

House File 2658 - Introduced

HOUSE FILE 2658

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2561)

A BILL FOR

1 An Act relating to street takeovers, and providing penalties.

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

1 Section 1. Section 321.209, Code 2026, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 5A. For a first violation for participating
4 in a street takeover.

5 NEW SUBSECTION. 5B. For a second violation for
6 participating in a street takeover, and the department shall
7 not grant an application for a new license until the expiration
8 of two years after the revocation.

9 NEW SUBSECTION. 5C. For a third or subsequent violation for
10 participating in a street takeover, and the department shall
11 not grant an application for a new license until the expiration
12 of four years after the revocation.

13 Sec. 2. NEW SECTION. **321.277B Street takeovers.**

14 1. A person shall not participate in a street takeover.

15 a. For a first violation, a person commits a simple
16 misdemeanor punishable by a fine of at least five hundred
17 dollars but not to exceed two thousand dollars and the
18 department shall revoke the person's driver's license in
19 accordance with section 321.209, subsection 5A.

20 b. For a second violation, a person commits a serious
21 misdemeanor. The court shall impose a fine of at least two
22 thousand five hundred dollars but not to exceed four thousand
23 dollars and the court may also order imprisonment not to exceed
24 one year. The department shall revoke the person's driver's
25 license in accordance with section 321.209, subsection 5B.

26 c. For a third or subsequent violation, a person commits a
27 class "D" felony. The court shall impose a fine of at least
28 three thousand five hundred dollars but not to exceed seven
29 thousand five hundred dollars and the court may also order
30 imprisonment not to exceed five years. The department shall
31 revoke the person's driver's license in accordance with section
32 321.209, subsection 5C.

33 d. A peace officer shall impound the motor vehicle used in
34 a street takeover for thirty days. An unclaimed motor vehicle
35 impounded under this paragraph is subject to section 321.89.

1 2. A person shall not organize a street takeover. A person
2 who violates this subsection commits a serious misdemeanor.

3 3. A person shall not spectate at a street takeover.
4 A person who violates this subsection commits a simple
5 misdemeanor punishable as a scheduled violation under section
6 805.8A, subsection 9, paragraph "0e".

7 4. If a person spectating at or participating in a street
8 takeover blocks or prevents a peace officer from intervening in
9 any manner, the person commits interference with official acts,
10 in violation of section 719.1, and upon conviction, shall be
11 imprisoned for not less than two days in addition to any other
12 penalty.

13 5. For purposes of this section, "street takeover" means an
14 event involving the operation of a motor vehicle in violation
15 of section 321.277, 321.277A, or 321.278, with at least three
16 motor vehicles present or one or more spectators present.

17 Sec. 3. Section 805.8A, subsection 9, Code 2026, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. 0e. Section 321.277B..... \$ 400.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill prohibits street takeovers, an event involving
24 the operation of a motor vehicle in violation of Code section
25 321.277 (reckless driving), 321.277A (careless driving), or
26 321.278 (drag racing), with at least three motor vehicles
27 present or one or more spectators present.

28 A person who participates in a street takeover is subject
29 to escalating penalties depending on the number of times the
30 person has participated in a street takeover, ranging from a
31 \$500 fine to a \$7,500 fine and confinement for no more than
32 five years. Additionally, the department of transportation
33 is required to revoke the driver's license of a person who
34 participates in a street takeover for one to four years,
35 depending on the number of prior violations.

1 The bill requires a peace officer to impound the motor
2 vehicle used in a street takeover for 30 days. An unclaimed
3 motor vehicle is subject to Code section 321.89 (abandoned
4 vehicles).

5 A person who organizes a street takeover commits a
6 serious misdemeanor. A serious misdemeanor is punishable by
7 confinement for no more than one year and a fine of at least
8 \$430 but not more than \$2,560.

9 A person who spectates at a street takeover commits a simple
10 misdemeanor punishable by a \$400 scheduled fine.

11 If a person spectating at or participating in a street
12 takeover blocks or prevents a peace officer from intervening in
13 any manner, the person commits interference with official acts
14 (Code section 719.1), and upon conviction, must be imprisoned
15 for not less than two days in addition to any other penalty.
16 A violation of Code section 719.1 ranges from a simple
17 misdemeanor to a class "D" felony. A simple misdemeanor is
18 punishable by confinement for no more than 30 days and a fine
19 of at least \$105 but not more than \$855. A class "D" felony
20 is punishable by confinement for no more than five years and a
21 fine of at least \$1,025 but not more than \$10,245.