

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Blanca Rubio, Chair

AB 1605 (Ransom) – As Amended March 26, 2026

SUBJECT: Driving under the influence: alcohol sales.

SUMMARY: This bill would beginning January 1, 2028, authorizes a court to require a person convicted of a fourth offense driving under the influence (or with specified felony prior convictions), third offense DUI with injury (or with specified prior felony convictions), or gross vehicular manslaughter while intoxicated who is given probation may be prohibited from consuming alcohol for the entire period of probation, as specified.

Requires the court to ensure that the physical copies of the person's driver's license or identification card are forfeited or surrendered to law enforcement. Requires the Department of Motor Vehicles (DMV) to issue licenses and identification cards with the words "NO ALCOHOL SALES" or another appropriate designation on their license if the department has received an abstract of the record of a court showing that the court has issued orders that the person is a qualifying driving under the influence offender.

Requires an alcoholic beverage licensee to refuse to sell or serve alcoholic beverages to a person with the above-referenced notation. A violation is not a crime. Beginning January 1, 2028, prohibits any person, from selling, giving away, or furnishing any alcoholic beverage to a person with this notation. A violation is not a crime. Requires every person who sells, furnishes, gives away, or causes to be sold, furnished, or given away any alcoholic beverage to check for and review identification issued by this state or another state. A violation of this requirement would not be a crime. Specifically, **this bill:**

1) Provides, beginning January 1, 2028, every person who sells, furnishes, gives away, or causes to be sold, furnished, or given away any alcoholic beverage shall request and review a form of written identification issued by this state or another state. Provides a violation of this provision is not a crime, as specified.

2) Provides, beginning January 1, 2028, no person shall 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 pursuant to this measure. Provides a violation of this provision is not a crime, as specified.

3) Requires, rather than permits until January 1, 2028, 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. A licensee, or their agent or employee, may seize any identification presented by a person that shows the person to be under 21 years of age or that is false, as specified. Except as defined (sales to any person under 21 years of age), a violation of this provision is not a crime.

4) Requires, commencing January 1, 2028, 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 over 21 years of age. A licensee, or their agent or employee, may seize any

identification presented by a person that shows the person to be under 21 years of age or that is false, as defined.

5) 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 identification card or driver's license issued pursuant to measure. Except as defined (sales to any person under 21 years of age), a violation of this provision is not a crime.

6) Provides, after January 1, 2028, the DMV shall 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 orders, as specified.

7) Provides, after January 1, 2028, a court may prohibit a person convicted of a violation of Section 23152 punishable pursuant to Section 23550 or 23550.5, a violation of Section 23153 punishable pursuant to Section 23550.5 or 23566, or a violation of subdivision (a) of Section 191.5 of the Penal Code, who is granted probation from purchasing alcohol for a period not exceeding the entire probationary period, as a term and condition of probation.

In essence, this bill, authorizes a court to require a person convicted of a fourth offense driving under the influence (or with specified felony prior convictions), third offense DUI with injury (or with specified prior felony convictions), or gross vehicular manslaughter while intoxicated who is given probation may be prohibited from consuming alcohol for the entire period of probation, as specified.

8) Requires, commencing January 1, 2028:

- a) After issuing an order pursuant to this measure, the court shall ensure that the physical copies of the person's driver's license or identification card are forfeited or surrendered to law enforcement.
- b) The court shall impose a fee to cover the costs of the DMV in issuing a replacement identification card or driver's license. 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.
- c) The Judicial Council shall work with the DMV regarding the implementation of this section.

9) Provides that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

EXISTING LAW:

1) Establishes the ABC and grants it exclusive authority to administer the provisions of the Alcoholic Beverage Control Act (Act) in accordance with laws enacted by the Legislature. This involves licensing individuals and businesses associated with the manufacture, importation, and sale of alcoholic beverages and the collection of license fees for this purpose.

2) Provides, under the Act, for the issuance of various alcoholic beverage licenses, including the

imposition of fees, conditions, and restrictions in connection with the issuance of those licenses.

3) Defines an “on-sale” license as authorizing the sale of all types of alcoholic beverages; namely, beer, wine, and distilled spirits, for consumption on the premises (such as restaurants or bar). An “off-sale” license authorizes the sale of all types of alcoholic beverages for consumption off the premises in original sealed containers.

4) Establishes the Responsible Beverage Service (RBS) Training program that requires ABC to develop, implement, and administer a curriculum for an RBS training program for servers of alcohol and their managers, as specified. Alcohol servers are required to successfully complete an RBS training course offered or authorized by ABC.

5) Provides that a licensee’s acceptance of bona fide evidence, as defined, constitutes a defense to any prosecution or proceedings against the licensees, as specified.

6) Provides that bona fide evidence of majority and identity of the person is any of the following:

- a) A document issued by a federal, state, county or municipal government, or subdivision therefore including but not limited to, a valid motor vehicle operator’s license, that contains the name, date of birth, description, and a picture of the person.
- b) A valid passport issued by the United States or by a foreign government.
- c) A valid identification card issued to a member of the Armed forces that includes a date of birth and a picture of the person. (Bus. & Prof. Code, § 25660)

7) Provides that an ABC licensee's acceptance of bona fide evidence, as defined, constitutes a defense to any action against the licensee. Requires that evidence to contain a description of the person.

8) Makes reliance upon a system that reviews bona fide evidence of majority and biometrics to determine age and identity of a person before admittance into a premises where alcoholic beverages may be lawfully purchased a defense to any criminal prosecution or proceedings against a licensee.

9) 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.)

10) Provides every person convicted for a violation of any of the provisions of this division for which another penalty or punishment is not specifically provided for in this division is guilty of a

misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. (Bus. & Prof. Code, § 25617)

11) Provides every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any habitual or common drunkard or to any obviously intoxicated person is guilty of a misdemeanor, as specified. (Bus. & Prof. Code, § 25602)

12) 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).)

13) 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,¹ 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,² 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 prior³ 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

¹ In addition to DUI-specific probation conditions and any other terms and conditions imposed by the court.

² Only if the offense involved alcohol.

³ 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.

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).)

14) 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).)

15) 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, subds. (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, subds. (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, subds. (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).)

16) 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, subds. (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 wobblers 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, subds. (b), (c) & (d); 23575.3, subd. (h)(1)-(2).)

17) 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).)

18) 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: This bill is keyed fiscal by Legislative Counsel.

COMMENTS:

Purpose of the bill. 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. This bill 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."

What problem does this bill solve? According to information provided by the author's office, "Existing California DUI laws primarily rely on penalties such as license suspensions, fines, ignition interlock devices, and mandated education programs after a conviction. However, these measures do not directly restrict access to alcohol for repeat or high-risk offenders; they respond to impaired driving after it occurs rather than preventing it or addressing the root cause of the

behavior. Statewide data shows that more than 110,000 DUI arrests occurred in California in 2021, and approximately one in four convicted DUI offenders had at least one prior DUI conviction, demonstrating a persistent problem with repeat offenses.

AB 1605 seeks to address this gap by providing courts with an additional intervention tool. The bill allows judges to place a “No Alcohol Sale” designation on the driver’s license or identification of individuals convicted of serious or repeat DUI offenses, preventing them from purchasing alcohol during a probationary period. This approach is intended to address the root cause of the issue by intervening earlier with high-risk offenders and reduce alcohol-related crashes and fatalities.

Drunk driving crashes often disproportionately impact lower-income communities and communities of color that experience higher rates of traffic injuries and fatalities due to roadway conditions and transportation patterns. By targeting repeat and high-risk DUI offenders, the bill aims to reduce preventable crashes and injuries in these communities.

The legislation is also structured to mitigate equity concerns by: 1) Applying only to serious or repeat DUI offenders, rather than all DUI convictions; 2) Allowing judicial discretion in imposing the restriction based on the facts of the case and the individual’s history; and 3) Limiting the restriction to a probationary period tied to the offense, rather than creating a permanent penalty.

Overall, the bill focuses on behavior-based accountability, promoting safer roads for all Californians.”

Alcohol-involved traffic fatalities. According to the most recent annual report on DUIs published by the California Department of Motor Vehicles (DMV), there were 110,017 DUI arrests in 2021.⁴ Alcohol- and drug-impaired driving contribute significantly to traffic deaths and injuries in California. According to the California Office of Traffic Safety (OTS), 1,355 people were killed in alcohol-involved traffic crashes in 2023 in the state.⁵ After a decade of increasing alcohol-involved crash fatalities, the latest data suggest this trend may be reversing. Like other fatal crashes, alcohol-involved crash fatalities decreased in California 4.5 percent between 2022 and 2023.⁶

Alcohol- and drug-involved crash fatalities (hereafter, “DUI crash fatalities”), which have historically comprised a significant portion of total crash fatalities, peaked at 2,065 in 2005, before declining to a multi-decade low of 1,416 in 2010.⁷ While DUI crash fatalities have steadily increased since then, DUI crash fatalities comprise an increasingly smaller proportion of total crash fatalities. In 2013, DUI crash fatalities were responsible for 54.7% of all crash

⁴ DMV, *32nd Annual Report of the California DUI Management Information System* (Oct. 2025), summary statistics <<https://www.dmv.ca.gov/portal/file/32nd-annual-report-dui-management-information-system-pdf>>.

⁵ OTS, *California’s Annual Report Fiscal Year 2025* (Mar. 2026), p. 8 <https://www.ots.ca.gov/wp-content/uploads/sites/67/2026/03/FY_2025_Annual_Report_Final.pdf>; OTS, *California Traffic Safety Quick Stats* available at <<https://www.ots.ca.gov/ots-and-traffic-safety/score-card/>>.

⁶ OTS, *Annual Report*, *supra*, at p. 8.

⁷ DMV, *DUI Summary Statistics* <<https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/dui-management-information-system-dashboards/dui-summary-statistics/>>.

fatalities.⁸ That percentage dropped to 41.7% in 2021—the lowest proportion of total crash fatalities since 2001.⁹

ABC role in alcohol sales and enforcement. The California Department of Alcoholic Beverage Control plays a vital role in enforcing the ABC Act, with the authority to conduct investigations, perform inspections, and impose penalties for violations. The scope of the ABC's enforcement actions is determined by the severity and frequency of the infractions.

For minor or first-time violations, the ABC may issue a notice of violation and require the licensee to correct the problem within a specified period. Repeat or serious violations, however, can result in more severe penalties. These can include fines, temporary suspension of the license, or even revocation of the license, effectively banning the licensee from selling alcohol. In extreme cases, ABC can also pursue criminal charges against the licensee. This typically occurs in cases of gross negligence or deliberate violations, such as selling alcohol to minors on a repeated basis or engaging in fraudulent activities.

In terms of compliance, the ABC conducts regular inspections and offers various prevention and education programs to retail licensees through its Licensee Education on Alcohol and Drugs (LEAD) program.

Buying alcoholic beverages in California. Except as otherwise provided in the ABC Act, every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor. Any on-sale licensee who knowingly permits a person under the age of 21 years to consume any alcoholic beverage in the on-sale premises, whether or not the licensee has knowledge that the person is under the age of 21 years, is guilty of a misdemeanor.

Under the ABC Act, bona fide evidence of majority and identity of the person is any of the following: 1) a document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, description, and picture of the person; 2) a valid passport issued by the United States or by a foreign government; and 3) a valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person.

Proof that the defendant-licensee, or his or her employee or agent, demanded, was shown, and acted in reliance upon bona fide evidence in any transaction, employment, use, or permission forbidden by B&P Code Sections 25658, 25663, or 25665 shall be a defense to any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon.

For the purpose of preventing the ABC Act, any licensee, or his or her agent or employee, may refuse to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence that he or she is over the age of 21 years. A licensee, or his or her agent or employee, may seize any identification presented by a person that shows the person to be under the age of 21 years or that is false, so long as a receipt is given to the person from whom the

⁸ *Ibid.*

⁹ *Ibid.*

identification is seized and the seized identification is given within 24 hours of seizure to the local law enforcement agency that has jurisdiction over the licensed premises. A licensee, his or her agent or employees, decision to not seize a license shall not create any civil or criminal liability.

Responsible Beverage Service (RBS) Training. Anyone that is employed at an ABC on-premises licensed establishment who is responsible for checking identifications, taking customer orders, and pouring or delivering alcoholic beverages must have a valid RBS certification from ABC. Servers and their managers must register in the RBS Portal, take RBS training from an approved training provider, and pass the ABC RBS exam within 60 days of their first date of employment. On-premises locations include, but are not limited to, bars, restaurants, tasting rooms, clubs, stadiums, movie theaters, hotels, and caterers. Covered licensees are required to maintain records of their various certifications, and violators are subject to unspecified “disciplinary action.” The RBS training is currently available in several different languages.

Retail Operating Standards apply to stores (License Types 20 & 21), bars, and taverns (License Type 40, 42, 48 and 61). They do not apply to bona fide eating places (License Types 41, 47 or 75), convention centers, exhibit halls, auditoriums, ballparks, stadiums, coliseums, hotels, motels, certain marine parks, wineries or beer manufacturers.

If You Drink Don't Drive

California has a complex statutory framework for DUI offenses with graduated penalties that are largely tied to the specific offense and the number of prior DUI-related convictions. (The information below was provided by the Senate Committee on Public Safety)

DUI with no injury. Vehicle Code section 23152 governs DUIs when there is no injury. This code section includes several subdivisions that cover different types of conduct: driving under the influence of alcohol; driving under the influence of any drug; driving under the influence of alcohol and drugs; driving with a BAC of .08 or higher; driving with a BAC of .04 or higher when driving a commercial vehicle or a passenger for hire is a passenger in the vehicle; and driving a vehicle when addicted to the use of any drug. A first-time DUI with no injury is a misdemeanor punishable by 96 hours to six months in jail, and a fine between \$390 and \$1,000. (Veh. Code, § 23536.) In addition, a conviction requires a six-month driver license suspension which cannot be reinstated until showing proof of completion of a DUI program as well as applicable fines and penalty assessments. (Veh. Code, § 13352 subd. (a)(1).) A person who is convicted of a first DUI and granted probation is subject to the following additional conditions: a period of probation between three and five years; a requirement that the person not drive a vehicle with any measurable amount of alcohol in their blood; and, a requirement of spending the minimum time of 48 hours in confinement, if any, or of paying the minimum fine imposed by law is imposed. (Veh. Code, §§ 23154, 23538, 23600.)

DUI causing bodily injury. Vehicle Code section 23153 governs DUIs when there has been an injury. A first DUI causing bodily injury is punishable by 90 days to one year in county jail, or 16 months, 2 years, or 3 years in state prison, and by a fine of between \$390 and \$1,000. (Veh. Code, § 23554.) A one-year driver’s license suspension also applies which cannot be reinstated until showing proof of completion of a DUI program. (Veh. Code, § 13352, subd. (a)(2).) A person who is convicted of violating Vehicle Code section 23153 and granted probation is subject to the following conditions: confinement in the county jail for five days to one year; a

fine of between \$390 and \$1,000; successful completion of a drug or alcohol education program, as specified; and a requirement that the person not drive a vehicle with any measurable amount of alcohol in their blood. (Veh. Code, §§ 23154, 23556, 23600.) A first-time offender whose BAC was less than .20 is required to participate in a licensed program that consists of at least 30 hours of program activities, including those education, group counseling, and individual interview sessions, for at least three months. (Veh. Code, § 23556, subd. (b)(3).) If a first-time offender had a BAC of .20 or more, the court must order the person to participate in a licensed program that consists of at least 60 hours of program activities, for at least nine months. (Veh. Code, § 23556, subd. (b)(4).)

Vehicular manslaughter while intoxicated. Vehicular manslaughter while intoxicated is the unlawful killing of a human being without malice aforethought, in the driving of a vehicle, where the driving was in violation of one of several specified DUI laws, and the killing was either the proximate result of the commission of an unlawful act, not amounting to a felony, but without gross negligence, or the proximate result of the commission of a lawful act that might produce death, in an unlawful manner, but without gross negligence. (Pen. Code, § 191.5, subd. (b).) Vehicular manslaughter while intoxicated is a wobbler, and it is punishable by imprisonment in a county jail for not more than one year or by imprisonment in a county jail as a realigned felony for 16 months, two years, or four years. (Pen. Code, § 191.5, subd. (c)(2).)

Gross vehicular manslaughter while intoxicated. Gross vehicular manslaughter while intoxicated is the unlawful killing of a human being without malice aforethought, in the driving of a vehicle, where the driving was in violation of Section 23140, 23152, or 23153 of the Vehicle Code (i.e., person under 21 with a BAC between .05-.07, DUI with no injury, or DUI with bodily injury) and the killing was either the proximate result of the commission of an unlawful act, not amounting to a felony, and with gross negligence, or the proximate result of the commission of a lawful act that might produce death, in an unlawful manner, and with gross negligence. (Pen. Code, § 191.5, subd. (a).) Gross vehicular manslaughter while intoxicated is a felony punishable by imprisonment in the state prison for 4, 6, or 10 years. (Pen. Code, § 191.5, subd. (c)(1).) However, if the person has one or more specified prior convictions (i.e., a prior conviction for gross vehicular manslaughter while intoxicated, vehicular manslaughter while intoxicated, gross vehicular manslaughter, or DUI), the punishment is imprisonment in the state prison for a term of 15 years to life.

Double-referred. This bill was dual referred to the Assembly Committee on Public Safety, which heard and passed this bill (8-0) on March 24, 2026.

Policy consideration. As currently written, this bill would, beginning January 1, 2028, prohibit individuals from using a passport or military identification card to purchase alcoholic beverages in the state. Consequently, when the 2028 Summer Olympics take place in Los Angeles, visitors from foreign countries would be unable to purchase alcohol.

To achieve the intent of the bill while maintaining consistency with the ABC Act regarding acceptable forms of identification for individuals over 21, the committee should consider amending the bill to clarify that bona fide evidence of majority may continue to be established through the forms of identification currently authorized Bus. & Prof. Code, § 25660. These forms of id generally include, but are not limited to, the following:

Bona fide evidence of majority and identity of the person is any of the following:

- 1) A document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, description, and picture of the person.
- 2) A valid passport issued by the United States or by a foreign government.
- 3) A valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person.

In Support. According to the California Police Chiefs Association (CPCA), “This bill 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. Reporting from CalMatters has shown that repeat offenders account for a significant share of DUI incidents, demonstrating that existing penalties alone are not enough to deter high-risk individuals. Utah has already implemented a similar law requiring 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.”

CPCA further writes, “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.”

The Association for Los Angeles Deputy Sheriffs writes, “Peace officers strongly support legislation aimed at reducing DUI incidents because impaired driving remains one of the leading causes of preventable deaths on California roadways. On average, more than 1,300 people are killed each year in alcohol-involved crashes in California—accounting for roughly one-third of all traffic fatalities—and DUI-related deaths have risen significantly over the past decade. From a law enforcement perspective, these numbers represent repeated, preventable tragedies often involving repeat offenders. Policies that strengthen deterrence, improve accountability, and reduce impaired driving directly support officers' core mission to protect the public, save lives, and prevent families from experiencing entirely avoidable loss.”

In opposition. The American Civil Liberties Union California Action writes, “This proposal raises significant civil rights and equity concerns that warrant careful reconsideration. AB 1605 would authorize courts to impose a prohibition on alcohol purchases as a condition of probation for certain DUI offenses and would require the Department of Motor Vehicles (DMV) to issue a driver's license visibly marked “NO ALCOHOL SALE.” That marking would function as a public label tied to a person's criminal conviction, displayed each time they are required to present identification. This approach raises several serious and unintended consequences. 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 those who are low-income, this could compound barriers to economic stability. Employers may draw conclusions about reliability or liability. Property owners seeking tenants 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 ACLU California Action is a collaboration of the ACLU of Northern California, ACLU of Southern California, and ACLU of San Diego & Imperial Counties. 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.

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 its intended purpose of limiting access to alcohol. If the goal is to reduce repeat DUI offenses and prevent serious harm, the legislature should prioritize investments in DUI treatment and diversion programs, and preventative technology with meaningful due process and privacy protections. A publicly marked driver’s license risks undermining rehabilitation by erecting new barriers to employment, housing, and reintegration.”

Related legislation. AB 1867 (Tangipa) of 2026. This bill 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. (Assembly Committee on Public Safety)

SB 1156 (Caballero) of 2026. This bill would requires the court, upon the conviction of a person for DUI, DUI with injury, wet reckless, gross vehicular manslaughter while intoxicated, or vehicular manslaughter while intoxicated, and the offense occurred with 10 years of a prior conviction of any one of those offenses, or the person has two prior convictions of any of those offenses, to issue an order prohibiting the person from purchasing alcohol for a period of 3 to 10 years. (Senate Committee on Public Safety)

Prior Legislation. SB 1371 (Bradford), Chapter 606, Statutes of 2024. Made reliance upon a system that reviews bona fide evidence of majority and biometrics to determine age and identify of a person before admittance into a premises where alcoholic beverages may be lawfully purchased a defense to any criminal prosecution or proceedings against a licensee.

SB 421 (Bradford) of 2022. This bill would have established a pretrial diversion scheme with specific conditions for misdemeanor DUI violations. (Held in Senate Committee on Appropriations)

AB 401 (Flora), of the 2020. This bill 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. (Failed passage in Assembly Committee on Public Safety)

AB 1221 (Gonzalez Fletcher), Chapter 847, Statutes of 2017. Established the RBS Training Program Act of 2017, and requires ABC, on or before January 1, 2020, to develop, implement, and administer a curriculum for an RBS training program, as specified. Additionally, the bill requires, beginning July 1, 2021, an alcohol server, as defined, to successfully complete an RBS training course offered or authorized by ABC.

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.

AB 1657 (Runner) of 2008. This bill 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. (Failed passage in Senate Committee on Public Safety)

AB 2605 (Bogh) of 2005. The bill 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. (Failed passage in Assembly Committee on Public Safety)

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.

AB 1777 (Cunneen), of 2000. The bill 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. (Failed passage in Assembly Committee on Public Safety)

REGISTERED SUPPORT / OPPOSITION:

Support

Alcohol Justice
American Medical Response West
Arcadia Police Officers' Association
Association for Los Angeles Deputy Sheriffs (ALADS)
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 Consortium of Addiction Programs and Professionals
California Narcotic Officers' Association
California Peace 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
Peace Officers Research Association of California (PORAC)
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
Safety and Advocacy for Empowerment (SAFE)

Oppose

ACLU California Action
All of US or None (HQ)
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
Sister Warriors Freedom Coalition
Smart Justice California, a Project of Beyond Impact
Streets for All
Western Center on Law & Poverty, INC.

Other

California Chamber of Commerce
California Federation of Labor Unions, AFL-CIO
California Grocers Association
California Hotel & Lodging Association
California Restaurant Association
California Retailers Association
Teamsters California
Unite Here, AFL-CIO
United Food and Commercial Workers Union, Western States Council

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