

3rd Sub. H.B. 30
ROAD RAGE AMENDMENTS

Representative **Ryan D. Wilcox** proposes the following amendments:

1. *Page 34, Line 1028 through Page 35, Line 1068:*

1028 (2) If the trier of fact finds that an actor was an operator or passenger of a vehicle and
1029 the actor committed an offense in response to an incident that occurred or escalated upon a
1030 roadway and with the intent to endanger or intimidate an individual in another vehicle, the
1031 actor is guilty of:
1032 ~~{ (a) a class C misdemeanor if the actor is charged with an offense that is designated by~~
1033 law as an infraction;
1034 ~~— (b) a class B misdemeanor if the actor is charged with an offense that is designated by~~
1035 law as a class C misdemeanor; }
1036 ~~{ (c) }~~ (a) a class A misdemeanor if the actor is charged with an offense that is designated by
1037 law as a class B misdemeanor;
1038 ~~{ (d) }~~ (b) a third degree felony if the actor is charged with an offense that is designated by
1039 law as a class A misdemeanor;
1040 ~~{ (e) }~~ (c) a third degree felony if the actor is charged with an offense that is designated by law
1041 as a third degree felony; or
1042 ~~{ (f) }~~ (d) a second degree felony if the actor is charged with an offense that is designated by
1043 law as a second degree felony.
1044 (3) ~~{ (a) If an actor is guilty of a class C misdemeanor as described in Subsection (2)(a);~~
1045 the court shall impose a mandatory fine of no less than \$500 in addition to any other penalty
1046 the court may impose for a class C misdemeanor. }
1047 ~~{ (b) If an actor is guilty of a class B misdemeanor as described in Subsection (2)(b), the~~
1048 court shall impose a mandatory fine of no less than \$500 in addition to any other penalty the
1049 court may impose for a class B misdemeanor. }
1050 ~~{ (c) }~~ (a) If an actor is guilty of a class A misdemeanor as described in Subsection
1051 { (2)(c) } (2)(a) , the
1052 court shall impose a mandatory fine of no less than \$750 in addition to any other penalty the
1053 court may impose for a class A misdemeanor.
1054 ~~{ (d) }~~ (b) If an actor is guilty of a third degree felony as described in Subsection
1055 { (2)(d) } (2)(b) , the
1056 court shall impose a mandatory fine of no less than \$1,000 in addition to any other penalty the
1057 court may impose for a third degree felony.
1058 ~~{ (e) }~~ (c) If an actor is guilty of a third degree felony as described in Subsection

~~{(2)(e)}~~ (2)(c), the
1057 court shall impose:
1058 (i) a mandatory fine of no less than \$1,000; and
1059 (ii) an indeterminate term of imprisonment for no less than one year and no more than
1060 five years in addition to any other penalty the court may impose for a third degree felony.
1061 ~~{(f)}~~ (d) If an actor is guilty of a second degree felony as described in Subsection
~~{(2)(f)}~~ (2)(d), the
1062 court shall impose:
1063 (i) a mandatory fine of no less than \$1,000; and
1064 (ii) an indeterminate term of imprisonment for no less than two years and no more than
1065 15 years in addition to any other penalty the court may impose for a second degree felony.
1066 (4) Except as otherwise provided by another provision of the Utah Code, the court may
1067 suspend the execution of an indeterminate term of imprisonment described in Subsection
1068 ~~{(3)(e)(ii) or (3)(f)(ii)}~~ (3)(c)(ii) or (3)(d)(ii) in accordance with Section 77-18-105.

2. Page 36, Line 1081:

1081 conviction for the offense to the Driver License Division.
(8) This section does not affect or limit any individual's constitutional right to lawful expression of free speech or other recognized rights secured by the laws or Constitution of Utah or by the laws or Constitution of the United States.