

ASSEMBLY THIRD READING
AB 1685 (Lackey and Petrie-Norris)
As Amended April 13, 2026
Majority vote

SUMMARY

Increases the number of points that must be added to a person's driving record, from one to three, for the crime of gross vehicular manslaughter while intoxicated, and requires the Department of Motor Vehicles (DMV) to make available or disclose the abstract of the conviction and abstract of the accident report for ten years, as specified, for the crime of gross vehicular manslaughter while intoxicated.

COMMENTS

According to the Author

"As a CHP officer, I have stood on the side of the road with families who have just lost loved ones to drunk drivers. Those scenes will never leave me. We owe it to those families to hold repeat offenders accountable. AB 1685 does this by increasing the points for vehicular manslaughter and vehicular manslaughter while intoxicated from two to three points, bringing repeat offenders one step closer to license suspension."

Arguments in Support

According to the *Peace Officers' Research Association of California*, "AB 1685 enhances access to critical public safety information by ensuring that records related to serious driving offenses—specifically gross vehicular manslaughter while intoxicated and with gross negligence—are available within the same 10-year timeframe as driving under the influence-related violations. Aligning these disclosure standards promotes consistency in the law and ensures that relevant information is accessible when evaluating dangerous driving behavior."

"From a law enforcement perspective, access to accurate and complete records is essential to protecting public safety, supporting investigations, and informing decision-making related to enforcement and accountability. Expanding the availability of these records for one of the most serious impaired driving offenses helps ensure that the full scope of an individual's conduct is appropriately considered."

Arguments in Opposition

According to *ACLU California Action*, "In California, accumulating points on one's driving record can result in license suspension, increased insurance costs, and other administrative hurdles. A person's license may be suspended if they accumulate four points in twelve months, six points in 24 months, or eight points in 36 months. Courts and the Department of Motor Vehicles (DMV) may also suspend a person's driving record for receiving a conviction for several offenses, including vehicular manslaughter. Assessing an additional point on a person's driving record for a conviction of vehicular manslaughter is therefore duplicative.

"Further, the assessment of points and the suspension of driver's licenses do not get at the root causes of unsafe driving. In-car safety mechanisms, such as pedestrian-crash avoidance systems

and in-car speed limit warnings, and road design changes, are all proven to provide lower instances of car crashes and fewer fatalities. In contrast, no evidence similarly shows that adding points improves safety. Rather, receiving points on a driving record can have devastating consequences to low-income Californians and their families, including increased costs of insurance and even the loss of a driver's license. The loss of a driver's license is a major threat to economic security, particularly for low-income Californians and their families. Numerous studies have found a direct correlation between driving and employment."

"A task force report to the Governor of New Jersey cited a survey of suspended drivers conducted by Rutgers University researchers, which found that following a license suspension, 42% of people lost their jobs as a result of the suspension. Of those who lost their jobs, 45% could not find another job, and this effect was most pronounced for seniors and low-income people. Of those who were able to find new employment, 88% reported decreased wages."

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, "Implementation would require the DMV to make modifications to its core legacy system to assign three Negligent Operator Treatment System (NOTS) points to Penal Code Section 191.5(a) convictions and retain them on the driving record for 10 years. The DMV has not reported a cost associated with making this modification, but reports that it cannot complete the required programming by the January 1, 2027, operative date.

"According to the DMV, its core systems technology has reached its outer limits. Any change to, or expansion of, functionality jeopardizes continuity of services, systems, data integrity, and costs. The DMV has instituted a containment strategy designed to limit changes to the legacy system or risk catastrophic system failure.

"The DMV 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 DMV's services will have to be built outside the core legacy system. If the DMV is to implement this bill by January 1, 2027, it reports that it will be required to build a temporary solution outside of the core legacy system. Programming outside the core legacy system will be costly, redundant, and will require the department 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, the primary funding account for the California Highway Patrol and the department 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."

VOTES

ASM PUBLIC SAFETY: 8-0-1

YES: Schultz, Alanis, Mark González, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ABS, ABST OR NV: Haney

ASM TRANSPORTATION: 15-0-1

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Macedo, Papan, Ransom, Rogers, Sharp-Collins

ABS, ABST OR NV: Ávila Farías

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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