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**Testimony to the House Corrections and Juvenile Justice
In Support of HB2534
February 5, 2018**

Chairman Jennings and Committee Members:

Our associations support HB2534 which will clarify the statute concerning exhibition of speed or acceleration. This bill has been brought forward to address case law, *State v. Sharp*, which was based on a lack of clear definition of the terms exhibition of speed and exhibition of acceleration. The proposed solution is straightforward and appears to provide definitions which represent exactly what law enforcement and courts have considered these terms to mean prior to the court ruling.

We believe Justice Stegall, in his dissenting opinion, accurately described the conduct at the heart of this case. “While stopped in traffic at a crowded intersection, Officer Bowers observed Sharp spinning his tires using a technique referred to as power braking. . . Officer Bowers observed Sharp's spinning wheels, a heavy cloud of smoke emanating from under Sharp's vehicle, and the smell of burning rubber. . .Sustained power braking at a traffic intersection is not ordinary behavior and has no innocent explanation. It is conduct that lies outside the common sense norms expected by law abiding motorists. It is inherently unsafe and disturbs the ordinary and orderly flow of traffic on our roadways.”

Passage of this bill will add clarity to this law and will allow full enforcement of this statute to resume. We encourage you to move this bill forward.

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