

1 **AGGRESSIVE DRIVING LAW**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Don E. Bush**

5 AN ACT RELATING TO MOTOR VEHICLES; AMENDING CERTAIN RECKLESS DRIVING
6 PENALTIES; REQUIRING COMPLETION OF A DEFENSIVE DRIVING COURSE THAT
7 INCLUDES EDUCATION ON THE EFFECTS OF AGGRESSIVE AND RECKLESS
8 DRIVING IN CERTAIN CIRCUMSTANCES.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **41-6-45**, as last amended by Chapters 138 and 204, Laws of Utah 1987

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **41-6-45** is amended to read:

14 **41-6-45. Reckless driving -- Penalties -- Defensive driving course -- Costs.**

15 (1) A person who operates any vehicle in willful or wanton disregard for the safety of
16 persons or property is guilty of reckless driving.

17 (2) (a) A person convicted of reckless driving is guilty of a class B misdemeanor.

18 (b) (i) Upon a first conviction, the penalty is a minimum term of imprisonment of not
19 fewer than five days, or a minimum fine of not less than [~~\$25~~] \$200.

20 (ii) In addition to the penalty imposed under Subsection (2)(b)(i), the court may order the
21 person to complete a defensive driving course approved by the commissioner of the Department
22 of Public Safety that includes education on the effects of aggressive and reckless driving.

23 (c) (i) On a second or subsequent conviction, the penalty is a minimum term of
24 imprisonment of not fewer than ten days, or a minimum fine of not less than [~~\$50~~] \$300.

25 (ii) In addition to any other penalty imposed under Subsection (2)(c)(i), the court shall
26 order the person to complete a defensive driving course approved by the commissioner of the
27 Department of Public Safety that includes education on the effects of aggressive and reckless

28 driving.

29 (3) (a) The court may allow the assessment, education, or treatment imposed under Section
30 41-6-44 to substitute for the defensive driving course under this section, if the imposed assessment,
31 education, or treatment is for the same incident.

32 (b) A person ordered to complete a defensive driving course under this section shall pay
33 the cost of the course unless the person is found by the court to be impecunious.

Legislative Review Note
as of 12-8-98 11:11 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel