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## ACLU OF RI POSITION: OPPOSE

### TESTIMONY ON 26-S 2310, 26-S 2493, and 26-S 3169, RELATING TO MOTOR AND OTHER VEHICLES April 9, 2026

The ACLU of Rhode Island opposes these three pieces of legislation, each of which would substantially increase the penalties associated with various traffic offenses. We believe that approval of these increased penalties would be an unfortunate step backwards in this state's effort to promote criminal justice reform.

While we understand the intent to address serious traffic infractions, we do not believe that sending people to prison for longer periods of time, imposing greater fines, and suspending licenses for longer periods is the solution to this issue. Establishing steeper penalties for this conduct will not deter this behavior but will divert resources away from approaches that might be more effective.

Increasing penalties like this, without considering fiscal impact, also has a significant cost to the state. Without minimizing the severity of the offenses covered by these bills, if just *one* person spends an extra 10 years in prison because of the increased penalties contained in this legislation, it will cost the taxpayers approximately half-a-million dollars. This is money which could be much better spent on prevention and treatment than on the upkeep of a prison cell.

Each of these bills illustrate our concerns resulting from increased penalties:

S-2310: This legislation would substantially and arbitrarily increase the penalties for leaving the scene of an accident resulting in injury, serious bodily injury, or death. In addition to doubling the potential prison sentences in some instances, this legislation mandates fines and expands license suspension timeframes. These harsh penalties are an inappropriate and ineffective tool to address this conduct for all the reasons cited above.

S-2493: This legislation would change the penalties for reckless driving from a misdemeanor to a felony, punishable by up to five years in prison and substantial fines. It also broadens the definition of reckless driving to include committing "one or more" moving violations while traveling more than 25 miles an hour. (We assume, but cannot be certain, that this is a drafting error and is meant to apply to violations while traveling 25 miles an hour *over the speed limit*.) This change emphasizes the over-criminalization of conduct that, while serious, does not warrant the lifelong consequences that flow from a felony conviction, like barriers to housing or the enormous cost to taxpayers for these unnecessarily lengthy prison sentences.

S-3169: This legislation would enhance the penalties for “road rage” which includes mandatory fines and, for felony convictions, a prison sentence of at least two years and not more than fifteen years. The bill’s definition of “road rage,” which includes behavior of a driver or passenger that is “intentionally aggressive, harassing, threatening, intimidating, or dangerous, and that is directed toward another” driver or passenger is extremely vague, overly broad, and bound to lead to arbitrary and discriminatory enforcement. Under this bill, a driver could lose their license for a year – or even receive time in prison if they are engaged in a more serious traffic violation – merely for “giving the finger” to another driver. And, although we do not know exactly how it would work, the definition even applies to the conduct of a car *passenger*.

We therefore urge the committee to oppose any efforts to implement increased penalties schemes like these. Thank you for considering our views.