

Date of Hearing: March 24, 2026

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1605 (Ransom) – As Amended March 16, 2026

SUMMARY: Requires a person convicted of specified impaired driving offenses, who is granted probation, to be prohibited from purchasing alcohol for a period of at least one year, as a condition of probation. Specifically, **this bill:**

- 1) Requires every person who sells, furnishes, gives away, or causes to be sold, furnished, or given away any alcoholic beverage to request and review a form of written identification issued by this state or another state, and makes a violation of this requirement a misdemeanor punishable by a \$1,000 fine, no part of which shall be suspended, and the person shall be required to perform at least 24 hours of community service during hours when the person is not employed and is not attending school.
- 2) Makes it a misdemeanor, commencing January 1, 2028, to sell, furnish, give away, or cause to be sold, furnished, or given away any alcoholic beverage to a person who provides an identification card or driver's license issued by the DMV that contains the words "NO ALCOHOL SALES" or another appropriate designation (hereafter no-alcohol-sales-license), as specified.
- 3) Requires, rather than permits, a licensee, their agent, or employee to refuse to sell or serve alcoholic beverages to a person who is unable to produce adequate written evidence that the person is 21 years of age, for the purposes of preventing a violation of the misdemeanor of selling, furnishing, or giving an alcoholic beverage to a person under 21 years of age.
- 4) Requires, commencing January 1, 2028, a licensee, their agent, or employee to refuse to sell or serve alcoholic beverages to a person who provides a no-alcohol-sales-license, for the purpose of preventing this bill's proposed new misdemeanor of selling or giving an alcoholic beverage to a person who provides a no-alcohol-sales-license.
- 5) Requires, commencing January 1, 2028, the DMV to issue an identification card or a driver's license with the words "NO ALCOHOL SALES" or another appropriate designation on the face of the identification card or driver's license for an individual who has submitted an application and for whom the court department has received an abstract of the record of a court showing that the court has issued an order prohibiting that person from purchasing alcohol, as specified below.

- 6) Requires, commencing January 1, 2028, a person convicted of driving under the influence (DUI),¹ DUI causing bodily injury, a wet reckless offense,² or intoxicated vehicular manslaughter, as specified, who is granted probation to be prohibited from purchasing alcohol for a period of at least one year to the entire probationary period as a term and condition of probation, except in the interests of justice, if the underlying conviction involved any of the following:
 - a) The person had .16 percent or more, by weight, of alcohol (BAC) in their blood.
 - b) The offense occurred within three years of a separate violation of any of these offenses, which resulted in a conviction.
 - c) The offense involved damage to the property of another greater than \$1,000, or great bodily injury (GBI), as defined, or death of another.
- 7) Specifies, commencing January 1, 2028, that after issuing an order pursuant to the above, a court shall ensure that the physical copies of the person's driver's license or identification card are forfeited or surrendered to law enforcement.
- 8) Requires, commencing January 1, 2028, the court to impose a fee to cover the costs of the DMV in issuing a replacement identification card or driver's license, and specifies that an individual with an income of less than 200 percent of the official federal poverty level is eligible to pay this fee on a payment plan.
- 9) Requires, commencing January 1, 2028, that the Judicial Council shall work with the DMV regarding the implementation of this section.

EXISTING LAW:

- 1) Prohibits the sale of alcohol to a person under 21 years of age, as follows:
 - a) Makes it a misdemeanor to sell, furnish, give, or cause to be sold, furnished, or given away any alcoholic beverage to any person under 21 years, as specified. (Bus. & Prof. Code, § 25658, subd. (a).)
 - b) Authorizes, for the purpose of preventing a violation of selling an alcoholic beverage to a person under 21 years old, as specified, any licensee, or their agent or employee, to refuse to sell or serve alcoholic beverages to any person unable to produce adequate written evidence that they are over the age of 21 years. (Bus. & Prof. Code, § 25659.)
- 2) Makes it 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, or who has a BAC of 0.08 percent or more, to drive a vehicle (DUI). (Veh. Code, § 23152 subds. (a), (b) (f), & (g).)

¹ For purposes of this analysis, a "DUI" refers to a DUI punishable under Vehicle Code section 23152 that does not cause bodily injury. "A DUI causing bodily injury" to another is punished separately under Vehicle Code section 23153.

² A wet reckless conviction occurs where the prosecution agrees to a plea to a charge of reckless driving under Vehicle Code 23103, in satisfaction of, or as a substitute for, an original DUI charge, as specified. (Veh. Code, § 23103.5.)

3) Punishes a DUI as follows:

- a) DUI is a misdemeanor punishable by imprisonment for four days to six months in county jail, or if given probation, possibly two days to six months in jail,³ a fine of \$390 to \$1,000, an order to install a functioning, certified IID on any vehicle that person operates for up to six months,⁴ at the court's discretion, a six-month license suspension or a 10-month suspension if probation is given and a 9-month DUI program is ordered, and completion of a three-month (30-hour) DUI program; or, if given probation, a nine-month (60-hour) program if the person's BAC was .20 percent or more, or they refused to take a chemical test. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a); 23536, subds. (a) & (c); 23538, subds. (a) & (b); 23575.3, subd. (h)(1)(A)(i).)
 - b) DUI with one prior⁵ is a misdemeanor punishable by imprisonment for three months to one year in county jail, or if given probation, 10 days to one year, or four days to one year, a fine of \$390 to \$1,000, a one-year IID installation mandate, a two-year license suspension, and completion of an 18-month or 30-month DUI program, as specified, if given probation. (Veh. Code, §§ 13352, subd. (a)(3); 23540, subd. (a); 23542, subds. (a) & (b); 23575.3, subd. (h)(1)(B).)
 - c) DUI with two priors is a misdemeanor punishable by imprisonment for four months to one year in county jail or 30 days to one year if given probation and ordered to complete a 30-month DUI program, a fine of \$390 to \$1,000, a two-year IID installation mandate, a three-year license revocation, and three-year designation as a habitual traffic offender, and an 18- or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352, subd. (a)(5); 23546; 23548, subds. (a) & (b); 23575.3, subd. (h)(1)(C).)
 - d) DUI with three or more priors is an alternate felony-misdemeanor (hereafter wobbler) punishable by imprisonment for six months to one year in jail, or as a felony punishable by incarceration by 16 months or two or three years, or 30 days to one year if given probation and ordered to complete a 30-month DUI program, a fine of \$390 to \$1,000, a three-year IID installation mandate, a four-year license revocation, and three-year designation as a habitual traffic offender, and an 18 or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352, subd. (a)(7); 23550; 23552, subds. (a) & (b); 23575.3, subd. (h)(1)(D).)
- 4) Makes it unlawful for any person who is under the influence of any alcoholic beverage or drug, or the combined influence of the two, or who has a BAC of .08 or more, to drive a vehicle, and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which proximately causes bodily injury to any person other than the driver (hereafter DUI causing bodily injury.) (Veh. Code, § 23153 subds. (a), (f), & (g).)

³ In addition to DUI-specific probation conditions and any other terms and conditions imposed by the court.

⁴ Only if the offense involved alcohol.

⁵ For purposes of this analysis and unless otherwise specified, a "prior" means a separate DUI conviction under Vehicle Code sections 23152 (DUI), 23153 (DUI causing bodily injury), or a "wet reckless" conviction under 23103.5 (plea to reckless driving in satisfaction of an original DUI charge) that occurred within 10 years of the current violation.

- 5) Punishes a DUI causing bodily injury, as follows:
- a) DUI causing bodily injury is a wobbler punishable by imprisonment for three months to one year in county jail or 16 months, or two or three years in state prison or if given probation, five days to one year in county jail, a fine of \$390 to \$1,000, a one-year IID installation mandate, a one-year license suspension, and completion of a three-month (30-hour) DUI treatment program; or, if given probation, a nine-month (60-hour) program if the person's BAC was .20 percent or more or they refused to take a chemical test. (Veh. Code, §§ 13352 subd. (a)(2); 23554; 23556, subs. (a) & (b); 23575.3, subd. (h)(2)(A).)
 - b) DUI causing bodily injury with one prior is a wobbler punishable by imprisonment for four months to one year in county jail or 16 months, or two or three years in state prison, or if given probation, four months in jail, or 30 days to one year in jail, a fine of \$390 to \$5,000, a two-year IID installation mandate, a three-year license revocation, and an 18- or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352 subd. (a)(4); 23560; 23562, subs. (a) & (b); 23575.3, subd. (h)(2)(B).)
 - c) DUI causing bodily injury with two or more priors is a felony punishable by imprisonment in state prison by two, three, or four years, or if given probation, either a minimum of one year in county jail, or 30 days to one year in county jail if ordered to complete an 18 or 30-month DUI program, a fine of \$1,015 to \$5,000, a three-year IID installation mandate, a five-year license revocation and three-year designation as a habitual traffic offender, and an 18- or 30-month DUI program, as specified, if given probation. (Veh. Code, §§ 13352 subd. (a)(6); 23566; 23568, subs. (a) & (b); 23575.3, subd. (h)(2)(C).)
 - d) Punishes a person convicted of a DUI causing bodily injury, where the violation proximately causes GBI to any person other than the driver, and the offense occurred within 10 years of two or more priors, as a felony by imprisonment for two, three, or four years in state prison, a \$1,015 to \$5,000 fine, and a five-year license revocation (Veh. Code, §§ 23566, subd. (b); 13352 subd. (a)(6).)
- 6) Makes any DUI or DUI causing bodily injury a wobbler if that person has previously been convicted of certain impaired driving crimes:
- a) Punishes a person convicted of any DUI within 10 years of specified felonies – a DUI with three or more priors, a DUI causing bodily injury, or gross vehicular manslaughter – as a wobbler with a \$390 to \$1,000 fine, a four- or five-year license revocation (including a three-year designation as a habitual traffic offender), and a three- or four-year IID mandate. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subs. (a), (c) & (d); 23575.3, subd. (h)(1)-(2).)
 - b) Punishes a person convicted of any DUI, who has a prior conviction for felony intoxicated vehicular manslaughter, as a wobbler with a fine of \$390 to \$1,000, a four- or five-year license revocation, and a three- or four-year IID mandate. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subs. (b), (c) & (d); 23575.3, subd. (h)(1)-(2).)
- 7) Establishes probation conditions for DUI and DUI causing bodily injury, as follows:

- a) Specifies that if a person is convicted of DUI or DUI causing bodily injury, the court shall not stay or suspend sentencing and shall pronounce sentence in conjunction with the conviction in a reasonable time, including time for receipt of any presentence investigation report, as specified. (Veh. Code, § 23600, subd. (a).)
- b) Specifies that if a person is convicted of DUI or DUI causing bodily injury and is granted probation, the terms and conditions of probation shall include, but not be limited to:
 - i) A period of probation not less than three nor more than five years, as specified.
 - ii) A requirement that the person shall not drive a vehicle with any measurable amount of alcohol in their blood.
 - iii) A requirement that the person, if arrested for a violation of a DUI or DUI causing bodily injury, shall not refuse to submit to a chemical test, as specified.
 - iv) A requirement that the person shall not commit any criminal offense. (Veh. Code, § 23600, subd. (b).)
- c) Prohibits a court from absolving a person convicted of DUI or DUI causing bodily injury from spending the minimum time in confinement, if any, or of paying the minimum fine. (Veh. Code, § 23600, subd. (c).)
- d) Specifies that if any person violates the prohibition against driving with any measurable amount of alcohol in their blood or refusing to submit to a chemical test, and the person had a BAC over 0.04 percent, as specified, the court shall revoke probation and only grant a new term of probation of up to five years on the condition that the person be confined in the jail for not less than 48 hours for each probation violation, except in unusual cases where this is not in the interests of justice. (Veh. Code, § 23600, subd. (d).)
- e) Makes a willful failure to pay any fine, restitution, or assessment during probation a violation of the terms and conditions of probation. (Veh. Code, § 23601, subd. (b).)
- f) Provides, except as otherwise provided, if a person has been convicted of DUI or DUI causing bodily injury and the court has suspended the sentence and has granted probation, and during probation, the person violates a required term or condition of probation, the court shall revoke the suspension of sentence, terminate probation, and may pronounce judgement for any time within the longest period for which the person might have been sentenced, as specified. (Veh. Code, § 23602; Pen. Code, § 1203.2, subd. (c).)
- g) Generally requires a person convicted of DUI or DUI causing bodily injury, who is given probation, to complete a specified DUI program. (Veh. Code, §§ 23540, 23548, 23552, 23556, 23562; 23568.)
- h) Requires a court to revoke the probation of a person convicted of DUI or DUI causing bodily injury if they fail to enroll in, participate in, or complete a specified DUI program, except for good cause shown. (Veh. Code, §§ 23538, subd. (c)(1); 23556, subd. (c)(1).)

- i) Makes it unlawful for a person on probation for DUI or DUI causing bodily injury to operate a motor vehicle with a BAC of .01 percent or greater, as specified. (Veh. Code, § 23154, subd. (c)(1).)
 - j) Provides that a person on probation for DUI or DUI causing bodily injury who drives a vehicle is deemed to have given their consent to alcohol screening tests or chemical tests, if lawfully detained for an alleged impaired driving violation. (Veh. Code, § 23154, subd. (c)(1).)
 - k) Requires a person on probation for DUI or DUI causing bodily injury to be told that failure to submit to an alcohol screening test or other chemical test as requested will result in the suspension or revocation of that person's driving privileges for a period of one to three years. (Veh. Code, § 23154, subd. (c)(3).)
- 8) Requires a court, if a person is convicted of a DUI or a DUI causing bodily injury, to consider a BAC of .15 percent or more or a person's refusal to take a breath or urine test as a special factor that may justify enhancing the penalties in sentencing, in determining whether to grant probation, and, if probation is granted, in determining additional or enhanced terms and conditions of probation. (Veh. Code, § 23578.)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "Driving under the influence is not a mistake, it is a reckless and dangerous crime that puts everyone on our roads at risk. When someone repeatedly drives impaired, it signals a serious public safety threat and often a deeper issue with alcohol misuse. My bill, AB 1605, gives judges a common-sense tool to help break that cycle by allowing them to place a "No Alcohol Sale" designation on the licenses of repeat and serious DUI offenders, preventing them from purchasing alcohol. In 2023, nearly 1,500 people were killed in alcohol-involved crashes in California, accounting for about one-third of all traffic deaths, according to the California Office of Traffic Safety. AB 1605 is a targeted measure that focuses on prevention and accountability by limiting alcohol access for individuals who have demonstrated they cannot use it responsibly, helping reduce repeat offenses and save lives."
- 2) **California's DUI Framework:** Existing law makes it 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, or who has a BAC of 0.08 percent or more, to drive a vehicle. (Veh. Code, § 23152 subds. (a), (b), (f), & (g).) This is California's primary DUI statute that establishes the crime of a DUI that does not cause bodily injury. DUIs that cause bodily injury or death are punished separately and more severely. The punishment for a DUI generally depends on the defendant's number of separate "priors" within 10 years of the current offense. (Veh. Code, § 23540.) Convictions that are considered "priors" are a DUI under Vehicle Code section 23152, a DUI causing bodily injury under Vehicle Code section 23153, and a "wet reckless" conviction under Vehicle Code section 23103.5. (*Ibid.*) A wet reckless conviction occurs where the prosecution agrees to a plea to a charge of reckless driving under Vehicle Code 23103, in satisfaction of, or as a substitute for, an original DUI charge, as specified. (Veh. Code, § 23103.5.)

A first, a second, and a third DUI within ten years of the current offense are all misdemeanor offenses. (Veh. Code, §§ 23536; 23540; 23546.) However, the amount of minimum jail time, license suspension length, and IID installation term all increase with each prior. (Veh. Code, §§ 13352, subd. (a)(1)-(5); 23536; 23540; 23546; 23575.3, subd. (h)(1)(A)-(C).)

Specifically, a first-time DUI is punishable by imprisonment for four days to six months in county jail, a fine of \$390 to \$1,000, a possible six-month IID installation order, a six- to 10-month suspension, and, if given probation, completion of a three- or nine-month DUI program. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a); 23536, subds. (a) & (c); 23538, subds. (a) & (b); 23575.3, subd. (h)(1)(A)(i).) A DUI with one prior is punishable by imprisonment for three months to one year in county jail, a \$390 to \$1,000 fine, a one-year IID mandate, a two-year license suspension, and, if given probation, completion of an 18 or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(3); 23540, subd. (a); 23542, subds. (a) & (b); 23575.3, subd. (h)(1)(B).) A DUI with two priors is punishable by imprisonment for four months to one year in county jail, a \$390 to \$1,000 fine, a two-year IID mandate, a three-year license revocation, and, if given probation, a possible 18 or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(5); 23546; 23548, subds. (a) & (b); 23575.3, subd. (h)(1)(C).) A DUI with three or more priors is a wobbler, punishable by imprisonment for six months to one year in county jail, or as a jail-eligible felony by 16 months, or two or three years. (Veh. Code, § 23550.) Additionally, this offense is subject to a \$390 to \$1,000 fine, a three-year IID mandate, a four-year license revocation, and, if given probation, a possible 18- or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(7); 23550; 23552, subds. (a) & (b); 23575.3, subd. (h)(1)(D).) Similar provisions exist for DUI causing bodily injury, although that offense is punished more severely and typically results in longer IID installation terms and license revocation periods. (Veh. Code, §§ 23554; 23560; 23566.)

As noted above, a person granted probation for a DUI or DUI causing bodily injury is typically required to enroll and complete specified DUI programs. (Veh. Code, §§ 23540, 23548, 23552, 23556, 23562.) In addition, existing law establishes several DUI-specific mandatory conditions of probation. If probation is granted to an individual convicted of DUI or DUI causing bodily injury, the period of probation must be at least three years but no more than five years. (Veh. Code, § 23600, subd. (b)(1).) Primarily, terms and conditions of probation must prohibit a person from: 1) driving a vehicle with any measurable amount of alcohol in their blood; 2) refusing a chemical test if arrested for a DUI or DUI causing bodily injury; and 3) committing any criminal offense. (Veh. Code, § 23600, subd. (b).) If a person violates the prohibition against driving with any measurable alcohol in their blood or refusing a chemical test, and their BAC was over .04 percent, the court shall revoke their probation and only grant a new term of probation for up to five years, conditioned on the person being confined for at least 48 hours for each probation violation, except in unusual cases where this is not the interests of justice. (Veh. Code, § 23600, subd. (d).) Any willful failure to pay a fine or restitution during probation is a violation of the terms of probation. (Veh. Code, § 23601, subd. (b).) Further, a court is required to revoke probation if a person fails to enroll in, participate in, or complete a specified DUI program, except for good cause shown. (Veh. Code, §§ 23538, subd. (c)(1); 23556, subd. (c)(1).) Finally, if a person is convicted of a DUI or DUI causing bodily injury, a court grants probation, and the person violates a term or condition of probation, the court must revoke the suspension of sentence, terminate probation, and may pronounce judgement for any time within the longest period for which

the person might have been sentenced, as specified. (Veh. Code, § 23602; Pen. Code, § 1203.2, subd. (c).)

- 3) **Effect of this Bill:** This bill makes several distinct changes to California law. First, this bill creates new misdemeanors and obligations relating to the sale of alcohol. Currently, it is a misdemeanor to sell, furnish, or give an alcoholic beverage to any person under 21 years, as specified. (Bus. & Prof. Code, § 25658, subd. (a) & (e)(2).) This bill would also make it a misdemeanor for a person to sell, furnish, or give away an alcoholic beverage without requesting and reviewing a written form of identification. The criminal penalty would apply irrespective of the purchaser's actual age. This would subject a retail cashier who sells a bottle of wine to a 70-year-old man, without requesting written identification, to a misdemeanor. Similarly, a bartender who brings a beer to any person, without requesting their identification, would be subject to a misdemeanor. This bill also makes it a misdemeanor, commencing January 1, 2028, to sell, furnish, or give away an alcoholic beverage to a person who provides the type of no-alcohol-sales license that this bill authorizes, and similarly requires a licensee, their agent, or employee, to refuse to sell or serve alcoholic beverages to a person who provides a no-alcohol-sales license. Finally, under current law, a licensee or their agent may refuse to sell alcohol to a person unable to produce written evidence that the person is 21 years of age. This bill would make this mandatory, rather than discretionary.

Second, this bill requires, commencing January 1, 2028, a person convicted of specified impaired driving crimes who is granted probation to be prohibited from purchasing alcohol for a period of at least one year to the entire probationary period as a term and condition of probation, except in the interests of justice. This prohibition applies to a person convicted of a DUI, DUI causing bodily injury, a wet reckless offense, or intoxicated vehicular manslaughter, where the person had a BAC of .16 percent or more, the offense occurred within three years of a prior conviction for any of these offenses, where the offense involved greater than \$1,000 in damage to another's property, or where the offense involved great bodily injury or death.

Upon the issuance of such a prohibition, this bill requires the court and the DMV, commencing January 1, 2028, to take certain actions. Specifically, it requires the DMV to issue an identification card or a driver's license with the words "NO ALCOHOL SALES" or another appropriate designation on the face of the identification card or driver's license for an individual who has submitted an application and for whom the court department has received an abstract of the record of a court showing that the court has issued an order prohibiting that person from purchasing alcohol. The court must ensure that physical copies of the person's driver's license are forfeited or surrendered to law enforcement. This bill additionally requires a court to impose a fee to cover the costs of the DMV in issuing a replacement identification card or driver's license, and specifies that an individual with an income of less than 200 percent of the official federal poverty level is eligible to pay this fee on a payment plan. Finally, it requires the Judicial Council to work with the DMV regarding implementing the requirements of this bill.

The scope and impact of this bill may be significant. First, this alcohol purchase prohibition is largely a mandate – requiring courts to prohibit specified impaired driving offenders from

purchasing alcohol for at least one year as a term and condition of probation, except in the interests of justice. Probation is the most common court sanction for DUI offenders.⁶ In 2020, 94.3 percent of convicted DUI offenders received probation.⁷ Given the significant portion of DUI offenders that receive probation, and that the prohibition against purchasing alcohol is structured as a mandatory condition of probation, unless the interests of justice demand differently, this alcohol purchase prohibition can be expected to apply to a substantial portion of DUI offenders.

Second, this bill will likely apply to a substantial portion of first-time misdemeanor DUI offenders. The most recent annual data from the DMV shows there were 81,248 DUI convictions in 2021.⁸ First-time DUI offenders make up the bulk of DUI offenses. In 2020, 74.7% of DUI convictions were for first-time DUIs, 19.2% for second-time DUIs, 4.6% for third-time DUIs, and 1.4% for fourth or subsequent DUIs.⁹ The mean BAC level for convicted DUI offenders arrested in 2020 was .175 percent, and the midpoint or median BAC level was similarly .17 percent.¹⁰ The minimum one-year alcohol purchase prohibition created by this bill applies to a person convicted of a specified impaired driving offense, such as DUI, where the underlying conviction involved a BAC of .16 percent or more. If average BAC levels for DUIs remain steady, this bill, based on this .16 BAC trigger alone, can be expected to apply to roughly half of DUI offenders. Moreover, this bill also applies to a person convicted of a DUI that results in damage to another's property that is greater than \$1,000. This may encompass a significant number of misdemeanor DUIs that result in traffic accidents, even if no injury occurs. For example, a person who drives impaired and gets into a minor fender bender that causes a crack in the other driver's rear frame, the replacement of which would cost over \$1,000, could be subject to this bill's alcohol prohibition. In sum, given the significant number of annual DUI convictions and this bill's application to DUIs involving average BAC levels and low-level property damage, this bill may apply to tens of thousands of DUI offenders annually.

Third, this bill could subject numerous DUI offenders to very lengthy prohibitions against purchasing alcohol. This bill specifies that the prohibition against purchasing alcohol must be for at least one year and up to the entire probationary period. The period of probation for a DUI or DUI must be at least three years but no more than five years. (Veh. Code, § 23600, subd. (b).) Accordingly, a person convicted of a DUI or DUI causing bodily injury could be subject to a five-year prohibition against purchasing alcohol.

- 4) **Practical Considerations:** This bill raises several practical questions and implementation issues. First, this prohibition against purchasing alcohol can be triggered by DUIs where the underlying offense involved drugs and not alcohol. Other DUI sanctions that are specifically tailored to alcohol-related DUIs, such as the ignition interlock devices, largely apply to DUI offenses involving alcohol. (Veh. Code, § 23575.3, subd. (h)(1)(A)(i).) Given that this bill

⁶ DMV, 32nd Annual Report of the California Dui Management Information System (2025), at p. 32, available at: <https://www.dmv.ca.gov/portal/uploads/2025/10/32nd-Annual-Report-of-the-California-DUI-Management-Information-System.pdf>

⁷ *Ibid.*

⁸ State of California DMV, *DUI Summary Statistics* (accessed February 3, 2026), available at: <https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/dui-management-information-system-dashboards/dui-summary-statistics/>.

⁹ 32nd Annual Report of the California Dui Management Information System, *supra*, at p. 30.

¹⁰ *Id.* at p. 21.

specifically pertains to prohibiting specified offenders from purchasing alcohol, the need to apply this prohibition to DUI offenses that only involve drug use is unclear.

Second, this bill requires the DMV, for a person subject to this bill, to issue an identification card or driver's license that specifies that the individual is prohibited from purchasing alcohol, and similarly prohibits a person from selling or giving alcohol to a person who presents such a no-alcohol-sales-license. However, a person can establish their age, in order to purchase alcohol, by utilizing other types of identification, such as a passport or any other government-issued document that contains the name, date of birth, description, and picture of the person. (Bus. & Prof. Code, § 25660, subd. (a).) Accordingly, an individual who is issued a no-alcohol-sales license may easily avoid the prohibition on purchasing alcohol by simply presenting alternate forms of identification.

Third, this bill requires the DMV to issue a no-sale license “for an individual who has submitted an application and for whom the court department has received an abstract of the record of a court showing that the court has issued [an order prohibiting a person from purchasing alcohol.]” It is unclear what type of application this bill is referring to. This suggests that the DMV must issue such a no-alcohol-sale license after an individual has applied to the DMV for such a license, but as drafted, it is unclear what this application is, how a person would apply for such a license, and what procedures govern this process. It is also unclear whether “court department” is referring to the court or to the DMV.

Fourth, this bill requires a court, after issuing an order prohibiting a person from purchasing alcohol, to ensure that the person's driver's license or identification card is forfeited or surrendered to law enforcement. The need for such driver's licenses to be transferred to law enforcement is unclear. Further, the bill does not establish procedures as to how this transfer must take place, and what procedures must be followed once law enforcement receives such driver's licenses.

Additionally, this bill authorizes a court to impose a fee to cover DMV costs in issuing a no-alcohol-sale license. It is unclear how authorizing a court fee to cover the costs of a separate government agency would work in practice. Finally, this bill specifies that the Judicial Council shall work with the DMV in implementing the provisions of this bill. The author may wish to clarify and expand upon what type of collaboration must take place.

- 5) **Argument in Support:** According to the *California Police Chiefs Association*, “AB 1605 takes a proactive, prevention-focused approach to public safety. By authorizing courts to prohibit individuals convicted of serious or repeat DUI offenses from purchasing alcohol—and requiring a clear designation on their identification—this bill directly targets the underlying behavior that leads to impaired driving. Rather than waiting for another offense to occur, this policy intervenes early to disrupt the cycle of repeated alcohol abuse and impaired driving.

“The need for this type of intervention is clear. California continues to face a significant DUI crisis, with more than 1,300 people killed annually in alcohol-related crashes and roadway deaths increasing in recent years. CalMatters reporting has highlighted that repeat offenders make up a substantial share of DUI incidents, underscoring that existing penalties alone are not sufficient to deter high-risk individuals. AB 1605 appropriately focuses on these repeat

and high-BAC (blood-alcohol-content) offenders—those who pose the greatest threat to public safety.

“Importantly, AB 1605 reflects a growing national best practice. Utah has already enacted a similar law that requires certain DUI offenders to carry identification marked to prohibit alcohol sales. This policy recognizes that chronic impaired driving is not solely a driving issue, but also an alcohol access issue, and provides a practical, enforceable mechanism to reduce recidivism.

“From a law enforcement perspective, this bill offers a clear, targeted, and enforceable tool that complements existing DUI enforcement strategies. It enhances accountability for the most dangerous offenders while maintaining judicial discretion and focusing on individuals who have demonstrated a pattern of high-risk behavior. By involving alcohol retailers in prevention, AB 1605 creates a shared responsibility framework that extends beyond traditional enforcement.”

- 6) **Argument in Opposition:** According to the *Western Center on Law and Poverty*, “AB 1605 “raises significant civil rights and equity concerns that warrant careful reconsideration... First, marking a person’s driver’s license in this way risks discriminatory impact and long-term stigma. A driver’s license is not used only for alcohol purchases. It is routinely required for employment applications, housing applications, financial transactions, travel, and access to government services. A visible “NO ALCOHOL SALE” designation effectively advertises a criminal conviction far beyond the scope of the court’s intended probation condition.

“For many Californians, particularly low-income individuals this could compound barriers to economic stability. Employers may draw conclusions about reliability or liability. Landlords may view the marking as a red flag and deny housing. Financial institutions and service providers may treat individuals differently. Even if discrimination is not explicit, the practical stigma could follow someone long after they have completed probation.

“The bill also raises equity concerns. Although payment plans are contemplated, defendants would bear the costs associated with license reissuance and compliance. Low income individuals would shoulder additional financial burdens while also facing increased employment and housing instability due to the visible marking. Those with resources are more likely to weather these barriers. Those without may face cascading consequences that increase recidivism risk rather than reduce it.

“The measure may actually create safety concerns in practice. A visible license marking tied to a serious DUI offense could expose individuals to harassment or profiling when presenting identification in everyday settings. It could also disincentivize compliance if individuals avoid lawful identification use due to stigma.

“Utah’s model is sometimes cited in support of similar policies, but California’s size, diversity, and existing reentry challenges demand a careful analysis of how such a visible marking would function here. The Legislature should require rigorous evidence that this approach meaningfully reduces impaired driving without imposing disproportionate collateral harm. To date, such evidence has not been demonstrated.

“Additionally, AB 1605 is drafted so broadly that it appears to apply to anyone who not only sells but gives away alcohol. As written, the bill would require people to check identification every time they provide alcohol to another person even in informal or social settings such as hosting friends at home, offering a glass of wine at a dinner party, or sharing alcohol at a family gathering. Because the bill makes failure to review identification a misdemeanor, it could unintentionally expose ordinary people to criminal liability for everyday social behavior. This sweeping approach raises serious concerns about overcriminalization and enforceability- turning routine social interactions into potential misdemeanor offenses risks.

“Finally, with the ubiquitous nature and availability of alcohol in the United States, there is no reason to believe that AB 1605 would even achieve it’s intended purpose of limiting access to alcohol.”

7) Related Legislation:

- a) AB 1867 (Tangipa) would require a person convicted of specified impaired driving offenses that occurred within 10 years of two prior impaired driving offenses, and who is sentenced to state prison, to be prohibited from purchasing alcoholic beverages for life. AB 1867 is pending a hearing in this Committee.

8) Prior Legislation:

- a) SB 421 (Bradford), of the 2021-2022 Legislative Session, would have established a pretrial diversion scheme with specific conditions for misdemeanor DUI violations. SB 421 was held in Senate Appropriations.
- b) AB 401 (Flora), of the 2019-2020 Legislative Session, would have made a DUI conviction that occurs within 10 years after four or more previous specified convictions, only punishable as a felony, among other changes. AB 401 failed passage in this Committee.
- c) AB 2690 (Mullin) Chapter 590, Statutes of 2014, changed the term "prior violations" to "separate violations" in a statute that authorizes enhanced penalties if the current offense occurred within 10 years of a specified felony DUI offense.
- d) AB 1657 (Runner), of the 2007-2008 Legislative Session, would have made it a wobbler to purchase alcohol for a person the provider knew or reasonably should have known to be under the age of 21 years, and the person under the age of 21 consumes the alcohol and thereby proximately causes great bodily injury or death to themselves or others and the provider should have known of the danger. AB 1657 failed passage in the Senate Public Safety Committee.
- e) AB 2605 (Bogh), of the 2005-2006 Legislative Session, would have increased the penalty for a person convicted of a third DUI offense within 10 years from a misdemeanor to an alternative misdemeanor/felony, among other changes. AB 2605 failed passage in this Committee.

- f) SB 1694 (Torlakson), Chapter 550, Statutes of 2004, increased, from seven to 10 years, the "washout" period in which a person convicted of DUI would no longer be subject to increased penalties for having a prior specified DUI.
- g) AB 1777 (Cunneen), of the 1999-2000 Legislative Session, would have made it unlawful for a person to drive a vehicle in violation of the condition of probation requiring that the person not drive a vehicle with any measurable amount of alcohol in their blood. This bill failed passage in this Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Alcohol Justice
 Arcadia Police Officers' Association
 Brea Police Association
 Burbank Police Officers' Association
 California Association of Highway Patrolmen
 California Association of School Police Chiefs
 California Coalition of School Safety Professionals
 California Narcotic Officers' Association
 California Police Chiefs Association
 California Reserve Peace Officers Association
 Claremont Police Officers Association
 Corona Police Officers Association
 Culver City Police Officers' Association
 Fullerton Police Officers' Association
 Los Angeles School Police Management Association
 Los Angeles School Police Officers Association
 Murrieta Police Officers' Association
 Newport Beach Police Association
 Palos Verdes Police Officers Association
 Placer County Deputy Sheriffs' Association
 Pomona Police Officers' Association
 Riverside Police Officers Association
 Riverside Sheriffs' Association
 Safety and Advocacy for Empowerment (SAFE)

Opposition

ACLU California Action
 California Federation of Labor Unions, Afl-cio
 Debt Free Justice California
 Initiate Justice
 Justice2jobs Coalition
 LA Defensa
 Legal Services for Prisoners With Children
 Local 148 Los Angeles County Public Defender's Union
 Smart Justice California, a Project of Beyond Impact
 Teamsters California

Unite Here, Afl-cio
United Food and Commercial Workers, Western States Council
Western Center on Law & Poverty, INC.

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