§ 270.35 Unlawful fleeing a police officer in a motor vehicle in the first degree.

A person is guilty of unlawful fleeing a police officer in a motor vehicle in the first degree when he or she commits the offense of unlawful fleeing a police officer in a motor vehicle in the third degree, as defined in section 270.25 of this article, and as a result of such conduct a police officer or a third person is killed.

Unlawful fleeing a police officer in a motor vehicle in the first degree is a class D felony.