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AB-1281 Vehicles: leaving the scene of an accident. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1281

Introduced by Assembly Member DeMaio

February 21, 2025

An act to amend Section 20001 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1281, as introduced, DeMaio. Vehicles: leaving the scene of an accident.

Existing law requires the driver of a vehicle involved in an accident resulting in injury to a person, other than that driver, or in the death of a person, to immediately stop the vehicle at the scene of the accident and provide specified personal information to the injured person or the occupants of the other vehicle and to any traffic or police officer at the scene of the accident. Under existing law, if a vehicle accident results in permanent, serious injury or death, a person who violates the requirement to stop is subject to punishment by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, or by a specified fine, or both the imprisonment and fine. Existing law requires a person who flees the scene of the crime after committing specified vehicle manslaughter while intoxicated or vehicle manslaughter to be punished for an additional term of imprisonment of 5 years in the state prison, upon conviction, and in addition and consecutive to the punishment prescribed.

This bill would instead require a person who violates the requirement to stop to be subject to punishment by imprisonment in the state prison for 15 years if the vehicle accident results in permanent, serious injury or death.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 20001 of the Vehicle Code is amended to read:

20001. (a) The driver of a vehicle involved in an accident resulting in injury to a person, other than ~~himself or herself~~, *that driver*, or in the death of a person shall immediately stop the vehicle at the scene of the accident and shall fulfill the requirements of Sections 20003 and 20004.

(b) (1) Except as provided in paragraph (2), a person who violates subdivision (a) shall be punished by imprisonment in the state prison, or in a county jail for not more than one year, or by a fine of not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000), or by both that imprisonment and fine. *In imposing the minimum fine required by this paragraph, the court shall take into consideration the defendant's ability to pay the fine and, in the interests of justice and for reasons stated in the record, may reduce the amount of that minimum fine to less than the amount otherwise required by this paragraph.*

(2) If the accident described in subdivision (a) results in death or permanent, serious injury, a person who violates subdivision (a) shall be punished by imprisonment in the state prison for ~~two, three, or four years, or in a county jail for not less than 90 days nor more than one year, or by a fine of not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000), or by both that imprisonment and fine. However, the court, in the interests of justice and for reasons stated in the record, may reduce or eliminate the minimum imprisonment required by this paragraph.~~ *15 years.*

~~(3) In imposing the minimum fine required by this subdivision, the court shall take into consideration the defendant's ability to pay the fine and, in the interests of justice and for reasons stated in the record, may reduce the amount of that minimum fine to less than the amount otherwise required by this subdivision.~~

(c) A person who flees the scene of the crime after committing a violation of Section 191.5 of, or paragraph (1) of subdivision (c) of Section 192 of the Penal Code, upon conviction of any of those sections, in addition and consecutive to the punishment prescribed, shall be punished by an additional term of imprisonment of five years in the state prison. This additional term shall not be imposed unless the allegation is charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact. The court shall not strike a finding that brings a person within the provisions of this subdivision or an allegation made pursuant to this subdivision.

(d) As used in this section, "permanent, serious injury" means the loss or permanent impairment of function of a bodily member or organ.