
HOUSE BILL No. 1221

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-8-52.

Synopsis: Operating a vehicle recklessly. Provides that a person who operates a vehicle and recklessly drives at an unreasonable speed that endangers the safety or the property of others or blocks the proper flow of traffic, passes another vehicle from the rear while on a slope or on a curve where vision is obstructed, drives in and out of a line of traffic, speeds up or refuses to give half of the roadway to a driver overtaking and desiring to pass, or passes a school bus stopped on a roadway when the arm signal device is in the device's extended position commits a: (1) Class A misdemeanor instead of a Class B misdemeanor if the offense results in bodily injury to another person; and (2) a Class D felony instead of a Class B misdemeanor if the offense results in serious bodily injury to another person. Requires the court to recommend that the person's driving privileges be suspended for: (1) at least 90 days; and (2) not more than two years; if the offense results in bodily injury or serious bodily injury to another person.

Effective: July 1, 2008.

Crouch, Hoy

January 14, 2008, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

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HOUSE BILL No. 1221



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-8-52, AS AMENDED BY P.L.1-2005,
- 2 SECTION 103, IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2008]: Sec. 52. (a) A person who operates a
- 4 vehicle and who recklessly:
 - 5 (1) drives at such an unreasonably high rate of speed or at such an
 - 6 unreasonably low rate of speed under the circumstances as to:
 - 7 (A) endanger the safety or the property of others; or
 - 8 (B) block the proper flow of traffic;
 - 9 (2) passes another vehicle from the rear while on a slope or on a
 - 10 curve where vision is obstructed for a distance of less than five
 - 11 hundred (500) feet ahead;
 - 12 (3) drives in and out of a line of traffic, except as otherwise
 - 13 permitted;
 - 14 (4) speeds up or refuses to give one-half (1/2) of the roadway to
 - 15 a driver overtaking and desiring to pass; or
 - 16 (5) passes a school bus stopped on a roadway when the arm signal
 - 17 device specified in IC 9-21-12-13 is in the device's extended



1 position;
2 commits a Class B misdemeanor. **However, the offense is a Class A**
3 **misdemeanor if the offense results in bodily injury to another**
4 **person and a Class D felony if the offense results in serious bodily**
5 **injury to another person.**

6 (b) **In addition to any other penalty imposed**, if an offense under
7 subsection (a) results in:

8 (1) damage to the property of another person, the court shall
9 recommend ~~that the suspension of the current driving license of~~
10 ~~the person~~ **person's driving privileges be suspended** for a fixed
11 period of:

12 ~~(1)~~ (A) not less than thirty (30) days; and

13 ~~(2)~~ (B) not more than one (1) year; **or**

14 (2) **injury or serious bodily injury to another person, the court**
15 **shall recommend that the person's driving privileges be**
16 **suspended for a fixed period of:**

17 (A) **not less than ninety (90) days; and**

18 (B) **not more than two (2) years.**

19 SECTION 2. [EFFECTIVE JULY 1, 2008] **IC 9-21-8-52, as**
20 **amended by this act, applies only to offenses committed after June**
21 **30, 2008.**

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