

2016 -- H 8188

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LC005732
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO MOTOR VEHICLE AND OTHER VEHICLES - MOVING VIOLATIONS

Introduced By: Representatives Carson, Lombardi, McEntee, McKiernan, and Almeida

Date Introduced: May 06, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-14-1 of the General Laws in Chapter 31-14 entitled "Speed
2 Restrictions" is hereby amended to read as follows:

3 **31-14-1. Reasonable and prudent speeds.** – (a) No person shall drive a vehicle on a
4 highway at a speed greater than is reasonable and prudent under the conditions and having regard
5 to the actual and potential hazards then existing. In every event, speed shall be so controlled as
6 may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering
7 the highway in compliance with legal requirements and the duty of all persons to use due care.
8 Violations of this section are subject to fines enumerated in § 31-41.1-4, unless bodily injury,
9 serious bodily injury or death occurs to any person other than the offending operator under this
10 section.

11 (b) When bodily injury of any person other than the offending operator of any motor
12 vehicle is caused by violation of this section, the offending operator shall be fined two hundred
13 dollars (\$200). When serious bodily injury of any person other than the offending operator of any
14 motor vehicle is caused by violation of this section, the offending operator shall be fined five
15 hundred dollars (\$500) and their driver's license shall be suspended for a period of three (3)
16 months. When the death of any person other than the offending operator of any motor vehicle is
17 caused by violation of this section, the offending operator shall be fined one thousand dollars
18 (\$1,000) and their driver's license shall be suspended for a period of one year.

19 (c) As used in this section, "serious bodily injury" means physical injury that creates a

1 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment
2 of the function of any bodily member or organ.

3 SECTION 2. Section 31-15-16 of the General Laws in Chapter 31-15 entitled "Passing,
4 Use of Lanes, and Rules of the Road" is hereby amended to read as follows:

5 **31-15-16. Use of emergency break-down lane for travel.** – (a) No person shall operate
6 a motor vehicle for travel on the emergency break-down lane of any highway. Violations of this
7 section are subject to fines enumerated in § 31-41.1-4, unless bodily injury, serious bodily injury
8 or death occurs to any person other than the offending operator under this section.

9 (b) When bodily injury of any person other than the offending operator of any motor
10 vehicle is caused by violation of this section, the offending operator shall be fined two hundred
11 dollars (\$200). When serious bodily injury of any person other than the offending operator of any
12 motor vehicle is caused by violation of this section, the offending operator shall be fined five
13 hundred dollars (\$500) and their driver's license shall be suspended for a period of three (3)
14 months. When the death of any person other than the offending operator of any motor vehicle is
15 caused by violation of this section, the offending operator shall be fined one thousand dollars
16 (\$1,000) and their driver's license shall be suspended for a period of one year.

17 (c) As used in this section, "serious bodily injury" means physical injury that creates a
18 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment
19 of the function of any bodily member or organ.

20 SECTION 3. Sections 31-17-5.1 and 31-17-9 of the General Laws in Chapter 31-17
21 entitled "Right-of-Way" are hereby amended to read as follows:

22 **31-17-5.1. Penalties.** – (a) Any person who violates any provision of §§ 31-17-1 -- 31-
23 17-5, pertaining to the right-of-way of pedestrians, upon conviction, shall be sentenced to pay a
24 fine of not more than seventy-five (\$75.00), unless bodily injury, serious bodily injury or death
25 occurs to any person other than the offending operator under this section.

26 (b) When bodily injury of any person other than the offending operator of any motor
27 vehicle is caused by violation of §§31-17-1 through 31-17-5, the offending operator shall be fined
28 two hundred dollars (\$200). When serious bodily injury of any person other than the offending
29 operator of any motor vehicle is caused by violation of §§31-17-1 through 31-17-5, the offending
30 operator shall be fined five hundred dollars (\$500) and their driver's license shall be suspended
31 for a period of three (3) months. When the death of any person other than the offending operator
32 of any motor vehicle is caused by violation of §§31-17-1 through 31-17-5, the offending operator
33 shall be fined one thousand dollars (\$1,000) and their driver's license shall be suspended for a
34 period of one year.

1 (c) As used in this section, "serious bodily injury" means physical injury that creates a
2 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment
3 of the function of any bodily member or organ.

4 **31-17-9. Yielding to riders on bicycle lane. --** (a) The driver of a vehicle about to cross
5 or to turn left or right across a bicycle lane shall yield the right-of-way to any person operating a
6 bicycle or motorized wheelchair upon the bicycle lane.

7 (b) Any driver of a vehicle convicted of violating the provisions of this section shall be
8 subject to the fines enumerated in § 31-41.1-4, unless bodily injury, serious bodily injury or death
9 occurs to any person other than the offending operator under this section.

10 (c) When bodily injury of any person other than the offending operator of any motor
11 vehicle is caused by violation of this section, the offending operator shall be fined two hundred
12 dollars (\$200). When serious bodily injury of any person other than the offending operator of any
13 motor vehicle is caused by violation of this section, the offending operator shall be fined five
14 hundred dollars (\$500) and their driver's license shall be suspended for a period of three (3)
15 months. When the death of any person other than the offending operator of any motor vehicle is
16 caused by violation of this section, the offending operator shall be fined one thousand dollars
17 (\$1,000) and their driver's license shall be suspended for a period of one year.

18 (d) As used in this section, "serious bodily injury" means physical injury that creates a
19 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment
20 of the function of any bodily member or organ.

21 SECTION 4. 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 increase the fine motorists pay for not driving reasonable and prudent
2 speeds, emergency break-down lane travel, and right-of-way violations, if the violation caused
3 bodily injury to someone other than themselves.

4 This act would take effect upon passage.

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