



LOS ANGELES
TRAFFIC

**ADDRESSING SAFETY
ISSUES:**

**PROBLEMS AND WHAT
NEEDS TO BE DONE**

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LOS ANGELES TRAFFIC
Addressing safety issues

EXECUTIVE SUMMARY

It is quite a largely known fact that traffic is an immense and continually growing dilemma in Los Angeles. With nearly 4 million residents, it is not difficult to understand the reasons behind traffic being such a vast and problematic issue. Although traffic is generally identified with highway congestion, this comprehensive analysis will go into details regarding traffic safety issues concerning traffic violations and the lack of proper enforcement. In addition, this whitepaper examines the large number of annual car accidents while also examining statistics by providing examples of specific areas that require immediate attention in order to improve the safety of residents in the City of Los Angeles.

BACKGROUND

Traffic issues in Los Angeles cannot be linked to a single dilemma as there are many issues revolving around the immense epidemic. Distracted drivers, unlicensed drivers, hit-and-runs, intoxicated drivers, road rage, and speeding are the key issues concerning the wide-array of problems relating to today's immense traffic crisis. Although the violation-type traffic issues (distracted driving, driving intoxicated, speeding, etc.) do have consequences when enforced, it seems the numbers of offenses concerning violation-type issues are increasing regardless of the stern laws set in place. This increase in hazardous traffic violations indicates the immense need for increased enforcement.

DISTRACTED DRIVERS

Distracted drivers pose one of the biggest threats to all drivers on the road today. The National Highway Traffic Safety Administration (NHTSA) has estimated that driver inattention or distraction is responsible for 25% to 30% of police-reported traffic crashes, or an estimated 1.2 million crashes per year (AAA, 2003). In 2010, 18% of all injury crashes in the nation were reported as distraction-affected crashes, equating to 3,092 people being killed in crashes involving a distracted driver and an estimated additional 416,000 being injured in motor vehicle crashes involving a distracted driver (NHTSA, 2012).

These statistics portray the danger behind an individual's diminishing focus when they are distracted by any means, such as eating/drinking, mobile phone usage (texting or talking), changing the radio/cd/mp3, using navigation, grooming, watching videos, etc. These wide arrays of distractions increase the chances and occurrences of reckless driving, potentially threatening lives, and thus signifying the necessity for increased awareness and enforcement regarding distracted drivers.

EATING/DRINKING

It is very common to drive and notice other drivers eating while driving, seeing as how it can be much more convenient if one does not have the time to sit down and eat at a restaurant or at home. However, it seems that eating while driving poses one of the biggest threats when it comes to driving distracted. A study done by the [National Highway Traffic Safety Administration \(NHTSA\)](#) concluded that those who eat and drive increase the odds of an accident by 80%! They also concluded that 65% of near miss accidents are caused by distracted drivers fussing with food and drinks. Those are some pretty staggering and eye opening statistics! Those stats are worse than stats for [texting while driving](#)! (Locher and Moritz, 2009)." When drivers divert their attention from the road on to their food and/or beverages, their focus on driving depletes, [thus increasing the chances of a crash](#). "Distractions like eating can become a problem for drivers who can't react quickly to a sharp curve (Locher and Moritz, 2009)." It was found that fender benders were 70% or more caused by distracted drivers (Hayes and Stallworth, 2010). Same as above but aren't fender benders accidents as well?

In addition, in a study of 1,000 drivers by ExxonMobile Corp., it was found that 70% of the study group ate while driving, and 83% drank (non-alcoholic) beverages while driving (Locher and Moritz, 2009). These statistics are bothersome, especially due to the fact that eating while driving has been deemed as more dangerous than driving under the influence in terms of diminished reaction time(s). "They found that the response time slowed by approximately 44% when the person was snacking while driving, and when he was driving under the influence, the response time was delayed by just 12.5% (Kornberg, 2012)." Although it is a common sight to see an individual eating/drinking while driving, the chances of a crash due to that individual's distraction(s) are unfortunately just as common, and due to there being a lack of legislation deeming it an unlawful act, it is a permitted act. Law Enforcement, however, still views the habit of eating/drinking while driving a threat to other motorists on the road.

California Vehicle Code §23103

Though not illegal, police officers can still cite individuals if they become a noticeable threat due to their inability to drive while eating. “In these cases, police are forced to cite distracted drivers with violations that do not specifically relate to food (Lerner, 2012).” These citations are primarily made through California’s vehicle code §23103, stating, “A person who drives a vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving (DMV, 2011).”

This crackdown on reckless driving may be viewed as progression, but the fact still remains that eating/drinking while driving related crashes are still responsible for 80% of all car accidents in the nation, and in metropolitan areas with immense traffic congestion, that percentage may be even higher.

MOBILE PHONE USAGE

One of the most well-known and dangerous issues with traffic safety in today’s society is the handheld usage of mobile phones while driving, including texting, talking, and sending/reading e-mails. “More than 2 in 3 drivers report talking on their cell phone while driving in the past month, and nearly 1 in 3 say they do so fairly often or regularly (AAA, 2012).” Although there are strict laws prohibiting the use of cell phones while driving, texting and talking on cell phones while driving has yet to cease. In fact, research shows that the illegal operation(s) of cell phones has immensely increased since California passed the laws prohibiting cell phone usage while driving. According to the California Office of Traffic Safety, “A statewide survey showed 10.8% of drivers use mobile devices at any given daylight time, an increase from 7.3% a year ago (Bloomekatz, 2012).”

The reason using a cell phone while operating a car is hazardous is obvious: it distracts the individual from focusing on their primary objective, driving. According to a brain research report, “Driving while using a cell phone reduces the amount of brain activity associated with driving by 37% (Cynkar, Just, & Keller, 2008).” Additionally, research has concluded that sending or receiving a text takes a driver’s eyes from the road for an average of 4.6 seconds, the equivalent—at 55 mph—of driving the length of an entire football field blind (UDT, 2009). Furthermore, text messaging creates a crash risk 23 times worse than driving while not distracted (UDT, 2009). These facts, without a doubt, prove that using a cell phone while driving is an immense threat to not only the individual committing the crime, but to all motorists in his or her vicinity.

The usage of a cell phone while driving, even though a blue-tooth setup, is illegal for minors in the state of California under *California Vehicle Code [VC] §23124*. Why is the law so harsh on teenagers? “A 2001 report by the National Highway Traffic

Safety Administration found that 16-year-old drivers have a crash rate three times higher than that of 17-year-olds, five times greater than 18-year-olds and almost 10 times greater than drivers ages 30-59 (USAToday, 2007).” However, it seems that the current laws in place are not doing much to deter minors from participating in the usage of cell phones, whether it is talking on the phone or texting while driving, minors have the highest rate of cell phone usage while driving. “In NHTSA’s nationwide observational survey, 8% of drivers judged to be age 16-24 were observed using a hand-held cell phone, compared to 5% of drivers 25-69 and just 1% of drivers 70 and older (Goodwin et al., 2012).”

In another survey, “...about 58 percent of high school seniors said they had texted or emailed while driving during the previous month. About 43 percent of high school juniors acknowledged they did the same thing (Goldeen and Parrish, 2012).” These statistics portray the immensity in the liability and risks involved with the lack of proper enforcement regarding teens and cell phone usage, suggesting that an increase in the severity of consequences for the violation of these laws would serve as a greater deterrent.

The usage of cell phones while driving has been linked as being a key cause of car accidents, especially fatalities. Texting behind the wheel accounted for 16,141 deaths between 2002 and 2007 according to researchers from the University of North Texas Health Science Center in Ft. Worth (Kaplan, 2010). Although this data is prior to the ban on cellphone usage while driving, the increase in the operating of cell phones while driving implicates that cell phone-related accidents, fatal or non-fatal, are still an immense issue in California and especially in Los Angeles. The National Highway Traffic Safety Administration reported, “The increase in traffic fatalities since 2005 appears to be related to a shift in how handheld devices are used (Kaplan, 2010).” To further the emphasis on California’s immense dilemma with distracted drivers using cell phones, “In 2011, both cell phone use and texting were seen as more significant dangers than speeding/aggressive driving, which came in third (Handsfreeinfo, 2012).”

According to a recent study, “The DMV reports 460,487 handheld cell phone convictions for 2011, an increase of 22 percent compared with 2010 (361,260) and up 52 percent from 2009 (301,833). Additionally, “In April, law enforcement officials across the state made a concentrated effort to crack down on distracted driving and issued more than 57,000 tickets to motorists talking or texting on a cell phone. That is about 5,000 more than the number of tickets given out during a similar operation last year (Bloomekatz, 2012).” It is more than obvious that the current laws in California are not deterring the use of cell phones while driving.

Senate Bill 1310

As discussed above, the handheld usage of cell phones, whether it be talking on the phone and driving or texting while driving, have increased immensely even after the installation of the cell phone law in California under Senate Bill 1613. However, it seems that California is currently proposing to adopt a new bill that would increase the consequences and penalties regarding the handheld usage of cell phones while driving. Under proposed Senate Bill 1310, laws prohibiting the use of handheld cell phones while driving would be strengthened, such as increasing the fine for a first hands-free or texting offense to \$30, and to \$60 for a subsequent offenses, provide that repeat violations of the hands-free law will add a “point” on motorists’ driving records, use a portion of the increased fine revenue to provide for a public awareness program; and apply the hands-free/no texting law to bicyclists. Cyclists would pay \$20 for a first offense and \$50 for a second offense, would not be subject to additional ticket fees/penalties, and would not receive a point on their driving record for violations (Simitian, 2012).

This increase in the severity of consequences and penalties could potentially decrease the immense usage of cell phones while driving, seeing as how the current laws have not caused a large enough stall to the widespread and relentlessness of this epidemic. Although current laws do inflict quite a large financial penalty once all the fees accumulate, they do not seem to be deterring offenders, seeing as how there is actually an increase in the usage of cell phones while driving as aforementioned.

RECOMMENDATIONS – AMBER ALERT

The immensity of distracted driving has truly evolved into a relentless epidemic throughout the state of California. Although there are laws set in place for the sole purpose of deterring such life-threatening acts, as aforementioned, they do not seem to be deterring offending drivers from continually committing these acts of disregard for human life. The steepening of current laws, such as Senate Bill 1310 for cell phone usage while driving, is a progressive leap. However, the problem lies in the enforcement of the law, not the installation of a law. While increased enforcement of these laws through ticketing, impounding, and possibly arresting (such as the case regarding Aaron Deveau who was charged for the murder of Donald Bowley (2012)) is the best option, unfortunately, police officers are not omnipresent, and are not plentiful in Los Angeles.

The installation and usage of amber alert-like *Report Drunk Drivers: Call 911* throughout all Californian highways is a great way to increase alertness and awareness of drivers regarding their surroundings and safety. This method should be utilized to make drivers aware of distracted drivers, as well as to influence drivers in

reporting distracted drivers as they do for drunk drivers. This simple step could potentially save lives, seeing as how the amber alert system has led to the recovery of 234 children since 2002; it is definitely making an impact on driver awareness regarding their surroundings (CHP, 2012). “This lifesaving program has resulted in the recovery of nearly 600 children overall; more than one-third of those cases are from California (CHP, 2012).” It is imperative to initiate this method of awareness in order to save further lives that are lost every day due to such an insignificant mean(s): distracted driving. However, it should be noted that drivers attempting to report distracted drivers should only do so through the use of a Bluetooth and/or hands-free phone system, or by a passenger if available.

UNLICENSED DRIVERS

It may seem logical that in order to drive in the state of California, or any state for that matter, one must be a legal citizen of the United States or legally residing or visiting the United States, seeing as how driving itself is a privilege, not a right. Additionally, driving without a license is a punishable offense under California Vehicle Code 12500 (a), officially making it a crime to be an unlicensed driver. However, these facts and laws have been and continue to be ignored in order to make way for undeserving and motorist-endangering unlicensed drivers. “There are over 1 million drivers operating automobiles in California having never been issued a license (Legislative Findings, 1994).” Through legislators’ disregard for these facts and laws, in order to make unlicensed and/or undocumented immigrant drivers feel accepted, California has permitted immense fatalities to occur. “Overall, in the years 2007-2009, 18.2% of fatal crashes involved a driver who was unlicensed or invalidly licensed; these crashes resulted in the deaths of 21,049 people in the United States.”

In a mind-boggling research find, an AAA study found that one in five fatal crashes in Los Angeles involve an unlicensed driver (AAA, 2008). In addition, it was found that unlicensed drivers were involved in 7,679 fatal crashes (19.9 percent of all fatal crashes), which resulted in the deaths of 8,801 people (20.5 percent of all deaths occurring in motor vehicle traffic crashes) (AAA, 2008). It is easy to notice that unlicensed and/or invalid license carrying drivers are an immense threat to society.

Unlicensed and/or invalid license carrying drivers were also shown to be a high risk in the department of driving under the influence. Drivers with invalid licenses are far more likely to have been driving drunk and to have had multiple suspensions or revocations in the three years before the crash, according to a study done by AAA Foundation for Traffic Safety. Close to fifty percent of all unlicensed and invalidly licensed drivers in fatal crashes between the years 2007-2009 had alcohol in their system (AAA, 2011).”

Furthermore, unlicensed drivers serve an immense threat to society through hit-and-runs. According to a study by AAA, "...an estimated 51.2% of all drivers who left the scene of a fatal crash lacked a valid license (2011)." In addition, "...unlicensed drivers, in comparison with licensed drivers, were 4.4 times more likely to be involved in hit-and-run collisions (David, 2011)." Just earlier this year, a woman in Boyle Heights, California, was killed in a hit-and-run collision with an unlicensed driver (CBS, 2012). Incidents like this are not uncommon, unfortunately, when in fact unlicensed drivers are nine times more likely to leave the scene of a fatal crash (AAA, 2011). It is more than obvious that the issue regarding the increasing commonness of unlicensed drivers and accidents needs to be attended to for the safety of the citizens of Los Angeles.

In 1994 the California Legislature realized that driving without a license or driving with a suspended or revoked license was causing death and destruction at rates far higher than licensed drivers. Realizing the danger to public safety some of the strictest laws were passed in an attempt to get these drivers off the road. These new laws made no distinction between unlicensed drivers who never had a license and were predominately undocumented immigrants and people with suspended or revoked licenses who were predominately US citizens or were legal residents. To be more specific Section 14607.4 Legislative Findings said:

(f) It is necessary and appropriate to take additional steps to prevent unlicensed drivers from driving, including the civil forfeiture of vehicles used by unlicensed drivers. The state has a critical interest in enforcing its traffic laws and in keeping unlicensed drivers from illegally driving. Seizing the vehicles used by unlicensed drivers serves a significant governmental and public interest, namely the protection of the health, safety, and welfare of Californians from the harm of unlicensed drivers, who are involved in a disproportionate number of traffic incidents, and the avoidance of the associated destruction and damage to lives and property.

Statistically, according to the AAA study "Unlicensed to Kill" both of these groups are almost equally atrocious drivers. They are both 5X's more likely to cause a fatal accident. They are both 5X's more likely to drive drunk; they will both flee the scene of an accident 51.2% of the time. In the case of the unlicensed, never been licensed, many cannot read the traffic signs and none have ever been eye tested to see if they can even properly see the signs.

In 2011, 47 states and the District of Columbia saw traffic fatalities decrease. Only three states, Hawaii, Arizona and California, had an increase in traffic fatalities.

Additionally, the AAA study has shown that traffic fatalities have been decreasing over the past 10 years except in the category of unlicensed drivers.

There are currently three lawsuits against the City of Los Angeles, the Police Commission and Chief Beck over their new “policy”. In light of the statistics, in light of the facts regardless of who wins the lawsuit why would anyone want to make driving without a license easier? It is not irresponsible, it is criminal. It is criminal negligence of the highest order to knowingly allow, no, in the case of undocumented immigrants actually encourage and empower, unlicensed drivers to drive. In fact since the main reason the powers to be have decided to ignore these laws is so these people can “get to work” it is actually a federal offense.

Section 274 felonies under the federal Immigration and Nationality Act, INA 274A (a) (1) (A):

A person (including a group of persons, business, organization, or local government) commits a federal felony when she or he:

- assists an illegal alien s/he should reasonably know is illegally in the U.S;
- or who lacks employment authorization, by transporting, sheltering, or assisting him or her to obtain employment, or encourages that illegal alien to remain in the U.S. by referring him or her to an employer or by acting as employer,
- or agent for an employer in any way, or knowingly assists illegal aliens due to personal convictions.

So here is the “additional steps” the state and local government has taken to insure **“the protection of the health, safety, and welfare of Californians from the harm of unlicensed drivers, who are involved in a disproportionate number of traffic incidents and the avoidance of the associated destruction and damage to lives and property”**.

In 2011 Assemblyman Gil Cedillo introduced AB 353. This bill essentially would stop the impound of unlicensed drivers cars (only those who never had a license) caught at sobriety checkpoints. Anywhere from 5X’s to as many as 35X’s as many unlicensed drivers would be caught at these checkpoints than drunk drivers. They were also caught before they caused any damage or injured or killed anyone. Cedillo himself has been quoted many times professing the knowledge that unlicensed drivers are very dangerous. In February 2012 he said, “As we are now hearing from the police chief and the sheriff, public safety has to be primary, and we have to take politics out of public safety. Unlicensed motorists are more dangerous, and we have an opportunity to make sure every motorist is licensed.” Despite that he has introduced

and supported bills that make it easier for unlicensed drivers to drive. So much for taking politics out of public safety.

The senate Public Safety Committee heard the bill in July 2011. Despite unanimous objections by all major law enforcement unions statewide, MADD and victims of unlicensed drivers the senate committee approved the bill. In light of all of the evidence of the dangers of unlicensed drivers one has to ask if the Public Safety Committee is for or against public safety.

The bill passed the Senate and Assembly and went to the governor's desk for his signature. My assemblywoman, Julia Brownley, voted for the bill because according to her "driving is a civil rights issue". I asked her if she would get in a plane flown by an unlicensed pilot and she said, "of course not". But it's okay for all of us and our children to get on the road with over a million unlicensed drivers.

Governor Brown looking out for the safety of California's children signed into law a bill making it illegal for those under 18 to use a tanning salon. He then signed Cedillo's bill thus keeping our kids safe from UV rays so they can be run over by an unlicensed driver.

In March 2011 Los Angeles Police Chief Charlie Beck (with a "little" push from Mayor Villaraigosa) decided that it was unfair to impound cars of unlicensed drivers (again only those who have never had a license). He decided to change the "procedure" in which LAPD would impound cars. Peter Sanders, a spokesperson for Mayor Villaraigosa was quoted in the Los Angeles Times on November 23, 2011, as saying, "We're going to balance the needs of the community and the desires of the community versus public safety which is paramount."

After a year a new "policy" was approved by the Los Angeles Police Commission. Obviously the needs (driving without a license) and the desires (break the law with impunity) of the community are paramount. Public safety was never considered at all. In fact, I filed a Freedom of Information request for all of the correspondence between the LAPD and the various community groups lobbying for this new policy.

In a year's worth of documents from LAPD Chief Beck and LAPD Assistant Chief Michael Moore obtained under the California Public Records Act, Chief Moore who was the lead person for the LAPD on this issue never once mentioned the issue of public safety.

In fact, the only time there appears to be a concern about public safety is in a memo from Wendy Braitman of LA Voice to Chief Moore on December 21, 2011. Ms. Braitman refers to an urgent meeting she will be attending at the Mayor's office on

December 22, 2011 and is concerned that the recent death of a pedestrian by an unlicensed driver may impact the new policy. She asks for Chief Moore's point of view on the recent developments. Based on the records we obtained, he never responds in writing. So much for public safety.

The new policy states that an unlicensed driver (never had a license) will not have their car impounded if they meet the following conditions:

- The car is properly registered
- The driver has a valid ID
- The driver has insurance
- The driver has no prior convictions for driving without a license

Adhering to these four conditions does not ensure (or even promote) a knowledge of the rules of the road. It does not magically enable a driver who cannot speak English to be able to read traffic signs many of which do not contain any symbols. And it does not insure that the driver has the visual acuity to be behind the wheel of a multi ton vehicle. Furthermore, if you are in this country illegally by definition you do not have any "valid" ID. No ID that these drivers have can be "run" against any database so there is absolutely no way to know who they really are. And what could be the most disingenuous part of this fiasco is the condition of a prior conviction. The city attorney's office does not and has no plans in the future to prosecute unlicensed drivers thus making everyone a first time offender no matter how many times they have been caught.

After a brief ban on car impounds because of some court challenges in 2007, Police Chief Bratton announced that impounding cars would begin again. In September 2007, Villaraigosa spokesperson Matt Szabo said, "The mayor supports the Police Department's right and responsibility to enforce the law against unlicensed and uninsured drivers. He's comfortable with the law as it stands". What has changed since then? Oh yes, the Mayor will be looking for a new job soon.

And where was the Los Angeles City Council on this issue? They refused to discuss the issue. Instead they concentrated on a much more serious issue and banned skateboard "bombing".

This year Assemblywoman Fiona Ma introduced AB 1993 which would stop the impounding of cars of unlicensed drivers (never been licensed only) completely. The bill had already passed the Assembly but fortunately was defeated in the Senate Transportation Committee. When Senator Mark DeSaulnier asked Assemblywoman Ma if she was familiar with the AAA study, Ma said she was not. You would think that in the interest of public safety the assemblywoman from San Francisco, the city

with the highest per capita traffic fatality death rate in the state, would at least explore the potential negative repercussions that might result if her bill had become law.

Despite all of this activity on reducing or eliminating penalties for unlicensed drivers, no such action is occurring for those with suspended or revoked licenses. Don't these people have to go to work? Don't they have kids to take to school and to the doctors? Yet no one speaks for them. Many of these people have had their licenses suspended for failure to pay parking tickets or child support. Why no sympathy for them? Maybe because there is no constituency and no votes to be gained. But one does not have to feel sorry for this group.

There are approximately 750,000 drivers in California with suspended or revoked driver's licenses. It is estimated that 50-75% of them continue to drive. Like unlicensed drivers they are terrible drivers. Statistically they are just as horrendous drivers as those with no license. And like unlicensed drivers, despite that many of these drivers have lost their licenses for DUI, the laws are rarely enforced. When these drivers do kill (and remember they are 5x's more likely to kill than licensed drivers) they are typically charged with a misdemeanor vehicular manslaughter which means at most they will spend a few months in jail.

It is not unusual to find a driver whose license has been suspended 5 or 6 times. Every time they are caught another few months are added to their suspension. Why stop driving when the penalty is no worse than what you already have. A postman was killed in February by a driver with a suspended license. The driver slammed into the postman severing both his legs. He died a few hours later. The driver was not arrested. The driver was operating a rogue taxi service. The district attorney's office decided it was an accident and did not meet the standard of gross negligence. The city attorney got the case and the driver at most will spend one year in jail. Killing someone with your car is not considered a violent crime so prison overcrowding will cut his one year sentence to six months and with good behavior he will be out and driving again in three months.

A driver both drunk and on drugs driving on a suspended license slammed into and severed a palm tree killing his passenger. He was trapped in the car and then spent three months in the hospital undergoing numerous surgeries. He pled guilty and was sentenced to six years. The judge gave him a year off for good behavior. The good behavior was for the three months in the hospital while he was being operated on (at taxpayer expense as of course he had no insurance). He will serve at most two years.

A driver with a suspended license since 2006 sent a mother and three children to the hospital when he plowed into them in Thousand Oaks in June. One of the girls was in the hospital for over a month and will spend months undergoing physical therapy. He wasn't arrested, his car wasn't impounded, and he was given a citation for failure to yield. I am sure he had no insurance, and I know the mom didn't, so once again the taxpayers picked up the tab.

And finally the woeful driving display by a young Hollywood actress who was given so many chances to kill someone but fortunately didn't. April 6, 2012 she hits a police car and is arrested for drunk driving. April 10, 2012 she's involved in a hit and run on the 101. August 4, 2012 she is involved in another hit and run. August 9, 2012 she is caught driving with her headlights off and on a suspended license. She is let go with a warning. September 16, 2012 she is pulled over and finally her car is impounded. I'm sure she will have the book thrown at her and if she autograph's it she will be given a suspended sentence.

Steal any item worth over \$950 and it's considered grand theft which is a felony. Drive drunk and it's a misdemeanor. Steal another item over \$950 and it's your second felony. Get caught driving drunk a second time and it's a misdemeanor. Steal another item worth over \$950 and it's your third felony and you can go to jail for life. Get caught driving drunk for a third time and it's another misdemeanor. Are our possessions really worth more than our lives?

Senate Bill 1758

In 1994, the California legislature passed Senate Bill 1758, allowing police officers to seize and impound for 30 days vehicles driven by a person whose license had been suspended/ revoked, or a person who had never been issued a license. Police could impound the vehicle whether the driver was the registered owner of the vehicle or not. This law ensured the safety of all drivers and citizens alike, seeing as how life-endangering unlicensed and/or drivers with suspended/revoked licenses were at an immense risk of having their vehicle(s) impounded, accumulating fees, and consequently impairing their abilities of endangering and killing people. In a study by the California Department of Motor Vehicles, the report found that first-time offenders who had their vehicles impounded were 18 percent less likely to have additional convictions than those who received citations, but did not have their vehicles impounded (DeYoung, 1997).

In an additional study, it was found that drivers whose vehicles were impounded have, relative to similar drivers whose vehicles were not impounded: 23.8 percent fewer driving convictions; 18.1 percent fewer traffic convictions; and 24.7 percent fewer crashes (Res, 2004). These facts portray the immense need for vehicle

impoundment as a consequence for unlicensed drivers, seeing as how it is a proven lifesaver through its capabilities in reducing fatal car accidents.

Assembly Bill 353

Through the proven lifesaving success of Senate Bill 1758, the California Assembly introduced Assembly Bill 353, which prohibits local police officers from impounding cars at sobriety checkpoints solely because a driver is unlicensed. Additionally, the bill states that at any traffic stop where the driver has been found to be unlicensed, an officer must attempt to identify the registered owner, and if the owner is able to respond to the scene “within a reasonable amount of time,” release the vehicle to the owner or the owner’s licensed designee. This, unfortunately, was signed and put into law by Governor Brown in 2011, immensely increasing the likelihood of deaths due to fatal car crashes caused by unlicensed drivers.

The bill guarantees an unlicensed driver’s ability to drive even after a police officer has stopped him, seeing as how he/she is not allowed to have their car impounded, thus continually endangering the lives of citizens. Days before the bill passed the Assembly a 4-year-old was killed by an unlicensed driver in Santa Rosa. The driver had been caught twice driving without a license the most recent five days before the fatal crash. His car was not impounded and he was told, “Do not drive again before your court hearing.” In fact, this bill additionally guarantees liability falling onto the city government(s) and/or local officials, seeing as how it is the enforcement that is knowingly re-releasing unlicensed drivers back onto the road. For example, In Montgomery, Alabama, an unlicensed driver with a previous DUI conviction caused a collision that injured five and killed one minor. In *Norris v. City of Montgomery*, 821 So. 2d 149 (2001), “...a police officer had stopped the unlicensed driver’s vehicle earlier the same day, but did not impound the car pursuant to a state statute mandating impoundment (AAA).”

The fact that this bill was even introduced portrays the vast disregard for public safety that is entrenching California’s citizens through the lack of proper enforcement. It seems that catering to law-breaking illegal immigrant drivers and unlicensed drivers with a track record of terrible driving offenses is more important than protecting the public’s safety.

RECOMMENDATIONS – INTERIM LICENSES AND/OR STRICTER ENFORCEMENT

Since unlicensed drivers are proven to be an immense epidemic in not only Los Angeles, but California and nationwide, the installation and enforced utilization of *Driving Privilege Cards* and *Provisional Licenses* are a great method of improving public safety. Through these two methods would come immensely increased public safety, seeing as how unlicensed drivers would basically become licensed and

monitored, decreasing their likelihood of driving erratically and/or in life-endangering manners.

This would enforce the acquisition of automobile insurance, instilling liability onto the drivers themselves and not on the local government(s), thus making roads safer. However, the lack of compliance and violation regarding these two implementations should, without a doubt, result in the full prosecution under the law which strictly enforces the 30 day vehicle impoundment.

There are only two logical recommendations that will enhance public safety. The first is to allow undocumented immigrants the ability to apply for a driver's license. The second is to strictly enforce the law and strive to get these drivers off the road. In either event those **who remain unlicensed must be stopped from driving.** Unlicensed drivers kill one person every 74 minutes in the United States.

Licensing undocumented immigrants is fraught with political peril. Licensing bills were passed twice in the past ten years only to be vetoed by Governors Davis and Schwarzenegger. A recent survey (Sept 6-18, 2012) in California conducted by the Institute for Governmental Studies at UC Berkley and The Field Poll showed that 56% of all respondents are against allowing illegal immigrants drivers licenses. White non-Hispanic were 34% in favor and 63% opposed. Hispanic respondents were 60% in favor and 35% opposed.

Another poll conducted the first week of September 2012 in New Mexico showed strong opposition to licensing undocumented immigrants (New Mexico currently allows undocumented to receive licenses. The Governor has been trying to repeal the law.) Overall 71% of all respondents are opposed to licensing the undocumented while only 21% favor licensing. Even among Democrats and Hispanics the majority of those surveyed opposed licensing. Both groups had a 30% approval while 59% of Democrats and 62% of Hispanics oppose licensing the undocumented.

Regardless whether in the interim or if the current law is maintained, every effort must be made to get unlicensed drivers off the road immediately. The cost in human lives, physical injury and financial considerations is just too great to "look the other way" for political reasons.

MASSIVE HIT-AND-RUN PROBLEM IN LA

Hit-and-runs are an immense dilemma in the United States. Annually, 1,500 deaths are due to fatal hit-and-run accidents according to a study by AAA. In fact, 11% of all police reported crashes nationally involve a hit-and-run collision according to the

AAA. In Los Angeles, this statistic increases immensely to **44% percent** of all traffic collisions being caused by hit-and-runs drivers.

An examination of LAPD statistics reveals that in 2010, 21,000 “accidents” were hit-and-run collisions in Los Angeles (LAPD). These facts should portray the immense problem Los Angeles faces due to hit-and-run collisions – a problem that has received little or no media attention or public outcry.

The facts are straightforward - unlicensed and suspended or revoked licensed drivers are involved in hit-and-runs 51.2% of the time.

Furthermore, fatal hit-and-run collisions frequently involve a pedestrian. An estimated 60% of those killed in hit-and-run crashes are pedestrians, and one in five pedestrian fatalities is due to hit-and-run collisions (AAA). According to Peter Kissinger and the National Highway Traffic Safety Administration, “Deadly hit and run crashes most often occur on weekends and during the evening. Fifty-eight percent of fatal hit and run crashes occur on Friday, Saturday, or Sunday; forty-seven percent of fatal hit and run crashes occur between 9 p.m. and 3 a.m. (2012).” Tighter restrictions and harsher consequences must be enforced to limit the immense and atrocious number of hit-and-runs, both fatal and non-fatal alike.

California Vehicle Code §20002

In the state of California, under vehicle code 20002, an individual can be charged with a misdemeanor for a hit-and-run offense if he or she leaves the scene of an accident without first identifying themselves to the other party or parties involved, and another's *property* was damaged in the accident. This misdemeanor, however, becomes a felony if others (other than the perpetrator) are injured.

The consequences following the charges include up to three years of informal probation, six months in a county jail, up to \$1,000 in fines plus court-assessed penalties, restitution to any victim(s) whose property was damaged, and two points on their driving record.

This is quite a major offense, seeing as how the charges seem rather steep, and it can easily become a felony if a victim is injured, yet, it seems this consequence is not enough to deter the immense amounts of hit-and-runs Los Angeles encounters every day. This illustrates the immense deficiency that is prevalent in today's law enforcement; permitting hit-and-run offenders to go unpunished due to an insufficiency in patrol and surveillance.

RECOMMENDATIONS – LIVE TRAFFIC CAMERAS

Due to the vast potential of insufficient witnesses in the case(s) of hit-and-runs, the implementation and installation of Live Traffic surveillance cameras around highways and streets are imperative for the progression of public safety regarding traffic. Live Traffic Cameras in intersections have proven successful in capturing car accidents, as well as certain highway surveillance cameras that have/are doing the same, and are thus assisting local authorities in determining fault and potentially capturing hit-and-run offenders in a timely manner.

INTOXICATED DRIVERS

Alcohol

Alcohol continues to be a relentless plague in the United States. According to a study by the AAA Foundation for Traffic Safety, “In 2010, 10,228 traffic fatalities — 40 percent of all highway deaths — involved at least one drinking driver, pedestrian, or bicyclist. Almost three-quarters of deaths in drunk driving crashes in 2010 involved drivers who had blood alcohol levels that were nearly twice the .08 legal limit, the National Highway Traffic Safety Administration (NHTSA).

Although the laws regulating drinking and driving are immensely stern and public in California and Los Angeles, it seems the public is still prone enough to driving under the influence of alcohol that it continually poses as a threat to society. “Over 14% of drivers report having driven when they thought that their alcohol level might have been close to or possibly over the legal limit within the past 12 months, and nearly 1 in 10 (9%) said they did so more than once (AAA, 2012).” In 2011, there were 791 traffic collision fatalities due to DUI’s in California (SAMHSA, 2011).

Additionally, DUI’s were attributed to 29% of all traffic collision fatalities in 2011, along with the state subsidy of drunken driving fatalities burdening California with \$4.98 billion for that year (SAMHSA, 2011). It goes without saying that the ingesting of alcohol and driving is an immense burden and dilemma not only on Los Angeles, but on all of California, and the United States. However, the biggest problem with drunk drivers is that they are not being faced with the consequences due to a lack in enforcement. According to a study by the AAA Foundation for Traffic Safety, the main dilemma regarding drunk drivers and collisions is due to the low rate of enforcement, suggesting a simplification of arrest procedures and paperwork, providing necessary equipment and training, and enforcing zero tolerance laws for drivers under 21 (AAA, 2002). The implementation of these regulations and/or furthered laws suggest to the public that authorities are coming down hard on violators, thus potentially influencing a change in lifestyle and behavior.

Medication/Drugs

Most people associate driving under the influence as driving while drunk, however, individuals on certain medications and/or drugs are also considered intoxicated drivers, and thus are driving under the influence. According to a study, "...driving under the influence of some medications, even over-the-counter drugs, can be as dangerous as driving drunk (Doheny, 2002)." In another study, subjects that took diphenhydramine (Benadryl) strayed out of their lanes while driving more often and had worse steering control than after drinking alcohol (Doheny, 2002).

In addition, in California, of ten thousand routine drunk-driving arrests, one out of four of the drivers was on a legal drug; 273 different kinds of them (Westen, 2011). It has also been concluded that individuals driving under the influence of a drug (or drugs) has been on the rise, reflecting that of individuals driving under the influence of alcohol. In a national survey, drugs were present more than 7 times as frequently as alcohol among weekend nighttime drivers in the U.S. (Compton and Berning, 2009).

In 2009, the last figures available, 6,761 people died as a result of drugged driving, 440,000 people were injured in car crashes as a result of drugged driving, and an annual cost of \$59.9 billion are attributable to drugged driving (Walsh et al., 2005). According to the National Highway Traffic Safety Administration's (NHTSA) 2007 National Roadside Survey, more than 16 percent of weekend, nighttime drivers tested positive for illegal, prescription, or over-the-counter medications. More than 11 percent tested positive for illicit drugs (NIDA, 2010). Additionally, another NHTSA study found that in 2009, among fatally injured drivers, 18 percent tested positive for at least one drug (e.g., illicit, prescription, or over-the-counter) (NIDA, 2010). These numbers are continually on the rise as they are also much more difficult to prosecute, thus allowing offenders the potential of going unpunished.

California Vehicle Code §23152

Under California vehicle code §23152, driving under the influence of alcohol or drugs, it states, "It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle (DMV, 2011)." To further the law on driving under the influence, there is also a stated legal limit for blood alcohol levels, that being 0.08 percent. Although this allows the determination and judgment of a drunk driver very simple, there is no specific limit regarding the ingesting of medicinal drugs which are legal by prescription. This is where the dilemma begins, seeing as how pharmaceutical drugs can immensely impair a driver's ability to function properly on the road.

Additionally, illicit drugs tend to be difficult in determining as well, seeing as how there is no specific limit, as well as a lack of proper evaluation in terms of measuring and/or testing for substances and the amount(s) of which were present in the individual while operating a vehicle. According to the National Institute on Drug Abuse, "But for illicit drugs, there is no agreed-upon limit for which impairment has been reliably demonstrated. Furthermore, determining current drug levels can be difficult, since some drugs linger in the body for a period of days or weeks after initial ingestion (2010)." The need for proper and clear legislation is imperative, as well as proper and strict enforcement.

Recommendations – Program Implementation & Increased Enforcement

Through the analyses of the aforementioned dilemmas and issues regarding intoxicated drivers, it is recommended that the state of California, along with the city of Los Angeles, implement programs training law enforcement to properly detect drivers under the influence of illicit drugs and drowsiness-inducing prescription/over-the-counter drugs. According to the National Drug Institute on Drug Abuse, "44 States and the District of Columbia have implemented Drug Evaluation and Classification Programs, designed to train police officers as Drug Recognition Experts.

Officers learn to detect characteristics in a person's behavior and appearance that may be associated with drug intoxication. If the officer suspects drug intoxication, a blood or urine sample is submitted to a laboratory for confirmation (2010)." There is immense proof that the program(s) implemented into the law(s) regarding intoxicated driving in the aforementioned 44 states are improving public traffic safety; otherwise it would not have been adopted by so many states.

In addition, it would be greatly beneficial to implement additional Live Traffic Cameras that also record, throughout highways and streets in Los Angeles to further increase the potential of capturing intoxicated drivers. If Live Traffic Cameras were patrolled by law enforcement, it could potentially increase the incidents and frequency of capturing intoxicated drivers prior to a traffic tragedy, increasing public safety and decreasing the number of fatalities.

ROAD RAGE

The infamous traffic in Los Angeles has created one of the most notorious issues in traffic and public safety: road rage. Road rage is a term describing the actions of one or two individuals fighting while driving. In fact, the term road rage was coined in Los Angeles (Neighmond, 2011). This, by itself, should already portray the immensity of

the dilemma regarding road rage in Los Angeles. According to a study by the AAA Foundation, 3,147 American drivers, 55.1 percent of respondents said that aggressive drivers are a very serious threat to their personal safety (2009).

A study from the AAA Foundation analyzed more than 10,000 suspected road rage incidents over seven years which resulted in at least 218 murders and 12,610 injuries (Bigelow, 2012). In addition, "According to the study, 37 percent of the violent incidents involved use of firearms, 28 percent involved other weapons and 35 percent involved the use of the car itself as a weapon (Bigelow, 2012)." Such horrendous statistics prove that road rage in Los Angeles is not only a serious safety issue in need of more regard, but it is an epidemic. For example, "A total of 119,475 people were killed in crashes involving potentially-aggressive actions. Of these, 67,223 (56.3%) were those drivers themselves (i.e., drivers coded as having committed potentially-aggressive actions), 25,799 (21.6%) were their passengers, and 26,453 (22.1%) were occupants of other vehicles and non-motorists (AAA, 2009)." Aggressive drivers and those involved in road rage incidents are an immense threat to the safety of all motorists, including themselves.

In 2003, Los Angeles was overwhelmed with roadway shootings. "LAPD Det. Kurt Wachter said he recalls about half a dozen car-to-car shootings in West Los Angeles in the last three years, including the San Diego Freeway shooting (Martin, 2003)." In addition, Det. Wachter stated, "In the same period, we've probably had about 100 cases of vehicles striking each other because of road rage (Martin, 2003)." These facts and statistics prove that road rage is truly an immense plague upon Los Angeles that must be dealt with.

California Vehicle Code §23103

The dilemma in citing road rage for law enforcement is due to the fact that there is no specification of road rage in any legislation. However, most authorities cite the incidents of road rage under California vehicle code §23102, reckless driving. The consequences of reckless driving can be steep, starting with a fine of up to \$1,000 and a jail sentence of up to 90 days. Additionally, if the incident was rather aggressive, the charges can become a misdemeanor for assault with a deadly weapon (in this case, the vehicle), leading to a potential one year jail sentence. Furthermore, if the driver was driving in an excessively violent and/or aggressive manner, he or she can be charged with a felony for assault with a deadly weapon under California Penal Code Section 245, leading to a potential two to four year prison sentence. It is obvious that California does not take road rage lightly; however, it seems that offenders of these laws do, and that is something that needs to be amended for the safety of the greater public.

Recommendations – Live Traffic Cameras

As mentioned earlier and throughout this paper, the implementation and utilization of Live Traffic Cameras by law enforcement would immensely progress the safety of the public. In this case, the incidents of road rage can greatly be reduced if potential violators of the law(s) know that they are always being watched with the probability of getting caught.

Recently, there was an incident of horrific road rage in Ft. Lauderdale, Florida, where the driver of a vehicle pulled over, got out of their car, and shot at another vehicle, firing three shots, but thankfully missing (CBS, 2012). This act was all caught on video thanks to Live Traffic Camera surveillance that was located directly above the suspect's vehicle, which consequently ended with a widespread search for the vehicle and suspect of which authorities were already familiar with, decreasing time spent on the hunt. If acts such as this are continually caught on camera and are directly feeding to law enforcement, there is a great possibility for these incidents to lessen immensely.

Furthermore, if a potential bank robber walks into a bank and notices an immense amount of surveillance cameras, more than he/she knew there would be, that robber would probably second-guess their evading skills and quite possibly refrain from committing the crime. This logic is analogous to this recommendation, in that constant (or near constant) surveillance of highways and streets, especially those of which are known high-risk locations for road rage incidents, can potentially decrease the occurrences of road rage.

SPEEDING

Speed kills is not just a figure of speech, but a fact that many drivers in Los Angeles and California simply do not seem to be understanding. According to the Mesriani Law Group, "Speeding is among the most prevailing causes of road accidents in the Golden State (2012)." In a 2008 study conducted by the California DMV, "...speeding is associated with at least 28 percent of the total fatal road accidents in the state (Mesriani, 2012)." To further emphasize the frequency of speeding by motorists, "More than half of all drivers say they have driven 15 mph over the speed limit on a freeway in the past month, and nearly 1 in 4 say they consider it acceptable to do so (AAA, 2012)."

Over 52% of drivers studied had driven at least 15mph over the speed limit within thirty days, and 17% reported doing so quite often (AAA, 2012). Just recently, a BMW in North Hollywood, traveling at a very high rate of speed, crashed into a

pizzeria, bursting into flames and killing all three passengers inside the vehicle (Clough, 2012).

The largest threat of speeding vehicles is mainly toward pedestrians, since there is not a chance of survival if an excessively speeding vehicle collides with them. "Pedestrians are at particular risk of death or serious injury from speeding vehicles, with research estimating that 40% of pedestrians struck at 30 mph will be killed, as compared to 80% at 40 mph and nearly 100% at 50 mph (Willis, 2006)." This is a prime example as to why excessive speeding is such an immense threat to public safety, both for motorists and pedestrians alike. Although speeding regulations and consequences are stern, they may need to be regulated more so in that the occurrence of speeding-related traffic collisions may lessen.

California Vehicle Code §22351

The regulations entailing this vehicle code state that it is unlawful for any individual to drive a vehicle in excess of the specified limits pertaining to highways and streets. Although the stated speed limit for most highways in California, especially Los Angeles, are 65 miles per hour, that is rarely the speed traveled by most motorists, especially those traveling in the fast lane. The dilemma here is that there is a lack of enforcement to those that violate the laws regarding speed limits, and that lack of enforcement has led to a great numbers of accidents in Los Angeles, many of which are fatal.

Recommendations – Fixed & Mobile Speed Cameras

The implementation and utilization of fixed and mobile speed cameras have been proving to be a useful method at reducing excessive speeding, as well as at reducing accidents. According to a study, "...the number of vehicles exceeding the speed limit dropped 71% at fixed-camera sites and 24% at mobile-camera sites; that speeding 15 mph or more above the limit fell 80% at fixed sites and 28% at mobile sites; and that speed reduction was particularly notable in urban areas with lower speed limits (30 – 40 mph) (Willis, 2006)."

Further evidence of the progressive functionality of speed cameras can be noted in a study regarding Washington D.C.'s implementation of the cameras. According to the study, "Speeding violations dropped steadily from 25.5% of vehicles monitored in the first month of the program (August, 2001) to 2.2% in March, 2006 (Willis, 2006)." These statistics prove that the implementation and utilization of speed cameras are worthy of Los Angeles' law enforcement budget, seeing as how its installation(s) would be much less costly than the relentless and frequent high-speed related car crashes that often result in fatalities.

PARKING & PETTY VIOLATION ENFORCEMENT PREFERRED

The lack of enforcement regarding the aforementioned areas of traffic safety issues may be one of the key reasons as to their prevalence in today's Los Angeles society. It seems that the spotlight of violation enforcements has been taken by parking tickets. "Mayor Antonio Villaraigosa has proposed hiring 50 part-time traffic officers to join the city's already 100 officers who fan the streets looking for expired parking meters and other violations (Miles, 2012)." Interestingly, this is not the first time Mayor Villaraigosa has proposed hiring additional parking enforcement officers, but his second year in a row (James, 2012). Additionally, law enforcement has noted that the immense rise in recent ticketing around Los Angeles seems to be more about revenue than for the assuring of the public's safety. "...the sharp increase raises questions about whether cities are cracking down on traffic violations to raise revenue rather than to ensure public safety (Ortiz, 2010)." In fact LAPD's decision to stop impounding cars of most unlicensed drivers may cost the city up to \$9 million in fines annually.

It is obvious the Mayor realizes that parking tickets can generate easy revenue for the city (which is in immense debt), as opposed to traffic violation tickets, thus viewing it as a vital area of interest. According to the Huffington Post, "Officials say the increased traffic tickets will bring in \$4 million more a year to the city. The mayor hopes to use that revenue to help close the city's \$238 million budget deficit. Villaraigosa's budget also includes his recent proposal to raise most parking tickets by \$10 (Miles, 2012)." However, this increase in the hiring of parking enforcement officers can potentially take away from the hiring of additional police officers, thus potentially increasing the amounts of dangerous traffic violations (as discussed earlier). In addition, it could potentially cause further injury to Los Angeles' economic turmoil, decreasing revenue for businesses by scaring shoppers and clientele away from the parking hassle(s).

In 2011, Mayor Villaraigosa proposed the *Police Sworn Salary and Overtime Reductions* as a venue for saving \$100 million. However, this cut in overtime pay and salary reductions for Los Angeles police officers and an increase in the aforementioned parking enforcement officers is an erroneous move, seeing as how life-threatening traffic violations are continually on the rise, endangering more lives than parking violations. It seems that Los Angeles is moving in the same, flawed direction as the New York Police Department, who handed out four times more citations for tinted windows than they did for speeding tickets (Robbins, 2012).

Recommendations

The only logical recommendation regarding this issue would be to put a halt to the increases and proposed increases by Mayor Villaraigosa for further enforcement of

parking/petty violations as opposed to further enforcement of the life-threatening traffic violations discussed earlier. There needs to be a cut in parking enforcement and an increase in overtime and salary for police officers for the purpose of increasing law enforcement throughout the city of Los Angeles, thus resulting in a potential decrease in traffic-related violations due to the increased likelihood of offenders getting caught. Although California and Los Angeles are in an economic rut, the safety of the public should always come first, not the revenue for the purpose of bureaucracies.

CONCLUSION

The traffic issues discussed and analyzed throughout this paper were the largest contributors to traffic-related collisions for both fender benders and fatalities. Through the adoption, implementation, and utilization of the recommendations, such as further usage of Live Traffic Cameras, legislative amendments requiring increased consequences and penalties for certain life-threatening traffic violations, Amber alerts, interim licenses for the highly-dangerous unlicensed drivers or zero tolerance enforcement, Los Angeles can truly become a city that is no longer a high-risk traffic-collision zone, but a controlled and public safety regarding municipality. It is for the safety of the public, motorists and pedestrians alike, that the approval of the aforementioned issues be addressed and altered for the good of all Californians and Los Angelinos.

Distracted driving is the new cause celeb and it is a serious issue. That includes texting, cell phone usage, applying makeup, shaving, reading and eating. Ray Lahood, the Secretary of Transportation along with Deborah Hersman the Chairwoman of the National Transportation Safety Board have called for a complete ban on texting and cell phone usage when driving. The government has set up a web site www.distracted.gov.

AT&T among others is running commercials telling people not to text while driving. In 2010, 3,092 people were killed by distracted drivers. There are approximately 210,000,000 licensed drivers in the United States. That means 1 out of every 68,000 drivers will kill someone (or themselves). Add in the unlicensed drivers and that number drops to 1 out of every 73,000 drivers. Secretary Lahood and Chairwoman Hersman have called distracted driving an epidemic.

There are approximately 15,000,000 people driving without a license or on a suspended or revoked license. California is leading the way to lessen the laws against unlicensed drivers and many if not most states treat this problem with the severity of a parking ticket. Those 15,000,000 drivers killed over 7,000 people in 2010 (a

number that's held steady for years). That means 1 out of every 2,100 unlicensed drivers will kill someone (or themselves). If distracted driving is an epidemic unlicensed driving is the plague.

Go to the website of the National Highway Traffic Safety Administration (NHTSA) and under key issues you will see highlighted:

- Heatstroke and Kids
- Distracted Driving
- Click It or Ticket
- Impaired Driving
- Fuel Economy
- Child Safety
- 5 Star Crash Ratings
- Teen Driving

There is another key tab called "Driving Safety". There are 12 other key links with subjects like, Aggressive Driving, Child Safety, School Buses and Pedestrians. If you do a search for "Unlicensed Drivers" you find a few articles that mostly focus on having a suspended license for a DUI. So despite the fact that unlicensed drivers kill more people other than DUI's (although 50% of the unlicensed drivers are drunk when they kill) the issue is completely ignored by the NHTSA. Let's put the number of deaths caused by unlicensed drivers in perspective.

- In the 10 years of fighting in Afghanistan 2000 Americans have been killed. Unlicensed drivers kill 2,000 by April 5th of each year
- In the 9 years of fighting in Iraq 4500 Americans have been killed. Unlicensed drivers kill 4,000 people each year by August 2nd.
- In the eleven years of fighting in Viet Nam 58,000 Americans were killed. In the past 11 years over 80,000 people have been killed by unlicensed drivers.
- In the short time it will take you to read this report an unlicensed driver has killed someone.
- Since my son's death at the hands of an unlicensed driver almost two years ago unlicensed drivers have killed 12,250 more people.

The bottom line is that despite the rhetoric about public safety when it comes to driving, we as a country value our cars more than our lives. California, despite having some of the toughest (relatively speaking) laws in the country not only refuses to enforce them but actually is in the process of weakening them. The way the major cities in the state, Los Angeles, San Francisco, Oakland, San Jose, Santa Ana, Ventura (county) and many more deal with unlicensed drivers is an abomination. I am

unaware of any traffic law, particularly one that involves life and death, where penalties have been ignored or actually reduced. Despite the daily carnage, politics always wins out over public safety.

In addition to the recommendations made above the following should apply to all unlicensed drivers and those with suspended or revoked licenses:

- No collision fatal or otherwise, or hitting a pedestrian by an unlicensed driver or a driver with a suspended or revoked license is NEVER considered an accident. The driver is always considered to be grossly negligent.
 - California Chief Justice Ronald George defined gross negligence as a “want of even scant care or an extreme departure from the ordinary standard of conduct.
- Driving without a license or driving with a suspended or revoked license is a felony not a misdemeanor
- Regardless of the situation any car driven by an unlicensed driver or a driver with a suspended or revoked license is always impounded for a minimum of 30 days.
- District attorneys must prosecute all unlicensed and suspended or revoked driver’s license charges.
- Judges cannot dismiss the charges.
- Statutorily it is illegal to insure any driver who does not have a valid driver’s license.

And if we are really serious about getting these people off the road anyone caught driving after their licenses has been suspended or revoked spends at least two weeks behind bars and any undocumented immigrant caught driving without a license should be turned over to ICE.

ABOUT THE AUTHOR

Don Rosenberg became active in traffic safety issues and started the website [Unlicensed to Kill](#) to bring attention to the horrendous problem of unlicensed drivers who have no regard for the law and are responsible for death and destruction on our roads and highways every day.

Don’s son was killed by an unlicensed driver in November 2010. He began to research the issue and was stunned at what he found. Not only were unlicensed drivers killing people in numbers only exceeded by drunk drivers but many times they were barely being punished and many times faced no charges at all. To read

more about Don and his story, please read the Ventura County Star story, [Son's death fuels Westlake Village man's push against unlicensed drivers.](#)

REFERENCES

AAA Foundation for Traffic Safety. (2009, April). *Aggressive driving: Research update*. Retrieved from <http://www.aaafoundation.org/pdf/AggressiveDrivingResearchUpdate2009.pdf>

AAA Foundation for Traffic Safety. (2003, June). *Distractions in everyday driving*. Retrieved from <http://www.aaafoundation.org/pdf/DistractionsInEverydayDriving.pdf>

AAA Foundation for Traffic Safety. (2002, May). *Drunk driving: Seeking additional solutions*. Retrieved from <http://www.aaafoundation.org/pdf/DrunkDriving-SeekingAdditionalSolutions.pdf>

AAA Foundation for Traffic Safety. (2012, May 17). *Hit and run drivers kill nearly 1500 people annually with pedestrians at greatest risk, according to AAA foundation analysis*. Retrieved from <http://www.aaafoundation.org/multimedia/index.cfm?button=HitandRun>

AAA Foundation for Traffic Safety. (2001, November). *Unlicensed to Kill*. Retrieved from <http://www.aaafoundation.org/pdf/2011Unlicensed2Kill.pdf>

AAA Foundation for Traffic Safety. (2008, March 5). *Unlicensed to kill: Research update*. Retrieved from <http://www.aaafoundation.org/pdf/UnlicensedToKillResearchUpdate.pdf>

AAA Foundation for Traffic Safety. (2012, January). *2011 traffic safety culture index*. Retrieved from <http://www.aaafoundation.org/pdf/2011TSCindex.pdf>

Bloomekatz, A. (2012, May 16). *Study finds some drivers doubled cellphone use despite state law*. Retrieved from <http://latimesblogs.latimes.com/lanow/2012/05/drivers-doubled-cellphone-use.html>

Bigelow, P. (2012, March 22). *Road rage rising, but why now?*. Retrieved from <http://autos.aol.com/article/road-rage-rising/>

- California Department of Motor Vehicles. (2008). *Text messaging law effective January 1 2009: Cell phone laws effective July 1 2008*. Retrieved from <http://dmv.ca.gov/cellularphonelaws/>
- California Department of Motor Vehicles. (2011). *V c section 23152 driving under influence of alcohol or drugs*. Retrieved from <http://www.dmv.ca.gov/pubs/vctop/d11/vc23152.htm>
- California Department of Motor Vehicles. (2011). *V c section 23103 reckless driving*. Retrieved from <http://www.dmv.ca.gov/pubs/vctop/d11/vc23103.htm>
- California Department of Motor Vehicles. (2011). *V c section 22351 speed law violations*. Retrieved from <http://www.dmv.ca.gov/pubs/vctop/d11/vc22351.htm>
- CBS2. (2012, February 10). *Woman killed in fiery Boyle Heights crash allegedly by unlicensed driver*. Retrieved from <http://losangeles.cbslocal.com/2012/02/10/woman-killed-in-fiery-boyle-heights-crash-allegedly-by-unlicensed-driver/>
- CBS4. (2012, July 24). *Suspected road rage caught on camera*. Retrieved from <http://miami.cbslocal.com/2012/07/24/suspected-road-rage-caught-on-camera/>
- Compton, R. & Berning, A. (July 2009) *Results of the 2007 National Survey of Alcohol and Drug Use By Drivers*. National Highway Traffic Safety Facts. Washington, DC: NHTSA's National Center for Statistics and Analysis DOT HS 811 175
- CHP News. (2012, July 23). *California's amber alert program: A decade of success*. Retrieved from <http://www.chp.ca.gov/pdf/media/12-16.pdf>
- Clough, C. (2012, September 10). *3 die in fiery car accident on Ventura boulevard* . Retrieved from <http://northhollywood.patch.com/articles/three-die-in-fiery-car-accident>
- Cynkar, J., Just, M., & Keller, T. (2008, February 19). *A decrease in brain activation associated with driving when listening to someone speak*. Retrieved from <http://www.distracted.gov/research/PDF-Files/carnegie-mellon.pdf>
- DeYoung, D. (1997) California Department of Motor Vehicles, "*Evaluation of the Specific Deterrent Effect of Vehicle Impoundment on Suspended, Revoked, and Unlicensed Drivers in California*," RSS-97-171 (Sacramento, Calif.).

Doheny, K. (2002, January 02). *Driving while medicated can be health hazard*. Retrieved from <http://articles.latimes.com/2002/jan/02/autos/hy-carma2>

Goldeen, J., & Parrish, K. (2012, June 08). *Close calls: Texting while driving an epidemic among teens*. Retrieved from http://www.recordnet.com/apps/pbcs.dll/article?AID=/20120608/A_NEWS/206080316

Hands-Free Info. (2012, August 29). *California: Cell phone laws; legislation*. Retrieved from <http://handsfreeinfo.com/california-cell-phone-laws-legislation>

Hayes, R., & Stallworth, L. (2010, October 5). *Police: Zero tolerance for distracted drivers*. Retrieved from http://abclocal.go.com/kabc/story?section=news/local/los_angeles&id=7707070

James, K. (2012, May 21). *Parking fine increases, more parking enforcement officers is bad for business!* . Retrieved from <http://citywatchla.com/archive/3177-parking-fine-increases-more-parking-enforcement-officers-is-bad-for-business->

J Safety Res. 2004; 35(3):287-95. PMID: 15288562

Kaplan, K. (2010, September 24). *Researchers calculate the death toll from texting while driving*. Retrieved from <http://articles.latimes.com/2010/sep/24/news/la-heb-distracted-driving-20100924>

Kornberg, H. (2012, June 21). *Snacking in car more dangerous than drunk driving* . Retrieved from [http://www.autoaccidentlawyerkornberg.com/blog/Car Accident Law Blog/post/Snacking in Car More Dangerous Than Drunk Driving/](http://www.autoaccidentlawyerkornberg.com/blog/Car%20Accident%20Law%20Blog/post/Snacking%20in%20Car%20More%20Dangerous%20Than%20Drunk%20Driving/)

Lerner, G. (2012, July 17). *Eating while driving is distracted driving* . Retrieved from <http://glenlerner.com/announcements/eating-while-driving-is-distracted-driving>

Locher, J., & Moritz, O. (2009, July 19). *Eating while driving causes 80% of all car accidents, study shows*. Retrieved from http://articles.nydailynews.com/2009-07-19/local/17928504_1_drink-and-drive-drivers-study

Los Angeles Police Department. (2012). *Drunk driving facts for parents ensuring our teenagers are safe on the road*. Retrieved from http://www.lapdonline.org/search_results/content_basic_view/23494

Martin, H. (2003, January 24). *'road rage' still a stubborn highway problem, CHP says*. Retrieved from <http://articles.latimes.com/2003/jan/24/local/me-roadrage24>

Mesriani Law Group. (2012, July 25). *Road accidents caused by negligent California drivers*. Retrieved from <http://www.hg.org/article.asp?id=27705>

Miles, K. (2012, May 18). *Los Angeles parking tickets: Villaraigosa wants to hire more traffic officers to give more tickets*. Retrieved from http://www.huffingtonpost.com/2012/05/18/los-angeles-parking-tickets-villaraigosa_n_1528321.html

National Institute on Drug Abuse. (2010, December). *Drugfacts: Drugged driving*. Retrieved from <http://www.drugabuse.gov/publications/drugfacts/drugged-driving>

National Highway Traffic Safety Administration. (2010). *Drug Involvement of Fatally Injured Drivers. Traffic Safety Facts*. Retrieved from: <http://www-nrd.nhtsa.dot.gov/Pubs/811415.pdf>

National Highway Traffic Safety Administration. (2003, May). *"Traffic Safety Facts: Repeat Intoxicated Driver Laws"*. Washington, DC: National Department of Transportation, National Highway Traffic Safety Administration.

National Highway Traffic Safety Administration. (2012, April). *Traffic safety facts: Research note*. Retrieved from <http://www.distraction.gov/download/research-pdf/Distelsurvey.pdf>

National Highway Traffic Safety Administration. (2012). *What is distracted driving? key facts and statistics*. Retrieved from <http://www.distraction.gov/content/get-the-facts/facts-and-statistics.html>

Neighmond, P. (2011, December 12). *Road rage: A symptom of much more than bad traffic?* Retrieved from <http://www.npr.org/blogs/health/2011/12/12/143457950/road-rage-a-symptom-of-much-more-than-bad-traffic>

Ortiz, B. (2010, October 21). *Jump in traffic tickets raises questions*. Retrieved from http://lapd.com/news/headlines/jump_in_traffic_tickets_raises_questions/

Ragland, D. (2011, June 15). *Sobriety checkpoints under attack in ab 1389*. Retrieved from <http://blogs.berkeley.edu/2011/06/15/sobriety-checkpoints-under-attack-in-ab-1389/>

Robbins, C. (2012, August 6). *NYPD writes 4 times more tickets for tinted windows than speeding*. Retrieved from http://gothamist.com/2012/08/06/nypd_writes_4x_more_tickets_for_tin.php

Simitian, J. (2006). *Sb 1613: Hands-free cellphones (2006)*. Retrieved from http://www.senatorsimitian.com/entry/sb_1613_hands_free_cellphones/

USA Today. (2007, September 13). *Calif. bans cellphone use for teen drivers*. Retrieved from http://www.usatoday.com/news/nation/2007-09-13-phones-teens_N.htm

U.S. Department of Health and Human Services. (2011, May). *Report to congress on the prevention and reduction of underage drinking*. Retrieved from <http://store.samhsa.gov/shin/content/SMA11-4645/SMA11-4645.pdf>

U.S. Department of Transportation. (2009, September). *Driver distraction in commercial vehicle operations*. Retrieved from <http://www.distraction.gov/research/PDF-Files/Driver-Distraction-Commercial-Vehicle-Operations.pdf>

Walsh, J., Flegel, R., Atkins, R., Cangianelli, L., Cooper, C., Welsh, C., and Kerns, T. (September 2005) *Drug and Alcohol Use Among Drivers Admitted to a Level-1 Trauma Center, Accident Analysis and Prevention*, Volume 37, Issue 5, Pages 894-901.

Westen, R. (2011, August 11). *Driving while on prescription medication*. Retrieved from <http://www.thirdage.com/medical-care/driving-while-on-prescription-medication>

Willis, D. (2006, May). *Speed cameras: An effectiveness and a policy review*. Retrieved from <http://d3koy9tzykv199.cloudfront.net/static/TTI-2006-4.pdf>