

FILED FEB 16 1980
TRANSPORTATION

SENATE FILE 2123
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 and an effective date.

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

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SF 2123
TRANSPORTATION

1 Section 1. Section 321.178, subsection 1, Code Supplement
2 2003, 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 2003, 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-hand side
7 of 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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