

# PROPOSED AMENDMENT

## SB 240 # 7

### DIGEST

Reckless driving. Removes the crime of "reckless spinning" from the bill and makes it reckless driving. Makes conforming amendments.

---

- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 9-21-8-52, AS AMENDED BY P.L.144-2019,  
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 52. (a) A person who operates a vehicle and who  
6 recklessly:  
7           (1) drives at such an unreasonably high rate of speed or at such an  
8 unreasonably low rate of speed under the circumstances as to:  
9           (A) endanger the safety or the property of others; or  
10           (B) block the proper flow of traffic;  
11           (2) passes another vehicle from the rear while on a slope or on a  
12 curve where vision is obstructed for a distance of less than five  
13 hundred (500) feet ahead;  
14           (3) drives in and out of a line of traffic, except as otherwise  
15 permitted; ~~or~~  
16           (4) speeds up or refuses to give one-half (1/2) of the roadway to  
17 a driver overtaking and desiring to pass; ~~or~~  
18           **(5) drives the vehicle in a repeated or continuous manner with**  
19 **the intent of causing the vehicle to perform a rotational skid;**  
20 commits a Class C misdemeanor. However, the offense is a Class A  
21 misdemeanor if it causes bodily injury to a person, **and a Level 5**  
22 **felony if it results in the death of a person.**  
23           (b) A person who operates a vehicle and who recklessly passes a  
24 school bus stopped on a roadway or a private road when the arm signal  
25 device specified in IC 9-21-12-13 is in the device's extended position  
26 commits a Class A misdemeanor. However, the offense is a Level 6  
27 felony if it causes bodily injury to a person, and a Level 5 felony if it

1 causes the death of a person.

2 (c) If an offense under subsection (a) results in damage to the  
3 property of another person, it is a Class B misdemeanor and the court  
4 may recommend the suspension of the current driving license of the  
5 person convicted of the offense described in subsection (a) for a fixed  
6 period of not more than one (1) year.

7 (d) If an offense under subsection (a) causes bodily injury to a  
8 person, the court may recommend the suspension of the driving  
9 privileges of the person convicted of the offense described in this  
10 subsection for a fixed period of not more than one (1) year.

11 (e) In addition to any other penalty imposed under subsection (b),  
12 the court may suspend the person's driving privileges:

13 (1) for ninety (90) days; or

14 (2) if the person has committed at least one (1) previous offense  
15 under this section or IC 9-21-12-1, for one (1) year."

16 Page 5, delete lines 12 through 14, begin a new line double block  
17 indented and insert:

18 **"(A) reckless driving under IC 9-21-8-52(a)(5); or**  
19 **(B) obstruction of traffic committed in connection with**  
20 **reckless driving under IC 9-21-8-52(a)(5)."**

21 Page 8, delete lines 1 through 2, begin a new line double block  
22 indented and insert:

23 **"(B) is committed in connection with reckless driving**  
24 **under IC 9-21-8-52(a)(5);"**

25 Page 8, delete lines 21 through 35.

26 Renumber all SECTIONS consecutively.

(Reference is to SB 240 as introduced.)