

PROPOSED AMENDMENT

SB 240 # 8

DIGEST

Reckless driving. Removes the crime of reckless spinning from the bill and makes it reckless driving. Permits civil forfeiture in connection with reckless driving involving spinning if the person has a prior conviction. 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

1 felony if it causes bodily injury to a person, and a Level 5 felony if it
2 causes the death of a person.

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

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

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

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

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

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

19 **"(A) reckless driving under IC 9-21-8-52(a)(5); or**
20 **(B) obstruction of traffic committed in connection with**
21 **reckless driving under IC 9-21-8-52(a)(5);**
22 **if the person has a prior conviction for an offense described in**
23 **this subdivision."**

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

26 **"(B) is committed in connection with reckless driving**
27 **under IC 9-21-8-52(a)(5)."**

28 Page 8, delete lines 21 through 35.

29 Renumber all SECTIONS consecutively.

(Reference is to SB 240 as introduced.)