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ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 26-S 3042,
RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES
April 9, 2026**

The ACLU of Rhode Island opposes this legislation, which would make it a felony to engage in so-called “street takeovers,” and create a sentence enhancement for any person who engages in disorderly conduct while wearing a mask.

As for the first provision in the bill, it is already illegal to “obstruct a public street, road or highway” or to “engage in reckless operation of a vehicle in violation of the provisions of chapter 27 of title 31.” Turning this conduct into a felony – especially when this conduct is likely the type of activity being engaged in by young people – is unnecessarily and overly harsh and should be rejected. As troubling as this conduct may be, there is no requirement in the bill that it create an actual danger to other drivers or pedestrians that might warrant such a severe penalty. By contrast, the crime of driving under the influence is a misdemeanor. This is, in our view, sufficient to indicate why this legislation is inappropriate and the penalty disproportionate to the crime.

The second part of the bill should similarly be rejected. It is difficult to think of a reason to enhance a penalty for minor misconduct merely because the person is wearing a mask. There are, of course, legitimate health reasons for people to wear a mask, so imposing additional punishment because the person is ill or is trying to prevent getting ill is irrational and poor public health policy. We would also be remiss in failing to note the promotion of a bill like this at a time when certain federal law enforcement agents in this state are themselves committing with impunity questionable acts much more serious than disorderly conduct while wearing masks.

We urge rejection of this legislation. Thank you for your consideration of our views.