

TITLE 9: VEHICLE CODE
DIVISION 7: SERIOUS TRAFFIC OFFENSES AND PENALTIES

§ 7104. Reckless Driving.

(a) Every person who drives or operates any vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving which is a misdemeanor. Any person convicted under this section may be punished upon a first conviction by a fine of not less than \$25 nor more than \$1,000 or by imprisonment of not more than six months, or by both such fine and imprisonment, and upon a second or any subsequent conviction of the violation of this section within a period of five years of the date of commission of the first offense by imprisonment of not less than five days nor more than six months and by a fine of not less than \$250 nor more than \$1,000, except as provided in subsection (b) of this section.

(b) Whenever the reckless driving of a vehicle proximately causes bodily injury to any person, the person so driving the vehicle shall, upon conviction, be punished by a fine of not less than \$100 nor more than \$1,000 and by imprisonment for not less than 30 days nor more than six months.

(c) Whenever the reckless driving of a vehicle proximately causes a collision in which bodily injury or property damage results, the person so driving the vehicle shall, upon conviction, and in addition to the penalties provided in the preceding paragraphs of this section, be required to attend a course in driver education if such course is offered, and to obtain a certificate of attendance at the satisfactory completion of that course. The course shall be conducted under the auspices of the Bureau of Motor Vehicles and shall be attended by the convicted reckless operator after serving his sentence or paying his fine, or both. Failure of the convicted reckless operator to attend this course is a separate misdemeanor, punishable by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than one month.

(d) A person convicted under this section may, in the discretion of the Court, be ordered to complete a driver's education program approved pursuant to 9 CMC § 2411 et seq. if he has not previously completed a driver's education program approved pursuant to section 2411.

Source: PL 3-61, § 1 (§ 704); (d) added by PL 15-25, § 4(c), modified.

Commission Comment: PL 15-25 was enacted on August 25, 2006, and did not include any findings or intent provisions but did contain the following title section, in addition to other amendments and severability and savings clauses. The Commission changed the reference numbers in subsection (d) to agree with renumbered sections (because the section numbering sequence designated in PL 15-25 was already assigned to a codified statute (i.e., 9 CMC § 2401), the Commission assigned different section numbers from those originally designated in PL 15-25, § 2) pursuant to authority granted by 1 CMC § 3806(c).

Section 1. Title. This Act shall be referred as "The Mandatory Driver Education Act of 2006."