

Reckless Driving

When a fatal reckless driving incident is referred to as an “accident,” it is not only inaccurate, but harmful to public safety and inconsistent with California law and policy goals.

Under California Vehicle Code §§ 22350, 23103, 23104, and Penal Code § 192(c), the law clearly distinguishes between unavoidable incidents and deaths caused by unlawful or reckless conduct. Speeding, reckless driving, street racing, fleeing, or willful disregard for safety are conscious choices with well-documented lethal outcomes. When such conduct results in death, it is a predictable and preventable traffic killing—not an accident.

This distinction matters. Language shapes enforcement, charging decisions, and deterrence. When fatal reckless driving is framed as an accident, accountability is diminished before facts are fully examined. The result is inconsistent charging, reduced penalties, and a public message that traffic violence is tolerated. California’s own data shows that reckless driving is a leading contributor to traffic fatalities, yet consequences often fail to reflect the severity of the harm caused.

California has made public commitments through Vision Zero and other safety initiatives to eliminate traffic deaths. Those commitments cannot be met without inevitable and meaningful consequences for conduct that kills. Deterrence depends on certainty, not discretion. When drivers believe that killing someone with a vehicle will be treated leniently, deterrence collapses—and fatalities continue.

This is not about criminalizing mistakes. It is about enforcing existing laws when illegal, dangerous behavior results in loss of life. Vehicles should not be the only deadly instruments for which recklessness is routinely excused by semantics.

It should be considered:

- Discouraging the use of the term “accident” in cases involving unlawful driving
- Supporting consistent charging standards for fatal reckless driving
- Strengthening statutory consequences where gaps exist to ensure deterrence
- Requiring transparency when leniency is granted in fatal traffic cases

Families who lose loved ones to reckless driving deserve accountability equal to the harm suffered. More importantly, Californians deserve a system that prioritizes prevention over excuses.

