



# National Motorists Association

THE VOICE OF REASON FOR DRIVING FREEDOM

## Written Testimony of Jay Beeber

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Pennsylvania Senate Majority Policy Committee  
Public Hearing on Deterring Aggressive Driving in Philadelphia

April 7, 2026

Chair Argall, Vice Chair Picozzi, and members of the Majority Policy Committee:

My name is Jay Beeber, Executive Director of Policy for the National Motorists Association. I appreciate the opportunity to submit this written testimony on the committee's April 7 hearing on deterring aggressive driving in Philadelphia. Founded in 1982, the NMA is a membership-based advocacy organization dedicated to protecting motorists' rights and freedoms. We support traffic laws that are fairly written and reasonably enforced, penalties that distinguish between ordinary driving and truly dangerous conduct, and traffic safety achieved through sound engineering, not vague labels.

Other witnesses today are likely to call for stronger enforcement and broader legal tools against “aggressive driving”. We share the concern about drivers whose conduct is clearly reckless, and those drivers should be stopped and punished. But the temptation to respond by creating a new legal category for aggressive driving should be resisted. A broadly defined offense indiscriminately catches ordinary motorists making judgment calls without meaningfully targeting the dangerous drivers it is meant to reach. Instead, rely on current law and trained officers who can observe the full sequence of conduct that marks objectively unsafe driving.

The committee's own materials illustrate the problem.<sup>1</sup> The hearing is framed as one on deterring aggressive driving, while the related press release describes concern about reckless drivers. Those are not the same thing. Reckless driving is already illegal in Pennsylvania. If the committee treats them as interchangeable, it risks adopting policy prescriptions that sound tough but reach far beyond those high-risk drivers.



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## I. Current Law Already Covers This Conduct

Pennsylvania already prohibits reckless driving, careless driving, driving at a speed greater than is reasonable and prudent under the conditions, following too closely, unsafe lane changes, disobeying traffic-control signals, and failing to stop or yield where required.<sup>2</sup>

Most states do not have a dedicated aggressive-driving offense, and Pennsylvania is not unusual for lacking one. Many aggressive-driving statutes elsewhere simply relabel conduct already covered by existing traffic offenses. Giving dangerous conduct a new name does not make it more illegal. It creates a new layer of complexity without closing any real gap.

The existing statutes are more useful than a broad category precisely because they are specific. An officer charging reckless driving under § 3736 has to point to defined conduct that meets a defined standard. A broad aggressive-driving charge does not impose that discipline. It invites post hoc escalation of conduct that the existing statutes, applied as written, already address.

## II. “Aggressive Driving” Has No Workable Legal Definition

PennDOT uses “aggressive driving” as an umbrella term for behaviors including excessive speeding, tailgating, racing to beat red lights or run stop signs, weaving in and out of traffic, illegal passing on the right, and failure to yield.<sup>3</sup> That may work as public-awareness language. It does not work as a legal standard.

NHTSA has acknowledged that reaching a consensus definition of aggressive driving has proven difficult, that not every moving violation qualifies, that aggressive-driving laws may be difficult to prosecute, and that there is no evidence such laws affect aggressive driving and related crashes.<sup>4</sup> That last point alone deserves serious attention before Pennsylvania adds legislation to address a problem its existing statutes already cover.

The deeper problem is that “aggressive driving” is not a unique category of acts. It is an ordinary traffic maneuver plus an inferred motive. Even serious treatments of the subject distinguish aggressive driving from road rage, and acknowledge that many behaviors called “aggressive driving” involve no hostility at all.

Tailgating in stop-and-go traffic is often indistinguishable from tailgating to intimidate. A warning flash of the headlights can look identical to an intimidation flash. Navigating a lane drop in construction traffic produces the same sequence of lane changes as aggressive weaving



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for advantage. In each case the outward act is the same. What differs is the driver's intent, and intent is not observable from the roadway.

The problem compounds when you consider individually innocent acts. A driver traveling above the posted limit but matching the flow of traffic is not driving dangerously by any engineering standard, but is technically committing a speeding violation. A driver who stops with the front wheels just past the limit line at a red light has committed a technical traffic control violation that creates no hazard and that a live officer would never cite. A driver who accelerates to match highway speed while merging, the correct and safe technique, could be characterized as making an unsafe lane change. None of those situations involves the immediate danger that warrants escalated enforcement.

Once "aggressive driving" is in the code as a distinct offense, conduct that would have been a borderline traffic violation gets escalated into something that sounds far more serious. The driver had no way of knowing the combination of maneuvers crossed a line. Ordinary motorists get caught up in it. And the people whose behavior puts others at risk don't get any more attention than they did before.

### **III. If the Committee Uses the Term at All, Tie It to Immediate Hazard**

If the committee decides to use a separate aggressive-driving concept, it should be drafted as narrowly and objectively as possible. The cleanest available model is Arizona's. Arizona requires a course of conduct during a single, continuous period of driving, a speeding-related violation plus at least two enumerated violations, and, most importantly, that the person's driving be an immediate hazard to another person or vehicle.<sup>5</sup> That last requirement is the critical limiting principle. Without an immediate hazard requirement, a prosecutor can aggregate minor violations into an aggressive-driving charge even though no one was ever in danger: a rolling stop, a brief tailgate, a quick lane change. The value of Arizona's model is that it grounds the offense in multiple observable acts during a single course of conduct, and requires that those acts create an immediate hazard. Any Pennsylvania version should go further and explicitly bar conviction on both the aggressive-driving charge and the underlying violations.

Delaware's aggressive driving law is instructive as it has neither guardrail. Its statute requires only three violations with no immediate hazard requirement, and expressly permits conviction on both the aggressive-driving charge and each underlying offense.<sup>6</sup> A driver can face stacked penalties for conduct that never endangered anyone, based on a prosecutor's entirely



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discretionary decision on how to file. The punishment a driver receives depends on the charging decision, not the danger created.

## IV. Enforcement Should Target the Drivers Actually Causing Crashes

NMA's position is that enforcement resources should be directed at the drivers actually causing crashes. Those are not drivers who rolled a stop sign at 3 a.m. They are drivers traveling at speeds well above the flow of traffic, not marginally over a posted limit. Drivers tailgating to the point of creating a rear-end hazard. Drivers weaving through traffic without adequate clearance. Drivers who enter an intersection well into the red interval or fail to yield in a way that forces another road user to brake hard or swerve. Those are the drivers whose behavior almost certainly prompted this hearing, and the ones a well-drafted enforcement strategy can reach.

A trained officer on patrol is the right tool for identifying those drivers. What makes conduct truly dangerous is often a sequence of acts rather than a single isolated moment. An officer can observe the full course of conduct: the speeding, the gap-closing, the lane change, the evasive braking by another driver. The officer can see surrounding traffic conditions, vehicle spacing, and whether anyone was actually endangered. That is how you distinguish the driver creating immediate hazard from the driver who made a questionable but not especially dangerous judgment call.<sup>7</sup>

That kind of contextual judgment is only possible with a trained officer. If automated enforcement is proposed as a solution, it would get this exactly backwards. A camera captures an isolated moment: a speed reading at a fixed point, a vehicle crossing a line, a license plate. It does not capture surrounding traffic context. It does not record whether another driver had to brake or swerve. It does not observe the sequence of conduct that marks truly dangerous driving. Expanding automated enforcement to address aggressive driving will identify more technical violations while doing less to reach the drivers actually causing crashes. That means officers, not cameras, at the locations where dangerous driving routinely occurs.

## V. Address the Road, Not Just the Driver

Enforcement is part of the answer. Not saturation patrols or fixed-location citation campaigns, but officers on patrol who can observe dangerous conduct in context and respond to it. That is what identifies the outlier driver rather than generating more citations. But some of what gets called aggressive driving is conflict generated by roadway conditions, not driver behavior.



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Poorly functioning signals, merge areas, lane drops, bottlenecks, and unsynchronized signal progression all create situations where drivers compete for space in ways that produce friction.<sup>8</sup> A driver forced into a last-second lane change because of a poorly signed lane drop is not the same as a driver aggressively weaving through traffic. Where roadway conditions are creating conflict, engineering fixes are the answer: better signal coordination, adaptive signal control, dedicated left-turn phasing, better clearance intervals, turn channelization, and bottleneck relief at identified choke points. Attributing every conflict to driver behavior means missing the operational causes that could be fixed.

On speed limits: changing a posted number does not change actual travel speeds, and it does not deter genuinely dangerous conduct. Any posted speed limit should be grounded in an engineering and traffic investigation of the roadway it governs.<sup>9</sup> A driver doing 60 mph through a residential neighborhood is dangerous. A driver traveling at the speed the roadway was designed to accommodate, where the posted limit is set below what the geometry and conditions justify, is not.<sup>10</sup> Casting that driver as the problem doesn't reduce aggressive driving. It produces it. Artificially low limits create speed differentials between drivers, breed noncompliance, and generate the friction that leads to negligent driving conduct. Changing the sign does not change the outlier. It may, in fact, create more of them. Speed limits set to reflect roadway conditions give enforcement a meaningful baseline, and outlier behavior a meaningful definition.

## VI. The Risk of a Vague Standard

Pennsylvania should not create a catch-all offense simply because the name sounds serious. It should not pile a new aggressive-driving charge on top of underlying violations when existing law already covers and adequately punishes the conduct. It should not confuse a public-safety slogan with a workable legal standard.

A broad aggressive-driving category will catch ordinary motorists, borderline situations, and disputed judgment calls. It will not be confined to the driver weaving at high speed through traffic and forcing other road users to swerve. It will be available whenever an officer or prosecutor decides that a combination of driving behaviors, in retrospect, adds up to an aggravated charge. Drivers who had no notice that their conduct crossed a legal line will find themselves facing a more serious charge with no clearer legal basis. When people see that an aggressive-driving label is landing on conduct it was never supposed to target (honking at a driver slow to move on a green, hard acceleration from a stop, passing on the right on a multi-lane road), they lose confidence in the fairness of traffic enforcement. Enforcement that



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ordinary drivers perceive as arbitrary is harder to sustain and ultimately undermines the credibility of traffic law generally.

## Conclusion

The conduct at issue is already illegal. Reckless driving is a crime. Careless driving is a crime. Tailgating, unsafe lane changes, and running red lights are all violations Pennsylvania law currently prohibits.

If the committee wants to identify and punish drivers creating immediate hazard for other road users, rely first on existing law. Support deployment of trained officers who can observe the full context and surrounding traffic conditions, identify reckless conduct, and enforce the laws already on the books. If the term "aggressive driving" is used at all, tie it tightly to an immediate-hazard standard modeled on Arizona law, and do not allow penalty stacking on top of the underlying offenses.

Do not assume that a broader label, lower posted speed limits, or greater reliance on automated enforcement will solve the underlying safety problem. A catch-all aggressive-driving offense will fall most heavily on everyone else. The drivers this committee is focused on will continue to go unchecked, while ordinary motorists bear the cost of overreach.

Thank you for your consideration.

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## Endnotes:

<sup>1</sup>Pennsylvania Senate Majority Policy Committee, “Public hearing on deterring aggressive driving in Philadelphia,” posted Apr. 2, 2026, <https://policy.pasenategop.com/policy-040726/>; and Pennsylvania Senate Majority Policy Committee, “Picozzi to Host Senate Hearing on Deterring Aggressive Driving,” posted Mar. 31, 2026, <https://policy.pasenategop.com/picozzi-to-host-senate-hearing-on-deterring-aggressive-driving/>.

<sup>2</sup>75 Pa.C.S. § 3736 (reckless driving); 75 Pa.C.S. § 3714 (careless driving); 75 Pa.C.S. § 3361 (driving vehicle at safe speed); 75 Pa.C.S. § 3310 (following too closely); 75 Pa.C.S. § 3309 (driving on roadways laned for traffic); 75 Pa.C.S. § 3112 (traffic-control signals); 75 Pa.C.S. § 3323 (stop signs and yield signs).

<sup>3</sup>PennDOT, “Aggressive Driving,” Commonwealth of Pennsylvania, <https://www.pa.gov/agencies/penndot/traveling-in-pa/safety/traffic-safety-driver-topics/aggressive-driving>; see also PennDOT, “Shapiro Administration and New Jersey Launch Multi-State Aggressive Driving Enforcement Effort,” Mar. 18, 2026, <https://www.pa.gov/agencies/penndot/news-and-media/newsroom/statewide/2026/shapiro-admin-and-nj-launch-multi-state-aggressive-driving-enfor>.

<sup>4</sup>NHTSA, Countermeasures That Work: “Aggressive Driving and Other Laws,” <https://www.nhtsa.gov/book/countermeasures-that-work/speeding-and-speed-management/countermeasures/unproven-further-evaluation/aggressive>.

<sup>5</sup>Ariz. Rev. Stat. § 28-695.

<sup>6</sup>Del. Code tit. 21, § 4175A.

<sup>7</sup>NHTSA, Aggressive Driving Enforcement: Strategies for Implementing Best Practices, DOT HS 809 031 (2000), <https://library.ctr.utexas.edu/digitized/govdoc/dot-hs-809-031.pdf>.

<sup>8</sup>FHWA, Traffic Signal Timing Manual, Chapters 4 and 5, <https://ops.fhwa.dot.gov/publications/fhwahop08024/chapter4.htm> and <https://ops.fhwa.dot.gov/publications/fhwahop08024/chapter5.htm>; FHWA, Localized Bottleneck Reduction Program, <https://ops.fhwa.dot.gov/bn/lbr.htm>.

<sup>9</sup>75 Pa.C.S. § 3363 (alteration of maximum limits, upon the basis of an engineering and traffic investigation).

<sup>10</sup>FHWA, Speed Concepts Informational Guide, Chapter 8 Summary, <https://highways.fhwa.dot.gov/safety/speed-management/speed-concepts-informational-guide/chapter-8-summary>.