



AGGRESSIVE DRIVING LAWS

While most states have laws against reckless, negligent or careless driving, the chart below features state laws dealing with aggressive driving. According to NHTSA, aggressive driving can include “following too closely, driving at excessive speeds, weaving through traffic, and running stop lights and signs, among other acts.” Overall, 13 states and Washington, D.C. have aggressive driving laws, while three additional states (CA, PA, and UT) have taken action on aggressive driving through other legislative actions. California has enacted a law against committing a criminal assault using a motor vehicle (commonly known as “road rage”), the Pennsylvania House of Representatives passed a resolution to encourage drivers to drive courteously and defensively, not aggressively, and Utah’s reckless driving law is similar to aggressive driving offenses in other states.

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 the following occur: 1) if, during a "course of conduct," he or she violates 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) his or her "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."	Six months ¹	\$2,500	30 days ²



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
California	California does not have a per se aggressive driving law. However, in addition to the usual criminal sanctions, the law provides licensing sanctions against a person who commits a criminal assault using a motor vehicle (commonly known as "road rage") against either another motor vehicle, an operator of a bicycle or a pedestrian.	Four years	\$10,000	Six months
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: 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 a obey a posted speed limit.	30 days ³ /10 days mandatory ³	\$300 ³ /\$100 mandatory ³	None ⁴ 30 days for subsequent offenses within three years



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
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 and 6) violating traffic control and signal devices. ⁵	None	None	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



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Indiana	A person engages in aggressive driving if, during one episode of continuous driving of a vehicle, the person 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 and 9) repeatedly flashing the vehicle's headlights.	One 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, driving on laned roadways, following too closely, failure to yield right of way, and exceeding a maximum speed limit or posted maximum speed limit.	None	None	None ⁶



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Nevada	A person commits aggressive driving if, during a course of one mile, he or she, in any sequence, does all of the following: 1) violates 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) Commits 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) Creates an immediate hazard, regardless of its duration, to another vehicle or person.	Six months ³	\$1,000 ³	30 days ² One year on second offense



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State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
New Jersey	<p>New Jersey enforces against aggressive driving by charging under 39:4-97 (Careless Driving), 39:4-97.2 (Operating a vehicle in an Unsafe Manner) or any other statute at the discretion of the officer.</p> <p>Assault by auto or vessel is a crime of the third degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and serious bodily injury results and is a crime of the fourth degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and bodily injury results. For purposes of this paragraph, "driving a vehicle in an aggressive manner" shall include, but is not limited to, unexpectedly altering the speed of the vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way or following another vehicle too closely.</p>	None	\$150.00 \$50 minimum \$250 surcharge mandatory	None



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
North Carolina	<p>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. 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 and 5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.</p>	45 days ³	At the discretion of the court ³	None
Pennsylvania	<p>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 would promote safe driving practices in the Commonwealth.</p>	None	None	None



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Rhode Island	<p>"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.</p>	None	\$500	30 days ⁷
Utah	<p>Utah does not have an aggressive driving law per se, but reckless driving is similar to aggressive driving offenses in other states. 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."</p>	Six months ¹	\$1,000 ¹	Three months ^{2,3}



PUBLIC AFFAIRS

State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Vermont	The statute prohibits following too closely, crowding and harassment. "The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon, and the conditions of, the highway."	None	None	None
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, speeding or dangerously 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.	Six months	\$1,000	Six months ⁶ 10 days mandatory



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State/Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Washington, DC	A person is guilty of aggressive driving if a person violates 3 or more of the following provisions at the same time or during a single and continuous period of driving within the course of one mile: 1) failure to obey traffic control device; 2) speed restrictions; 3) improper passing; 4) following more closely than is reasonable and prudent; 5) not giving way to overtaking vehicles; 6) proper signals for turning and stopping; 7) failure to yield right-of-way to authorized emergency vehicles making use of audible and visual signals or of a police vehicle properly and lawfully making use of an audible signal only; 8) restricted lanes; 9) improper stopping, standing or parking in median, channelizing island, or safety zone; and 10) speeding and reckless driving.	None	\$200 ⁶	Failure to complete traffic school within 90 days shall result in suspension of driver's license or privilege to operate a motor vehicle in the district for a period determined by the Department of Motor Vehicles

Notes:

1. This sanction applies to first and subsequent offenses.
2. Licensing action is in the form of a suspension.
3. This applies to the first offense.



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4. Since offenders may be prosecuted for and convicted of the underlying offenses, they are subject to licensing action associated with violating such offenses.
5. The law is a defining statute but does not permit enforcement.
6. Points are assessed against the driver for an offense.
7. 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.

Sources: NHTSA, Governors Highway Safety Association, and NCSL