

SENATE BILL REPORT

SB 6708

As Reported By Senate Committee On:
Law & Justice, February 6, 1998

Title: An act relating to road rage.

Brief Description: Creating the crime of aggressive driving to combat road rage.

Sponsors: Senators Franklin, Hargrove, Fairley, Patterson, Heavey and Winsley.

Brief History:

Committee Activity: Law & Justice: 2/5/98, 2/6/98 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6708 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Goings, Hargrove, Kline, Long, McCaslin, Stevens, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: Road rage— has been declared by the federal administrator of the National Highway Traffic Safety Administration to be the number one traffic problem. In a poll from Washington D.C. reported in the New York Times, 42 percent of the residents rate aggressive drivers as the biggest threat on the road followed by drunk drivers at 35 percent. Statistics from the AAA Foundation for Traffic Safety show the average number of violent incidents reported between drivers in the U.S. has increased 51 percent since 1990 and in 1996, 2,000 violent incidents were formally reported by police nationwide and this is considered to be the small tip of a very large iceberg.

Maryland and Virginia have introduced legislation establishing the crime of road rage— and several other states have similar legislation pending.

Summary of Substitute Bill: A person is guilty of the crime of aggressive driving if the person commits two or more acts of aggressive driving in a manner which intimidates or threatens another person within five consecutive miles. The first violation is punished by imprisonment for not less than one day and a fine of not less than \$350. A second violation within a five-year period is punished by imprisonment for not less than two days and a fine of not less than \$500.

Twenty-six traffic infractions which constitute acts of aggressive driving including overtaking a vehicle to the left, following too closely, proper use of signals for turning or moving left or right, and maximum and minimum speed regulations are enumerated.

The list of aggravating circumstances which a court may consider in deciding to impose an exceptional sentence is expanded to include whether the offender's conduct during or leading to the offense included an act of aggressive driving.

Before entering a disposition in juvenile court, the judge may consider whether or not any aggravating factors exist including whether the juvenile's conduct during or leading to the offense included an act of aggressive driving.

Substitute Bill Compared to Original Bill: The substitute bill adds that in order for a person to be guilty of the crime of aggressive driving, he or she must act in a manner which threatens or intimidates another person.

Appropriation: None.

Fiscal Note: Requested on February 4, 1998.

Effective Date: The bill takes effect on July 1, 1998.

Testimony For: Insurance companies are devising ways to penalize aggressive drivers and reward peaceful ones. The problem with aggressive drivers is a bigger one than we think and it is increasing.

Testimony Against: Concern was expressed about people who are provoked into acting in an aggressive manner by others who do not show courtesy or respect when driving.

Testified: Senator Rosa Franklin, prime sponsor (pro); Sanford Elken (with concerns).