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ACLU OF RI POSITION: AMEND

TESTIMONY ON 25-S 556, RELATING TO MOTOR AND OTHER VEHICLES -- AGGRESSIVE DRIVING May 8, 2025

This bill would add five driving violations to the statute that imposes fines on people who engage in “aggressive driving.” We urge the deletion of one of them, and that is the offense listed on Page 1, line 18: “Obedience to police officers, § 31-12-3.”

If a law is going to punish individuals for engaging in aggressive driving, then the underlying offenses should, at a minimum, involve driving. But that is not at all necessarily the case with this particular offense, as opposed to all the others that are currently in the law or being proposed under this bill. The “obedience” statute even recognizes this, as the only specific example of conduct it mentions is an offense where the person is *not* driving – refusing to comply with a police order “pertaining to fire lane parking violations whether on private or public property.”

We are also concerned that the broadly worded “obedience” statute – which more generally makes it unlawful for a person to “willfully fail or refuse to comply with any lawful order or direction of any police officer” who is regulating traffic could easily be misused as a catch-all to bump a person into the category of having engaged in two forbidden actions that turn conduct into “aggressive driving.” More often than not, we expect that any “disobedience” by a motorist under that statute is likely to occur *after* the person has been stopped for speeding, not while engaging in it. Unlike all the other triggering violations, this one is subjective and ripe for arbitrary implementation.

Both because this alleged misconduct of “disobedience” will often occur when a person is not driving and because it can so easily be misused, we urge the deletion of this item from the list.

Thank you for your consideration of our views.