

FILED JAN 27 2000

SENATE FILE 2058  
BY LUNDBY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act creating a new offense of aggressive driving, providing  
2 for instruction relating to the hazards of aggressive driving,  
3 and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2058  
TRANSPORTATION

1 Section 1. Section 321.178, subsection 1, Code Supplement  
2 1999, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. A minimum of one hour of instruction  
4 relating to the hazards of aggressive driving, management of  
5 stress while driving, and the penalties for aggressive driving  
6 violations.

7 Sec. 2. Section 321.277, Code 1999, is amended to read as  
8 follows:

9 321.277 RECKLESS OR AGGRESSIVE DRIVING.

10 1. a. Any A person who drives-any operates a vehicle in  
11 such manner as to indicate either a willful or a wanton  
12 disregard for the safety of persons or property is guilty of  
13 reckless driving.

14 b. Every A person convicted of reckless driving shall-be  
15 is guilty of a simple misdemeanor.

16 2. a. A person commits the offense of aggressive driving  
17 if the person operates a vehicle with the intent to harass,  
18 annoy, or alarm another person and commits two or more of the  
19 following violations in a single act or series of acts in  
20 close proximity to another moving vehicle:

21 (1) Reckless driving under subsection 1.

22 (2) Drag racing under section 321.278.

23 (3) An unlawful speed violation under section 321.285, in  
24 excess of the designated speed limit by more than ten miles  
25 per hour.

26 (4) A violation of the reduced speed provisions in section  
27 321.288.

28 (5) A violation of the minimum speed provisions in section  
29 321.294.

30 (6) A violation of section 321.297, relating to driving on  
31 the right-hand side of the roadway.

32 (7) Improper passing under section 321.299, 321.302,  
33 321.303, or 321.304.

34 (8) Following too closely under section 321.307.

35 b. (1) A person convicted of aggressive driving is guilty

1 of a serious misdemeanor. In addition to any other penalty  
2 imposed, the court may order suspension of the person's  
3 driver's license for up to thirty days and shall order the  
4 person to attend and complete a remedial driving course. If  
5 the court orders suspension of the person's driver's license,  
6 the court may also prohibit the person from obtaining a  
7 temporary restricted license during the suspension period or  
8 for a portion of the suspension period.

9 (2) If a person is convicted of a second or subsequent  
10 offense of aggressive driving within twenty-four months of the  
11 first conviction, the court shall order suspension of the  
12 person's driver's license for a minimum of ninety days. The  
13 court may also prohibit the person from obtaining a temporary  
14 restricted license during the suspension period or for a  
15 portion of the suspension period.

16 Sec. 3. REMEDIAL DRIVING COURSES. The state department of  
17 transportation shall develop a remedial driving course, in  
18 consultation with the department of education, for persons  
19 convicted of aggressive driving under section 321.277, as  
20 amended by this Act. The state department of transportation  
21 shall adopt rules to administer the course. The course shall  
22 include instruction on the hazards of aggressive driving, the  
23 biological and medical effects of the development and  
24 expression of road rage, and management of stress while  
25 driving.

26 Sec. 4. EFFECTIVE DATE. Section 3 of this Act, being  
27 deemed of immediate importance, takes effect upon enactment.

28 EXPLANATION

29 This bill creates the new offense of aggressive driving in  
30 Code section 321.277. The bill provides that a person commits  
31 the offense of aggressive driving if the person operates a  
32 vehicle with the intent to harass, annoy, or alarm another  
33 person and commits two or more designated moving traffic  
34 violations in a single act or series of acts in close  
35 proximity to another vehicle. The designated moving traffic

1 violations which, if committed, may be considered as part of  
2 the aggressive driving offense are reckless driving, drag  
3 racing, speeding which exceeds the designated speed limit by  
4 more than 10 miles per hour, a violation of certain reduced  
5 speed requirements, a slow speed violation, a violation of  
6 certain provisions requiring operation on the right side of  
7 the roadway, improper passing, and following too closely.

8 The bill provides that aggressive driving is a serious  
9 misdemeanor. Serious misdemeanors are punishable by a fine of  
10 at least \$250 but not to exceed \$1,500. In addition, the  
11 court may also order imprisonment not to exceed one year.

12 The bill also provides that in addition to any other  
13 penalty imposed for aggressive driving, the court may order  
14 the violator's driver's license to be suspended for up to 30  
15 days and shall order the person to attend and complete a  
16 remedial driving course. The bill also provides that the  
17 court shall order suspension of a violator's driver's license  
18 for a minimum of 90 days for a second or subsequent conviction  
19 which occurs within 24 months of the first conviction. The  
20 court may prohibit a violator from obtaining a temporary  
21 restricted license during any suspension period.

22 The bill requires approved courses in driver's education to  
23 include a minimum of one hour of classroom instruction  
24 relating to the hazards of aggressive driving, management of  
25 stress while driving, and the penalties for aggressive driving  
26 violations.

27 The bill also directs the state department of  
28 transportation to develop a remedial driving course, in  
29 consultation with the department of education, for persons  
30 convicted of aggressive driving. The course is to include  
31 instruction on the hazards of aggressive driving, the  
32 biological and medical effects of the development and  
33 expression of road rage, and management of stress while  
34 driving.

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