

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 1654 (DeMaio) – As Introduced January 29, 2026

SUBJECT: Vehicles: commercial driver’s licenses

SUMMARY: Requires the Department of Motor Vehicles (DMV) to verify an applicant’s lawful presence in the United States through the Systematic Alien Verification for Entitlements Program (SAVE) or any successor program administered by the United States Department of Homeland Security before issuing or renewing any commercial driver’s license (CDL).

Specifically, **this bill:**

- 1) Requires DMV to deny an application for a CDL if they are unable to confirm lawful presence.
- 2) Requires DMV to revoke any CDL issued to a person subsequently determined to be unlawfully present in the United States, following notice and an opportunity to be heard.
- 3) Provides that nothing in this section shall be construed to conflict with or preempt federal law or regulation, including the issuance of temporary CDL to lawfully present nondomiciled individuals authorized under federal law.

EXISTING LAW:

Requires a person to have in their immediate possession a valid CDL of the appropriate class to operate a CMV, and prohibits the DMV from issuing a CDL to a person until the person passes a knowledge test and driving test for the operation of a CMV that complies with the minimum federal standards established by the federal Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570) and Part 383 of Title 49 of the Code of Federal Regulations, and has satisfied all other requirements of that act as well as any other requirements imposed by this code. (Vehicle Code Section 15250)

Existing federal regulations

- 1) Requires a person to person to prove they are a citizen of the United States or that they are a lawful Permanent Resident to obtain a CDL or Commercial Driver’s Permit.
- 2) Authorizes the following documents as proof of US Citizenship:
 - a) Valid, unexpired US Passport.
 - b) Certified copy of a birth certificate filed with a State Office of Vital Statistics or equivalent agency.
 - c) A Consular Report of Birth Abroad (CRBA) issued by the US Department of State.
 - d) A certification of Naturalization used by the U.S. Department of Homeland Security (DHS).

- e) Certificate of Citizenship Issued by DHS. (Title 49 CFR 383.73)
- 3) Requires a Lawful Permanent Resident to file proof a valid, unexpired Permanent Resident Card. (Title 49 CFR 383.73)
 - 4) Requires States to verify evidence of lawful immigration status for applicants domiciled in a foreign jurisdiction before issuance of a CDL. (Title 49 CFR 383.73)
 - 5) Requires States to query SAVE to verify evidence of lawful immigration status. Prohibits a state from issuing a CDL to a person if SAVE does not verify their lawful immigration status. (Title 49 CFR 383.73)

FISCAL EFFECT: Unknown

COMMENTS: In April of 2025, President Trump issued an executive order establishing stronger federal oversight of CDL standards, including strengthening enforcement of English language proficiency requirements for commercial drivers and directing the U.S. Department of Transportation (USDOT) to review how states issue non-domiciled CDLs.

In June of 2025 the Federal Motor Carrier Safety Administration (FMCSA) launched a nationwide audit of state issuance of non-domiciled CDLs to identify potential compliance issues.

On September 26, 2025, FMCSA announced an emergency action restricting eligibility for issuance and renewal of non-domiciled commercial learner's permits (CLPs) and CDLs. Under the rule: Non-citizens could only obtain non-domiciled CDLs if they meet stricter federal standards, including employment-based visas and mandatory federal immigration verification using SAVE.

According to FMCSA, California admitted to improperly issuing about 20,100 non-domiciled CDLs of the total 65,000 non-domiciled CDLs in the state, which the state has been directed to revoke and reissue under compliant procedures. Most of these CDLs had expiration dates that went beyond the individuals' legal time present in the United States. In response, DMV scheduled to cancel 17,400 CDLs on January 5, 2026 with a remaining 2,700 to be cancelled February 13, 2026.

On December 30, 2025, DMV made the decision to delay the cancellation of the CDLs by an additional 60 days.

On January 7, FMCSA took action to withhold federal highway funds from California for failing to meet federal compliance requirements, specifically:

- A previous withhold of around \$40 million for failure to enforce English language proficiency standards (49 C.F.R. § 391.11(b)(2)).
- A determination to withhold approximately \$158 million beginning fiscal year 2027 due to continued non-compliance in California's CDL program and up to \$315 million if noncompliance continues. The federal government has underscored that withheld funds are not merely deferred but permanently lost if compliance is not achieved.

On March 6, 2026 the DMV canceled approximately 13,000 nondomiciled CDLs in compliance with the Trump administrations new regulations.

According to the author, “California is at risk of falling out of compliance with federal law and standards, and it falls upon the Legislature to ensure that California citizens’ jobs are protected. Recently, it was shown that undocumented immigrants were receiving and using commercial driver’s licenses throughout the nation, putting American citizens in danger. By allowing undocumented immigrants to acquire and use commercial driver’s licenses, California has put its own citizens at risk of losing their jobs through prioritizing noncitizens rather than federal law and standards. In order to protect the jobs of many Californians, the state must do better at following federal law.”

Committee concerns. This bill goes beyond federal regulations, which only require DMV to verify documents using SAVE for immigrants, not for persons with proof of U.S citizenship.

Requiring DMV to verify all applicants’ lawful status through SAVE will likely result in US citizens losing their CDL.

SAVE was developed for the purpose of verifying a person’s legal immigration status, not a person’s citizenship status. According to the Brennan Center on Justice, it has largely only included information on noncitizens, naturalized citizens, and some children of U.S. citizens born overseas.

According to the U.S Citizenship and Immigration Services Website as of March 30, 2026:

- **SAVE is not a source database of U.S. citizens and immigrants.** SAVE is an information service whereby user agencies submit information (such as name, date of birth, and an enumerator) and SAVE uses that information to query against source government systems, including those maintained by DHS, Department of State (DoS), and the Social Security Administration (SSA) to verify and provide, if retrievable, a point-in-time response that includes the individual’s U.S. citizenship or immigration status.
- **SAVE is not the only way to determine U.S. citizenship.** SAVE only verifies and provides information about an individual’s U.S. citizenship or immigration status based on available information held in various U.S. government systems and is one of many methods that voter verification agencies may use to verify U.S. citizenship.

According to a 2018 report from the United States Commission on Civil Rights, “SAVE is not a comprehensive list of U.S. citizens . . . [,] is not updated to include all naturalized citizens, and it does not include [all] derivative citizens born to U.S. parents outside the country.”

Related Legislation. AB 2659 (Bains) Prohibits DMV from revoking, suspending, canceling, or downgrading a commercial driver’s license based solely on administrative deficiencies. That bill is pending before this committee.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

California Conference Board of the Amalgamated Transit Union
CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO
Chinese for Affirmative Action
Teamsters California

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