

ROAD RAGE CAN

WRECK

YOU

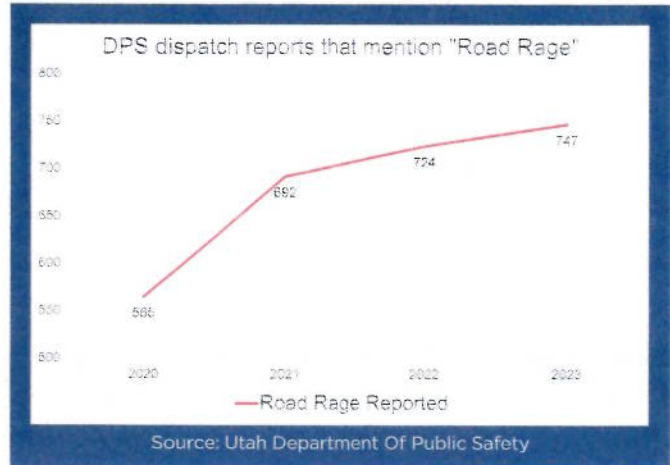
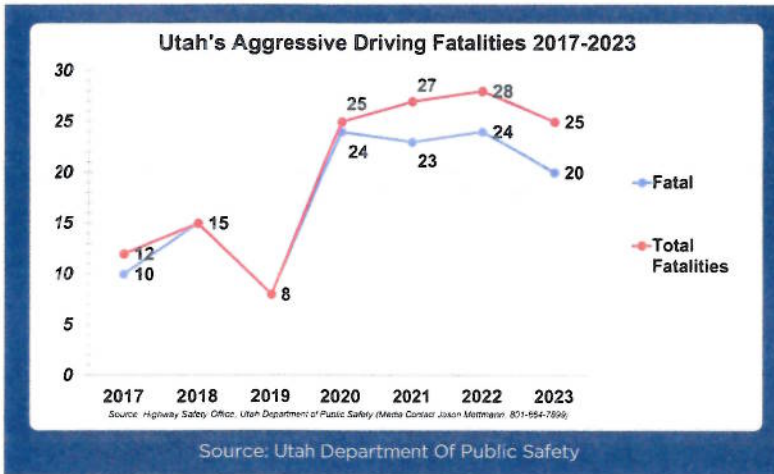
HB 30 Road Rage: Keeping Utah Families Safe on the Road

Rep Paul Cutler / Senator Todd Weiler
Interim Transportation Committee Bill

THE PROBLEM

A clear increase in Aggressive Driving Behavior

PAULA CUTLER



- 2023 fatalities are 19.3% higher than previous five-year average.
- 2023 crash frequency is up by 4%, while total related fatalities are down.

What Does HB 30 Do About Road Rage?

#1 Defines Road Rage & Improves Data Collection

A legal definition will allow DPS and the courts to start measuring actual arrests, charges & convictions, and crash contributors, instead of searching for key words in dispatch transcripts and police reports.

(c) "Road rage event" means the commission of a **criminal offense**:

- 365 (i) by an operator or passenger of a vehicle;
- 366 (ii) in response to an incident that occurs or **escalates** upon a roadway; and
- 367 (iii) with the **intent to endanger or intimidate** an individual in another vehicle.

#2 Increases Penalties & Fines for the most Serious Road Rage Criminal Behavior

Help deter road rage behaviors by increasing the penalty for offenses

- Creates a criminal enhancement for road rage offenses (does not criminalize any new behaviors)
- Defines mandatory minimum fines for serious road rage events
- Allows the Driver License Division to revoke a driver license for an individual convicted of two or more road rage offenses in one year
- Includes motor vehicle in the aggravated assault statute

#3 Funds Road Rage Education Campaign

DPS has launched a Road Rage Awareness Campaign to help people think through what they will do **BEFORE** it happens to them

The increase in fines collected from road rage enhancements (estimated \$50K/yr) is directed to DPS Road Rage Education Fund to continue targeted awareness efforts

LELC Law Enforcement
Legislative Committee



3rd Deg Felony ↗
Class A Offense ↗
Class B Offense ↗

FAQ

Where else has the Legislature used “Enhancements” in Utah code?

Examples of other areas where the legislature has enacted an enhancement:

- DUI enhancements ((41-6a-505) based on blood alcohol level and repeat offenses
- Victim targeting (76-3-203.14) - bumps one class of offense
- Gang offenses (76-3-203.1) - bumps one class of offense
- Subsequent domestic violence offenses (77-36-1.1) - bumps one or two classes of offense
- Use of dangerous weapon on school premises (76-3-203.2) - bumps one class of offense
- Dangerous weapon enhancement (76-3-203.8) - increases minimum term of the sentence by one year or 5 years if 2nd or 3rd degree felony
- Unlawful sexual contact with a student (76-3-203.13) - bumps one class of offense

Substitutes and Floor Amendment

- Second Substitute: Creates the Road Rage Education Fund and directs revenue from enhanced fines to that fund
- The House Floor Amendment to the Third Substitute removes traffic violations and class C misdemeanors from a road rage enhancement. The effect will be that the road rage enhancement will focus only on the most serious road rage offenses.

What are some examples of offenses likely to be enhanced?

Offense	Current Penalty	Enhanced Road Rage
-Traffic Violations (Speeding, Unsafe Lane Travel, Following too Close, Improper Passing, Failure to Yield...)	Infraction \$130 fine	Class C Misdemeanor Minimum \$500 fine
-Reckless Driving (3 or more traffic offenses OR 105+ mph or “willful or wanton disregard for others safety”) -Assault - ie. punching someone -Criminal Mischief - ie. throwing items at other vehicles	Class B Misdemeanor (Justice Court) \$690 fine	Class A Misdemeanor (District Court) Standard penalty + \$750 fine Some jail and/or probation likely Potential Impound or DL consequences
-Assault causing Substantial Injury - ie. Broken nose, broken bones -Brandishing a Weapon -Criminal Mischief/Intentional Property Damage - Ramming a car, breaking window w/damage	Class A Misdemeanor (District Court) Some jail/probation Up to \$2,500	3rd Degree Felony (District Court) Standard penalty + \$1000 fine Moderate jail and/or probation Potential Impound or DL consequences
-Aggravated assault -Discharging a firearm -Criminal mischief	3rd Degree Felony (District Court) 0-5 yr Jail/probation Up to \$10,000	3rd Degree Felony (District Court) Penalty + min \$1000 fine 1-5 yr jail and/or probation Impound or DL consequences

What can people do to avoid Road Rage?

DPS road rage prevention tips if someone is acting aggressively toward you on the road:

- Do not engage or escalate the situation.
- Avoid eye contact: Eye contact can be seen as confrontational. Look straight ahead and do not react to provocative gestures or words.
- Maintain a safe following distance to allow you to react to sudden maneuvers by the aggressive driver.
- Exit the road if necessary. If an aggressive driver continues to pursue you, drive to a public place or a police station to seek help.