
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1685 (Lackey) - Driving privilege: points

Version: April 13, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0, TRANS. 12 - 0

Mandate: No

Consultant: Mark McKenzie

Bill Summary: AB 1685 would increase the number of violation points imposed against a driver's record, from two to three, for a conviction of gross vehicular manslaughter while intoxicated and with gross negligence, as specified, and require the Department of Motor Vehicles (DMV) to keep a record of such a conviction for 10 years.

Fiscal Impact:

- The DMV indicates that it would incur significant one-time costs to make necessary IT systems changes to enable the creation of a new violation point count for specified offenses and to update driving records accordingly. DMV's legacy systems have limited capacity to accommodate new functionality and are currently being replaced through the Enterprise Modernization Project (the Digital eXperience Platform, or DXP). As a result, implementation would either require modifications within DXP, potentially increasing project costs and/or delaying implementation, or development of a temporary solution outside the legacy environment, resulting in duplicative costs, additional technology procurement, and approvals. Assuming a temporary solution is required, implementation costs are expected to be at least in the low millions, and potentially higher depending on the final scope of work, implementation timelines, and the technology solution ultimately required. Direct modifications to legacy systems would likely result in significantly higher costs. Staff notes that DMV would be unable to make the necessary programming changes by the January 1, 2027 operative date of this bill. (Motor Vehicle Account)

Background: DMV assigns violation points against a driver's license record for convictions of certain traffic offenses to identify an individual as a negligent operator. Violation points vary with the gravity of the offense; for example, a "fix-it" ticket does not count for any violation points, a traffic infraction involving the safe operation of a vehicle, such as most speeding tickets, counts for one violation point, and convictions for more serious violations, such as driving while under the influence of alcohol or drugs (DUI), reckless driving, vehicular manslaughter, and speeding in excess of 100 miles per hour, count for two violation points. There are currently no violations that result in the assignment of more than two violation points. A driver is considered "negligent," and DMV may suspend a driver's license for six months, if they accumulate four or more violation points in a 12 month period, six or more points in two years, or eight or more points in three years.

Existing law specifies that gross vehicular manslaughter while intoxicated is the unlawful killing of a human being without premeditated malice aforethought while driving a vehicle, where the driving was driving under the influence, and the killing was either the proximate result of the commission of an unlawful act that is not 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. Gross negligence may include participation in a sideshow, engaging in a motor vehicle speed contest, or speeding over 100 miles per hour. Gross vehicular manslaughter while intoxicated is punishable by imprisonment in the state prison for 4, 6, or 10 years. Multiple offenses can be punished by imprisonment in the state prison for a term of 15 years to life. In addition, existing law requires the DMV to revoke the driver's license of a person convicted on gross vehicular manslaughter while intoxicated for three years. Existing law requires the assignment of two violation points on a driver's record for a conviction of a violation of vehicular manslaughter.

Existing law requires the DMV to make available or disclose abstracts of convictions and abstracts of accident reports if the date of the occurrence is no later than the following: ten years for DUI violations; seven years for a violation designated as two points, except DUI violationsa; three years for accidents and all other violations.

Proposed Law: AB 1685 would require the DMV to impose three violation points to the driver's record of a person convicted of gross vehicular manslaughter while intoxicated and with gross negligence. The bill would also require the DMV to retain and make available a record of a conviction of gross vehicular manslaughter while intoxicated, and with gross negligence, for ten years.

Related Legislation: AB 1687 (Lackey), which is pending in this Committee, would authorize the DMV to revoke a person's driver's license for eight years if they are convicted of three or more impaired driving offenses within a ten-year period.

SB 953 (Niello), which is currently pending in the Assembly Appropriations Committee, would require the assignment of two violation points against a driver's record for a vehicular manslaughter violation in which the case was dismissed as a result of the driver successfully completing court-initiated misdemeanor diversion.

Staff Comments: According to the DMV, resources are fully committed to current IT modernization efforts, and coordinating implementation of this bill within DXP may delay the IT efforts necessary to implement the bill and/or increase DXP Platform costs. In order to implement this bill by January 1, 2027, DMV would have to build a temporary solution outside of the core legacy systems, which will be costly, redundant, and will require the department to acquire new technology and services.

The Motor Vehicle Account (MVA) is the primary funding source for the California Highway Patrol and DMV. The MVA has had a structural deficit since the 2021-22 fiscal year, with expenditures exceeding revenues by approximately \$60 million in the current year, and approximately \$112 million in the budget year (projected). Absent further actions to address the MVA fund condition, approving any new proposals that increase MVA expenditures would exacerbate the current structural imbalance of the fund. The Budget Summary published for the proposed 2026-27 Budget notes 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."