

Road Rage

Rep. Cutler Rep. Pierucci Sen. Weiler Transportation Interim Committee October 11, 2023

Presenters

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Contributors

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Defining Road Rage

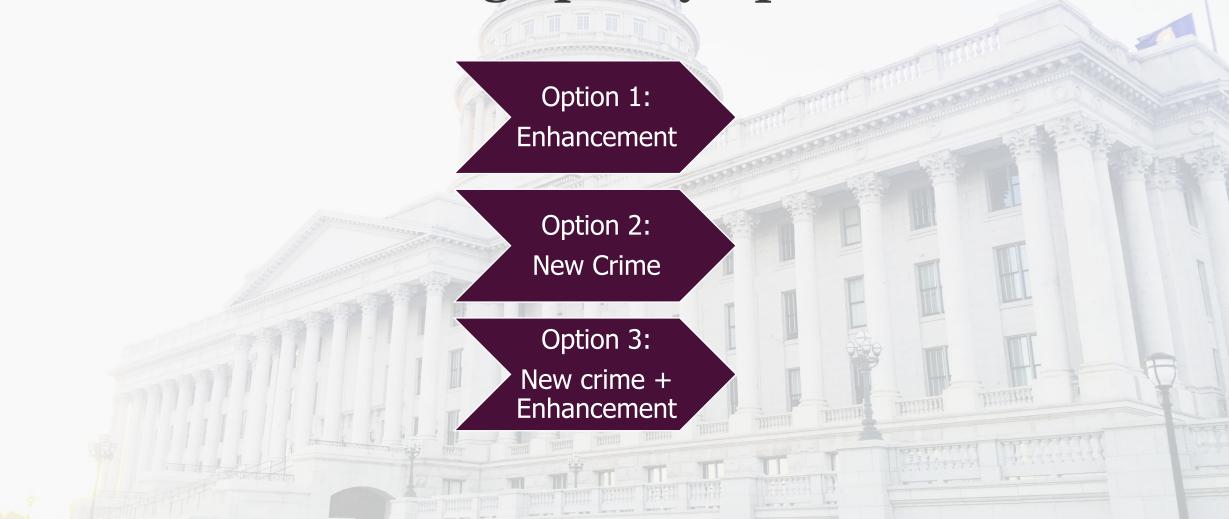
A legal definition will enable better tracking & reporting

Road rage means:

(a) the commission of one or more moving traffic offenses with the intent to endanger or intimidate another individual; or (b) an assault with a motor vehicle or dangerous weapon by the operator or passenger of a motor vehicle precipitated by an incident on a roadway.



Road Rage policy options



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Enhancement approach

- A one-level enhancement for an individual who commits any crime in furtherance of road rage
- Potential mandatory minimum sentences
- Would increase any level of offense up to the F2 or F3 level
 - A speeding or disorderly conduct infraction could be a C with a higher fine to better address most micro-violations of road rage that don't end in felony conduct.
 - Would enhance mid-level violations that might currently be charged as "Brandishing a Weapon" or "Assault"

Additional tools:

- Mandatory or discretionary tow
- Mandatory driver license suspension or additional points
- Assault by motor vehicle as a new crime



<u>New Crime Approach</u> "Aggressive Driving"

Offense	Elements	Penalty	Citation
Careless Driving	 2 or more traffic violations in 3 miles, OR 1 Traffic violation while distracted 	C Misdemeanor (90 days jail max)	<u>41-6a-1715</u>
Reckless Driving	 Willful or wanton disregard for safety of people/property, including: >105 MPH or; 3+ violations in 3 miles 	B Misdemeanor (180 days jail max)	<u>41-6a-528</u>
<u>Aggressive</u> <u>Driving</u>	<u>Create substantial risk of serious physical injury to person,</u> <u>Displays deadly weapon while operating a vehicle, OR</u> <u>Places another person in reasonable fear of physical injury or death</u>	<u>A Misdemeanor or</u> <u>3rd Degree Felony</u>	<u>41-6a-53X</u> (new part)
		Danie Direct	



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<u>New crime + enhancement approach</u>

- Create new "aggressive driving offense" or "Assault by motor vehicle" as a new crime for the most egregious cases (previous slide)
- Add enhancements or mandatory minimum sentences for most others



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