

119TH CONGRESS
1ST SESSION

H. R. 4846

To amend title 18, United States Code, to provide for an affirmative defense in a criminal or civil action relating to motor vehicle incidents if cases in which a certain party is convicted of riot.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2025

Mr. FINE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for an affirmative defense in a criminal or civil action relating to motor vehicle incidents if cases in which a certain party is convicted of riot.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reinstating Orderly
5 Access for Drivers Act” or the “ROAD Act”.

1 **SEC. 2. AFFIRMATIVE DEFENSE IN A CRIMINAL OR CIVIL**
2 **ACTION; PARTY CONVICTED OF RIOT.**

3 (a) IN GENERAL.—Chapter 2 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 40B. Affirmative defense in a criminal or civil ac-**
7 **tion; party convicted of riot**

8 “(a) In a criminal or civil action for damages for per-
9 sonal injury, wrongful death, or property damage carried
10 out using a motor vehicle, it is an affirmative defense that
11 such action arose from an injury or damage sustained by
12 a participant acting in furtherance of a riot. The affirma-
13 tive defense authorized by this section shall be established
14 by evidence that the participant has been convicted of vio-
15 lating section 2101, or by proof of the commission of such
16 crime by a preponderance of the evidence.

17 “(b) In a civil action in which a defendant raises an
18 affirmative defense under this section, the court shall, on
19 motion by the defendant, stay the action during the pend-
20 ency of a criminal action that forms the basis for the de-
21 fense, unless the court finds that a conviction in the crimi-
22 nal action would not form a valid defense under this sec-
23 tion.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 2 of title 18, United States Code, is amended by add-
3 ing at the end the following:

“40B. Affirmative defense in a criminal or civil action; party convicted of riot.”.

