AB 1685: Increase Points for Vehicular Manslaughter

Summary
AB 1685 increases the DMV point penalty from two to three points for drivers convicted of vehicular manslaughter and vehicular manslaughter while intoxicated.

Background
The California Department of Motor Vehicles (DMV) uses the Negligent Operator Treatment System (NOTS) to assign points to a driver's record based on traffic-related convictions and violations. These points are used to determine whether a driver's privilege to operate a motor vehicle should be suspended or revoked. If a person accumulates 4 points in 12 months, 6 points in 24 months, or 8 points in 36 months, the DMV may suspend their licenses.

Existing law defines vehicular manslaughter as the unlawful killing of a human being without malice and aforethought while driving a vehicle. Vehicular manslaughter while intoxicated applies when the offense occurs while the driver is under the influence of alcohol, drugs, or both.

Currently, a conviction for either of these offenses result in an assessment of two violation points on a driver's record. This is the same number of points assessed for reckless driving, certain hit and run offenses, and driving over 100 miles per hour (mph).

The Problem
Drunk driving continues to be a major cause of preventable accidents and fatalities in California. Driving Under the Influence (DUI) arrests have dropped from nearly 200,000 in 2010 to 100,000 in 2020. However, each year over 1,300 people die in the state from drunk driving collisions.

Despite California's early leadership in the anti-drunk driving movement in the 1980s, the state now has some of the weakest DUI laws in the country.

Approximately, one-third of drivers convicted of one or more DUIs will reoffend. Some offenders adding four, five, six DUIs to their record with one woman in Fresno who recently received her 16th.

In current law, California fails to differentiate between drivers who made a dangerous mistake and those who refuse to stop endangering lives. Going 120mph without harming a person has the same points assessment as driving recklessly and killing an individual.

Solution
AB 1685 increases the point assessment for convictions of vehicular manslaughter and vehicular manslaughter while intoxicated from two points to three points.

This bill will also become the only driving violation to have three points. AB 1685 will make California roads safer by bringing repeat offenders one point closer to having their license suspended.

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