

2023 -- H 6325

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO CRIMINAL OFFENSES -- ATV HARASSMENT

Introduced By: Representatives Lima, Cardillo, Costantino, Azzinaro, Kennedy, Vella-Wilkinson, Noret, Shanley, Phillips, and Serpa

Date Introduced: April 26, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 45.2

4 ATV HARASSMENT

5 **11-45.2-1. ATV Harassment.**

6 The concerted action of two (2) or more individuals who acting individually or collectively
7 each operate an unregistered or registered all-terrain vehicle (ATV), motor bike, motorcycle,
8 moped or other electric or gas powered two (2), three (3) or four (4) wheeled vehicle, not defined
9 as an automobile, in a manner to cause disruption, fear, chaos or other interruption in the orderly
10 use of roadways or sidewalks.

11 **11-45.2-2. Penalty.**

12 (a) Any individual or group of individuals who violate the provisions of § 11-45.2-1 shall,
13 for the first offense, be guilty of a misdemeanor punishable by a mandatory sentence of thirty (30)
14 days imprisonment and one hundred fifty (150) hours of community service picking up litter on
15 state and/or municipal roadways. All vehicles used in violation of this chapter shall be forfeited
16 and/or sold or destroyed by the arresting authority.

17 (b) Any individual or group of individuals who violate the provisions of § 11-45.2-1 shall,
18 for the second offense and subsequent offense, be guilty of a misdemeanor punishable by a
19 mandatory sentence of six (6) months imprisonment and two hundred fifty (250) hours of

1 community service picking up litter on state and/or municipal roadways. All vehicles used in
2 violation of this chapter shall be forfeited and/or sold or destroyed by the arresting authority.

3 (c) The mandatory sentences to be imposed pursuant to the provisions of this chapter shall
4 not be reduced, plea bargained, suspended, deferred nor subject to probation.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- ATV HARASSMENT

1 This act would define ATV harassment as an individual driving an unregistered or
2 registered ATV, motor bike, motorcycle, moped or other electric or gas powered in a manner to
3 cause disruption, fear, chaos or other interruption in the orderly use of our roadways or sidewalks.
4 A conviction under this chapter would be a misdemeanor and imprisonment for thirty (30) days for
5 a first offense, and imprisonment for six (6) months for a second and subsequent offense with a
6 mandatory sentence of community service picking up litter.

7 This act would take effect upon passage.

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