

2024 -- H 7740

LC005123

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF  
LICENSES -- VIOLATIONS

Introduced By: Representatives Noret, Craven, Dawson, and McEntee

Date Introduced: February 28, 2024

Referred To: House Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-11-18.1 of the General Laws in Chapter 31-11 entitled  
2 "Suspension or Revocation of Licenses — Violations" is hereby amended to read as follows:

3 **31-11-18.1. Driving after denial, revocation, or suspension for certain violations.**

4 (a) Any person who drives a motor vehicle on any highway of this state who never applied  
5 for a license or who drives after his or her application for a license has been refused, or after his or  
6 her license has expired or who otherwise drives without a license or at a time when his or her license  
7 to operate is suspended, revoked, or cancelled, for:

8 (1) operating under the influence of a ~~narcotic drug~~ controlled substance or intoxicating  
9 liquor;

10 (2) refusing to submit to a chemical test;

11 (3) reckless driving;

12 ~~(3)(4) manslaughter from the operation of a motor vehicle or~~ operating a motor vehicle so  
13 as to endanger resulting in death; or

14 ~~(4)(5)~~ (5) three (3) moving violations within a one-year period; shall be guilty of a  
15 misdemeanor for the first and second offenses and shall be deemed guilty of a felony for the third  
16 or subsequent offenses.

17 (b) The division of motor vehicles upon receiving a record of the conviction of any person  
18 upon a charge of driving a motor vehicle while the license of the person was suspended, for reasons

1 set forth in this section shall suspend the person's license or deny the person's application for any  
2 length of time that it shall deem proper but in no case less than an additional three (3) months. Upon  
3 receiving a record of conviction of a second violation of driving a motor vehicle while the license  
4 of that person was suspended for reasons set forth in this section, the division of motor vehicles  
5 shall suspend the person's license or deny the person's application for any length of time that it  
6 shall deem proper but in no case less than an additional six (6) months. Any subsequent conviction  
7 shall result in license revocation. Upon receiving a record of the conviction of any person upon a  
8 charge of driving after his or her application for a license had been refused, or after his or her license  
9 had been revoked or cancelled for reasons set forth in this section, the division of motor vehicles  
10 shall not issue a new license for an additional period of one year from and after the date the person  
11 would otherwise have been entitled to apply for a new license.

12 (c)(1) Upon a first conviction under this section a mandatory fine of five hundred dollars  
13 (\$500) shall be imposed, and if the person was driving after his or her application for a license had  
14 been refused, or at a time when his or her license to operate was suspended, revoked, or cancelled  
15 for:

- 16 (i) operating under the influence of a controlled substance or intoxicating liquor;
- 17 (ii) ~~or his or her~~ refusal to submit to a chemical test;
- 18 (iii) reckless driving;
- 19 (iv) ~~manslaughter from the operation of a motor vehicle, or operation~~ operating a motor  
20 vehicle so as to endanger, ~~death~~ resulting, in death; or

21 (v) having three (3) moving violations within a one year period; the person shall be  
22 imprisoned for a minimum of ten (10) days.

23 (2) A mandatory fine of five hundred dollars (\$500) for a second conviction under this  
24 section within a five (5) year period shall be imposed, and if the person was driving after his or her  
25 application for a license had been refused, or at a time when his or her license to operate was  
26 suspended, revoked, or cancelled for:

- 27 (i) operating under the influence of a controlled substance or intoxicating liquor; ~~or his or~~  
28 ~~her~~
- 29 (ii) refusal to submit to a chemical test;
- 30 (iii) reckless driving, ~~manslaughter from the operation of a motor vehicle, or operation;~~
- 31 (iv) operating a motor vehicle so as to endanger, ~~death~~ resulting in death or driving so as  
32 to endanger resulting in death; or

33 (v) having three (3) moving violation within a one year period; the person shall be  
34 imprisoned for a minimum of six (6) months to one year.

1 (3) For any subsequent conviction within a five (5) year period, a fine of one thousand  
2 dollars (\$1,000) shall be imposed and the person may be imprisoned for up to one year or be  
3 required to participate in a public service program designated and approved by the court. If the  
4 person was driving after his or her application for a license had been refused or at a time when his  
5 or her license to operate was suspended, revoked, or cancelled for:

- 6 (i) operating under the influence of a controlled substance or intoxicating liquor;
- 7 (ii) ~~his or her~~ refusal to submit to a chemical test;
- 8 (iii) reckless driving;
- 9 (iv) ~~manslaughter from the operation of a motor vehicle; or (v)~~ operating a motor vehicle

10 so as to endanger, ~~death~~ resulting; in death; or

11 (v) having three (3) moving violations within a one year period; the person shall be  
12 imprisoned for a minimum of one year. ~~Jurisdiction for violations of this section is given to the~~  
13 ~~district court and the court shall have full authority to impose any sentence authorized for violations~~  
14 ~~of this section.~~

15 (d) No fines, suspensions, treatment, or jail provided for under this section can be  
16 suspended.

17 SECTION 2. Section 31-27-4 of the General Laws in Chapter 31-27 entitled "Motor  
18 Vehicle Offenses" is hereby amended to read as follows:

19 **31-27-4. Reckless driving and other offenses against public safety.**

20 Any person who operates a motor vehicle recklessly so that the lives or safety of the public  
21 might be endangered, or operates a vehicle in an attempt to elude or flee from a traffic officer or  
22 police vehicle, shall be:

- 23 (1) guilty Guilty of a misdemeanor for the first conviction; and
- 24 (2) Guilty of a felony for the second and each subsequent conviction.

25 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF  
LICENSES -- VIOLATIONS

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- 1           This act would provide updates and clarifications to the current penalties for driving after
- 2 denial, revocation, or suspension of an individual's license.
- 3           This act would take effect upon passage.

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