**T.P.I. -- CRIM. 38.12**

***[AGGRAVATED]* RECKLESS DRIVING**

Any person who commits the offense of *[aggravated]* reckless driving is guilty of a crime.

For you to find the defendant guilty of this offense, the state must have proven beyond a reasonable doubt the existence of the following essential elements:

(1)(a) that the defendant drove a vehicle in willful or wanton disregard for the safety of persons or property.

or

(1)(b) that the defendant drove a motorcycle with the front tire raised off the ground in willful and wanton disregard for the safety of persons or property on any *[public street] [highway] [alley] [parking lot] [driveway] [premises of a [shopping center] [trailer park] [apartment house complex]] [premises which is visited by the public at large].*

[and

(2) **Only for offenses committed on or after 7/1/22:** that the defendant intentionally or knowingly impedes traffic upon a *[public street] [highway] [alley] [parking lot] [driveway] [premises of a [shopping center] [trailer park] [apartment house complex] [premises which is visited by the public at large].*]

“Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

To constitute willful disregard for the safety of persons or property there must be a designed purpose, an intent to do the wrong, while to constitute wanton disregard the party doing the act or failure to act must be conscious of *[his] [her]* conduct and though having no intent to injure must be conscious from *[his] [her]* knowledge of surrounding circumstances and existing conduct that *[his][her]* conduct may naturally or probably result in injury.

[It is a defense to reckless driving for driving a motorcycle with the front tire raised off the ground that the defendant was riding in a parade at a speed not to exceed thirty (30) miles per hour, and is eighteen (18) years of age or older.]