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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Introduced By: Senators E O'Neill, Bates, Hodgson, Cote, and Kettle

Date Introduced: February 26, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-27-1 of the General Laws in Chapter 31-27 entitled "Motor
2 Vehicle Offenses" is hereby amended to read as follows:

3 **31-27-1. Driving so as to endanger, resulting in death.** -- (a) When the death of any
4 person ensues as a proximate result of an injury received by the operation of any vehicle in
5 reckless disregard of the safety of others, including violations of section 31-27-22, the person so
6 operating the vehicle shall be guilty of "driving so as to endanger, resulting in death".

7 (b) Any person charged with the commission of this offense shall upon conviction be
8 imprisoned for not more than ten (10) years and have his or her license to operate a motor vehicle
9 suspended for no more than five (5) years.

10 (c) In any prosecution under this section, the fact that the operator was engaged in
11 sending or receiving text messages at the time of or immediately prior to such injury shall
12 constitute prima facie evidence that the operator was operating the vehicle in reckless disregard of
13 the safety of others.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would make texting while driving prima facie evidence of reckless disregard in
2 any prosecution for driving so as to endanger, resulting in death.

3 This act would take effect upon passage.

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