

2012 -- H 7463

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LC01049
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - PASSING, USE OF LANES, AND
RULES OF THE ROAD

Introduced By: Representatives Tanzi, Handy, Martin, Winfield, and Tomasso

Date Introduced: February 09, 2012

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-15 of the General Laws entitled "Passing, Use of Lanes, and
2 Rules of the Road" is hereby amended by adding thereto the following section:

3 **31-15-19. Unsafe passing of a vulnerable road user.** – (a) This section shall be known
4 and may be cited as "Frank's Law".

5 (b) For purposes of this section, "vulnerable road user" means: (1) A pedestrian; (2) A
6 bicyclist; (3) A police officer or emergency responder on duty while outside of a vehicle; (4) A
7 highway worker performing duties outside a vehicle; (5) A person riding on or driving a
8 wheelchair, motorized or not; (6) A person using a skateboard, inline skates, or rollerskates; (7) A
9 person riding on or driving an animal.

10 (c) Notwithstanding any other provision of the general or public laws to the contrary, any
11 person, while operating a motor vehicle on a street or highway, who fails to exercise due care to
12 avoid colliding with a vulnerable road user causing physical injury or death to the vulnerable road
13 user shall be guilty of an offense pursuant to this section and shall be sentenced in addition to any
14 other applicable criminal or civil statute as follows:

15 (1) To complete a traffic safety training session to be determined by the sentencing judge;

16 (2) To perform not less than ten (10) and not more than two hundred (200) hours of
17 community service;

18 (3) A suspension of his or her motor vehicle operator's license for a period of more than

1 one year; and

2 (4) A fine of not less than eighty-five dollars (\$85.00) and not more than five thousand
3 dollars (\$5,000).

4 Said fines and/or penalties are in addition to any other applicable criminal or civil
5 penalties provided by the general laws.

6 (d) Any person required to perform community service or traffic safety training pursuant
7 to this section shall complete such training session and perform such community service within
8 one year of the date of sentencing. If the court determines that such person has not successfully
9 completed the training session and performed the community service, the court shall grant the
10 person an extension for good cause shown, or impose an additional fine of not more than five
11 thousand dollars (\$5,000) and suspend such person's motor vehicle operator's license for a period
12 of not more than one year.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would provide a penalty for failing to exercise due care to avoid colliding with a
- 2 vulnerable road user.
- 3 This act would take effect upon passage.

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