

1973 WL 26873 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 4, 1973

***1 In Re: Reckless Driving**

Honorable J. M. Hunsucker, Jr.
Chief of Police
City of Rock Hill
Rock Hill, South Carolina

Dear Chief Hunsucker:

You have inquired whether or not a person charged in Recorder's Court with reckless driving may be found guilty of speeding by the judge or jury trying the case.

The crime of reckless driving has no lesser included offenses, such as manslaughter and involuntary manslaughter being lesser included offenses within the crime of murder. It is the opinion of this Office, expressed many times previously, that when a person is charged with reckless driving, he must be found guilty of reckless driving or nothing. He may not lawfully be convicted of speeding or any other traffic offense except that charge originally made, which was reckless driving.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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