Behavior	New Statute	HB26-1329 definition	HB26-1329 Classification	HB26-1329 Second Conviction	HB26-1329 Third or subsequent Conviction	Practical Enforcement Impact
Intentionally drive in street takeover, coordinated street takeover, race, or drag race on highway or roadway	42-4-1105 (2)(a)(I) Unlawful exhibition of racing or stunt driving (2)(c)	Street takeover—the intentional act by 1 or more drivers to occupy or block an open public roadway for purpose of race, drag race, stunt driving, contest, exhibition, which slows, stops or otherwise impedes traffic. Coordinated = 5 or more MV operated in organized manner to effect a street takeover	TM1 & revoke license up to 1 year	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Allows escalation for repeat offenders instead of treating all cases the same
Intentionally stunt drive on highway or roadway	42-4-1105 (2)(a)(II) Unlawful exhibition of racing or stunt driving (2)(c)	Burnout, doughnut, drifing, wheelie	TM1 & revoke license up to 1 year; ups points to 12 (speed exhibition currently is 5)	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Defines stunt driving behaviors explicitly and incorporates into statute, especially wheelie and drifting that are not current in speed exhibition
Coordinate, facilitate, collect money for, participate in *street takeover, coordinated street takeover, race or drag race, stunt driving*	42-4-1105 (2)(a)(III) Unlawful exhibition of racing or stunt driving (2)(c)		TM1 & revoke license up to 1 year	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Addresses behaviors that facilitate or aid in these crimes more in line with what is happening in our communities
Ride as passenger...	42-4-1105 (2)(a)(IV) Unlawful exhibition of racing or stunt driving (2)(c)		TM1 & revoke license up to 1 year	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Addresses more than driver, addresses the culture and system in which this occurs
Intentionally cause movement of traffic (including pedestrian) to stop, slow, impede...	42-4-1105 (2)(a)(V) Unlawful exhibition of racing or stunt driving (2)(c)		TM1 & revoke license up to 1 year	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Covers other driving behaviors that are part of these incidents but ay not be speed or stunt driving specifically (e.g., persistent brake checking)
Drive for purpose of providing fuel for MV in...	42-4-1105 (2)(a)(VI) Unlawful exhibition of racing or stunt driving (2)(c)		TM1 & revoke license up to 1 year; ups points to 12	Within 1 year of first violation=F6 & revoke license for up to additional 2 years	Within 5 year period, F5 & revoke license for up to additional 3 years	Addresses more than driver, addresses the culture and system in which this occurs
Commits (2)(a)(I), (2)(a)(II), (2)(a)(V), or (2)(a)(VI) while in coordinated street takeover	42-4-1105(2)(d) Unlawful coordinated street takeover		F6, fine $2,500-$4,000, & revoke license up to 2 years	Within 1 year of first violation, F6 if both convictions are unlawful coordinated street takeover; fine $3,500-$5,000 & revoke license up to additional 2 years.	Within 5 years of first violation, F5 if convictions are unlawful coordinated street takeover; fine $4,500-$6,000 & revoke license up to additional 3 years.	Makes more disruptive and dangerous behavior higher level crime.
Spectator to a...	42-4-1105(2)(e)	Knowingly and voluntarily attends or remains present at...for purpose of viewing, encouraging, or otherwise participating...	TIB	N/A	N/A	Addresses more than driver, addresses the culture and system in which this occurs
Vehicular eluding (in connection with or immediately after violation of (2)(a)(I)-(III), (V), or (VI)	18-9-116.5(1) elements, increased penalty in 18-9-116.5(2)(a)(III)		F4	N/A	N/A	Strengthens prosecutorial argument that conduct is more egregious and intentional; brings in line with eluding that results in eluding that results in bodily injury
Adding to what is MV for purposes of this part	42-4-1105(1.1)(h)(II)	Motor vehicle includes motorcycle, autocycle, moped, ATV, Off-road vehicle, vehicle not licensed to operate on roadway	N/A	N/A	N/A	Closes gap for vehicles used in takeovers that don't typically meet definition of MV

Additional (2)(a) violation details:
We can arrest (not just summons)
Court can enter order of impoundment or immobilization
May be subject to civil asset forfeiture if MV used by person with 2 or more prior convictions for (2)(a) in 5 years & they are RO
AVIS may be used to assist in investigation to identify MV