

## Appendix H. State Aggressive Driving Laws

State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Arizona	A person commits "Aggressive Driving" if both of the following occur: (1) If during a "course of conduct," they violate either the Basic Speed Rule or the "Excessive Speed" law plus two of the following minor driving offenses: (a) Failure to obey traffic control devices; (b) overtaking and passing another vehicle on the right by driving off the pavement or main traveled portion of the roadway; (c) unsafe lane change; (d) following a vehicle too closely; and, (e) failure to yield the right-of-way; and, (2) their "driving is an immediate hazard to another person or vehicle." "Course of conduct" means "a series of acts committed during a single, continuous period of driving."	6 months <sup>1</sup>	\$2,500	30 days <sup>2</sup>
California	California does not have a per se aggressive driving law. In 2006, however, the reckless driving statute was amended to punish drivers who have caused certain bodily injuries to people other than the driver and to punish drivers engaged in speed contests who have caused bodily injury to people other than the driver.	6 months	\$1,000	None
Delaware	No person shall drive any vehicle in an aggressive manner. Aggressive driving is defined as continuous conduct that violates three or more of the following rules-of-the-road: (1) failing to obey a traffic-control device; overtaking on the right; failing to drive within a marked lane for traffic; following too closely; failing to yield the right-of-way to approaching traffic when turning left; failing to yield to approaching traffic when entering or crossing a roadway; failing to signal when turning or stopping; failing to stop at stop signs or yield at yield signs; overtaking and passing a stopped school bus with flashing lights; failing to obey the basic speed rule; and, failing to obey a posted speed limit.	30 days <sup>3</sup>  10 days mandatory <sup>3</sup>	\$300 <sup>3</sup> \$100 mandatory <sup>3</sup>	None <sup>4</sup>

Florida	Aggressive careless driving means committing two or more of the following acts simultaneously or in succession: (1) exceeding the posted speed, (2)unsafely or improperly changing lanes, (3) following another vehicle too closely, (4) failing to yield the right-of-way, (5) improperly passing, (6) violating traffic control and signal devices.	None	\$500	None
Georgia	A person commits the offense of aggressive driving when he or she operates any motor vehicle with the intent to annoy, harass, molest, intimidate, injure, or obstruct another person, while violating motor vehicle code sections including overtaking and passing another vehicle; traffic lane violations; following too closely; turn signal, lane change, slowing or stopping violations; impeding traffic flows; or reckless driving. A person convicted of aggressive driving shall be guilty of a misdemeanor of a high and aggravated nature.	12 months	\$5,000	None
Indiana	A person engages in aggressive driving if, during one episode of continuous driving of a vehicle, the person does or commits at least three of the following: (1) following a vehicle too closely, (2) unsafe operation of a vehicle, (3) overtaking another vehicle on the right by driving off the roadway, (4) unsafe stopping or slowing a vehicle, (5) unnecessary sounding of the horn, (6) failure to yield, (7) failure to obey a traffic control device (8) driving at an unsafe speed (9) repeatedly flashing the vehicle's headlights. A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally engages in aggressive driving commits a Class A misdemeanor.	1 year	\$5,000	None
Maryland	A person is guilty of aggressive driving if the person commits three or more of the following offenses at the same time or during a single and continuous period of driving in violation of: Traffic lights with steady indication, overtaking and passing vehicles, passing on right,	None	None	None <sup>5</sup>

	driving on laned roadways, following too closely, failure to yield right-of-way, exceeding a maximum speed limit or posted maximum speed limit.			
Nevada	A person commits "Aggressive Driving" if, during a course of one (1) mile, they, in any sequence, do all of the following. 1) violate either (a) the basic speed rules,(b) the speed limit in a school zone, (c) the posted speed limit, or (d) the prohibition against driving >75 mph. 2) Commit two or more of the following offenses: (a) Failing to obey a traffic control device; (b) overtaking and passing another vehicle on the right by driving off the paved portion of the highway; (c) driving unsafely or improperly upon a highway that has marked lanes for traffic; (d) following another vehicle too closely; or, (e) failing to yield the right of way. 3) Create an immediate hazard, regardless of its duration, to another vehicle or to another person.	6 months <sup>3</sup>	\$1,000 <sup>3</sup>	30 days <sup>2</sup> 1 year on 2 <sup>nd</sup> offense
North Carolina	Any person who operates a motor vehicle on a street, highway or public vehicular area is guilty of aggressive driving if the person: (1) violates speed laws or speeding in school zone laws, and (2) drives carelessly and heedlessly in willful or wanton disregard of the rights or safety of others. For the purposes of this section only, in order to prove a violation of the aforementioned section, the State must show that the person committed two or more of the below specified offenses while in violation of the aforementioned section): (1) running through a red light, (2) running through a stop sign, (3) illegal passing (4) failing to yield right-of-way, (5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.	45 days <sup>3</sup>	At the discretion of the court <sup>3</sup>	None
Pennsylvania	Pennsylvania does not have an aggressive driving law per se. In 2006, the Pennsylvania House of Representatives passed a resolution to encourage drivers to drive courteously and defensively, not aggressively. The House also resolved to support measures that	N/A	N/A	N/A

	would promote safe driving practices in the Commonwealth.			
Rhode Island	"Aggressive Driving" is defined as operating a motor vehicle in violation of any speed law and a violation of two or more of the following traffic law provisions: (1) obedience to traffic control devices; (2) overtaking on the right; (3) driving within a traffic lane; (4) following too closely--interval between vehicles; (5) yielding right of way; (6) entering the roadway; (7) use of turn signals; (8) relating to school buses, special stops, stop signs and yield signs; and, (9) use of emergency break-down lane for travel.	None	\$500	30 days <sup>6</sup>
Utah	Reckless driving is defined as operating a vehicle either (1) "in willful or wanton disregard for the safety of persons or property" or (2) "while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving."	6 months <sup>1</sup>	\$1,000 <sup>1</sup>	3 months <sup>2,3</sup>
Virginia	A person is guilty of aggressive driving if the person (i) violates one or more of the following: driving on right side of highways, failing to observe lanes marked for traffic, following too closely, not yielding or stopping before entering certain highways, evading traffic control devices, passing when overtaking a vehicle, passing on the right when overtaking a vehicle, not giving way to certain overtaking vehicles on divided highway, any provision of Article 8 (§ 46.2-870 et seq.) of Chapter 8 of Title 46.2 (Speed), or § 46.2-888 (Stopping on highways); and (ii) that person is a hazard to another person or commits an offense in clause (i) with the intent to harass, intimidate, injure or obstruct another person.	6 months	\$1,000	None <sup>5</sup>

---

**Notes**

<sup>1</sup> This sanction applies to first and subsequent offenses.

<sup>2</sup> Licensing action is in the form of a suspension.

<sup>3</sup> This is applies to the first offense.

<sup>4</sup> Since the offender may be prosecuted for and convicted of the underlying offenses, they are subject to licensing action associated with violating such offenses.

<sup>5</sup> Points assessed against the driver for offense.

<sup>6</sup> The law provides that a person's license may be subject to a minimum 30 day suspension. This sanction appears to apply only to first offenders.

**Source:** NHTSA and NCSL, 2007.