records on motor vehicle pursuits made by
23 law enforcement officers, 71 percent of those agen-
24 cies were able to provide data on the number of
25 high-speed motor vehicle pursuits conducted;

1 (6) a recent study found that—

2 (A) 73 percent of the law enforcement offi-
3 cers polled had been involved in a high-speed
4 motor vehicle pursuit during the 12-month pe-
5 riod preceding the date of the polling; and

6 (B) 40 percent of those officers reported
7 that an accident resulted from a high-speed
8 motor vehicle pursuit in which the officer par-
9 ticipated;

10 (7) a recent study found that most law enforce-
11 ment recruits who receive training to become law en-
12 forcement officers receive only an average of 14
13 hours of training for driving skills, and a majority
14 of that time is used to provide training in the me-
15 chanics of driving instead of providing practice for
16 safe and effective high-speed motor vehicle pursuit
17 procedures; and

18 (8) a recent study found that an increased em-
19 phasis on the high-speed motor vehicle pursuit poli-
20 cies, procedures, and training decreases the occur-
21 rence of high-speed motor vehicle pursuits, as the re-
22 cruits who receive training that includes special
23 training for effective high-speed motor vehicle pur-
24 suits were less likely to engage in those 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—

5 (1) in each of subparagraphs (A) through (D),
6 by striking the period at the end and inserting a
7 semicolon;

8 (2) in subparagraph (E), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(F) on and after January 1, 1999, have in ef-
13 fect throughout the State—

14 “(i) a law that—

15 “(I) makes it unlawful for the driver
16 of a motor vehicle to increase speed or to
17 take any other deliberately evasive action if
18 a law enforcement officer clearly signals
19 the driver to stop the motor vehicle; and

20 “(II) provides that any driver who vio-
21 lates that law shall be subject to a mini-
22 mum penalty of—

23 “(aa) imprisonment for a period
24 of not less than 3 months; and

25 “(bb) seizure of the motor vehicle
26 at issue; and

“(ii) a requirement that each State agency and each agency of a political subdivision of the State that employs law enforcement officers who, in the course of employment, may conduct a motor vehicle pursuit shall—

“(I) have in effect a policy that meets requirements that the Secretary shall establish concerning the manner and circumstances in which a motor vehicle pursuit may be conducted by law enforcement officers;

“(II) train all law enforcement officers of the agency in accordance with the policy referred to in subclause (I); and

“(III) for each fiscal year, transmit to the chief executive officer of the State a report containing information on each motor vehicle pursuit conducted by a law enforcement officer of the agency.”.

SEC. 4. REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General of the United States, the Secretary of Agriculture, the Secretary of the Interior, the Secretary of the Treasury, the Chief of the Capitol Police, and the Administrator of Gen-

1 eral Services shall each transmit to Congress a report con-
2 taining—

3 (1) the policy of the department or agency
4 headed by that individual concerning motor vehicle
5 pursuits by law enforcement officers of that depart-
6 ment or agency; and

7 (2) a description of the procedures that the de-
8 partment or agency uses to train law enforcement
9 officers in the implementation of the policy referred
10 to in paragraph (1).

11 (b) REQUIREMENT.—Each policy referred to in sub-
12 section (a)(1) shall meet the requirements established by
13 the Secretary of Transportation pursuant to section
14 402(b)(1)(F)(ii)(I) of title 23, United States Code, con-
15 cerning the manner and circumstances in which a motor
16 vehicle pursuit may be conducted.

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