

IN THE SENATE

SENATE BILL NO. 1350

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO RULES OF THE ROAD; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 49-638A, IDAHO CODE, TO PROVIDE THAT
3 NO DRIVER OF A MOTOR VEHICLE OR PASSENGER OF A MOTOR VEHICLE SHALL
4 THREATEN, SOUND A HORN, SHOUT OR OTHERWISE DIRECT SOUND TOWARD ANY
5 PEDESTRIAN OR PERSON OPERATING A BICYCLE OR HUMAN-POWERED VEHICLE UPON
6 A ROADWAY OR THROW AN OBJECT AT OR IN THE DIRECTION OF ANY SUCH PERSON,
7 OR ENGAGE IN CONDUCT THAT CREATES A RISK OF DEATH OR SERIOUS PHYSICAL
8 INJURY TO SUCH PERSON, TO PROVIDE FOR A MISDEMEANOR, AND TO PROVIDE FOR A
9 CIVIL PENALTY.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Chapter 6, Title 49, Idaho Code, be, and the same is
13 hereby amended by the addition thereto of a NEW SECTION, to be known and
14 designated as Section 49-638A, Idaho Code, and to read as follows:

15 49-638A. THREATENING OR HARASSMENT OF PEDESTRIAN OR OPERATOR OF A
16 BICYCLE OR HUMAN-POWERED VEHICLE -- PENALTY. No driver of a motor vehicle or
17 passenger of a motor vehicle shall maliciously and with the specific intent
18 to intimidate or harass:

19 (1) Threaten any pedestrian or person operating a bicycle or
20 human-powered vehicle upon a roadway; or

21 (2) Sound a horn, shout or otherwise direct sound toward any pedestrian
22 or person operating a bicycle or human-powered vehicle; or

23 (3) Throw an object at or in the direction of any pedestrian or person
24 operating a bicycle or human-powered vehicle; or

25 (4) Engage in conduct that creates a risk of death or serious physical
26 injury to a pedestrian or a person operating a bicycle or human-powered
27 vehicle.

28 (5) A violation of any provision of this section shall be a misdemeanor.
29 In addition to any penalty imposed pursuant to this section, the court shall
30 impose a civil penalty of seventy-five dollars (\$75.00). Any such civil
31 penalty imposed shall be remitted and deposited in a manner consistent with
32 the provisions of section 49-726, Idaho Code.