

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1662 (Wilson) – As Introduced January 29, 2026

Policy Committee:	Public Safety	Vote:	8 - 0
	Transportation		16 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires that points be added to a driver’s record for specified driving-related violations even when the underlying case is dismissed following successful completion of court-initiated misdemeanor diversion.

FISCAL EFFECT:

Costs of an unknown, but potentially significant amount to the Department of Motor Vehicles (DMV) (Motor Vehicle Account). According to the DMV, it does not currently receive data on dismissed violations from the courts, for diversion or otherwise. The DMV notes that implementation would require the DMV to modify its core legacy systems to receive, maintain, and disclose these dismissed violations. It is unclear why the DMV could not receive the data in same manner and format that it receives conviction data from courts. The DMV reports that it may have further costs to the extent it may be required to hold hearings for drivers prior to the assessment of points on their license or any subsequent licensing action based on a dismissed violation. The DMV is unaware of the number of violations dismissed under Penal Code section 1001.95 that would be reported to the DMV.

The department is undertaking an Enterprise Modernization Project – the Digital eXperience Platform Project (DXP), and resources are fully committed to the project. Coordinating implementation of this bill within DXP might delay bill implementation and increase DXP Platform costs. Most changes to the department’s services will have to be built outside the core legacy system. If the department is required to implement this bill by January 1, 2027, the DMV will be required to build a temporary solution outside of the core legacy system. Programming outside the core legacy system will be costly and redundant, and will require the DMV to acquire new technology and services. Acquiring new technology and services will require Project Approval Lifecycle Information Technology Project approval.

The bill contains no cost recovery for implementation efforts. The Motor Vehicle Account (MVA), the primary funding account for the California Highway Patrol and the DMV is facing insolvency. In a report, the LAO noted that, “Until a plan is put in place to address MVA’s structural deficit, we recommend the Legislature set a high bar for considering approval of any proposals that create additional MVA cost pressures and accelerate the risk of insolvency.” In the Governor’s proposed 2026-2027 budget, the Governor stated that, “the Budget currently projects that the MVA will be insolvent as soon as 2028-29. Given the ongoing fiscal constraints in the MVA, the Administration will continue to limit new workload or initiatives, including

those with delayed implementation dates that would create additional cost pressures over time.”

COMMENTS:

1) **Purpose.** According to the author:

When serious driving offenses disappear from the record, the public pays the price. AB 1662 closes a loophole that previously let individuals avoid points on their driving record if their case was dismissed through diversion. This bill ensures dangerous conduct is counted, not covered up.

- 2) **Background.** The DMV will, generally, assign one or more “negligent operator points” to the driver license of a person convicted of certain moving traffic violations. Accumulation of points may result in DMV restricting or suspending a person’s driver license. Most driving offenses in the vehicle code are a single point. The two-point violations are generally misdemeanor offenses. Misdemeanor offenses, which are eligible for diversion, are distinct from most traffic offenses in the fact that most require a prosecutor to prove mens rea, or “a guilty mind.” For traffic infractions, prosecutors do not need to prove the driver knew they were speeding or knew they ran a stop sign. However, to be eligible for the jail time that comes with a misdemeanor offense, prosecutors must prove some sort of intent along with bad driving behavior. AB 3234 (Ting), Chapter 334, Statutes of 2020, created a court-initiated misdemeanor diversion program. Since then, all two-point misdemeanor eligible offenses, except DUIs, have become eligible for misdemeanor diversion, allowing some of the more serious driving offenses to not appear on a person’s driving record, including ones that resulted in killing someone, while still placing points on their record for more minor offenses like failing to use a turn signal. This bill allows the state and insurance companies to continue to assess a person’s risks as a driver by keeping their driving offenses on their driving record. The person’s eligibility for misdemeanor diversion remains unchanged.

As noted above, the DMV states that it does not currently receive data on dismissed violations from the courts, for diversion or otherwise. Courts and law enforcement have existing methods of reporting offenders to DMV outside the judicial process (not as part of a conviction). DMV may receive request for driver re-examination using the DS 699, Request for Driver Re-examination. Law enforcement also may request a priority reexamination of a driver, as being done with the DMV/CHP FAST Program. DMV has existing authority in Vehicle Code sections 12818, 13800 *et seq.*, and 13950 *et seq.* to investigate and act on driving behavior.

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