

Date of Hearing: March 24, 2026

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1687 (Lackey) – As Introduced February 2, 2026

As Proposed to be Amended in Committee

SUMMARY: Authorizes the Department of Motor Vehicles (DMV) to revoke a person’s driver’s license for eight years if they are convicted of three or more specified impaired driving offenses within a ten-year period. Specifically, **this bill**:

- 1) Authorizes the DMV to immediately revoke the privilege of a person to drive a motor vehicle upon receipt of a duly certified abstract of the record of a court showing that the person has been convicted of three or more of the following violations, or a combination of three or more of these violations, where each of the three or more violations occurred within a 10-year period:
 - a) Driving under the influence (DUI)¹ with two priors.²
 - b) A DUI with three or more priors.
 - c) A DUI causing bodily injury with two or more priors.
 - d) A DUI or DUI causing bodily injury within 10 years of the following felonies: a DUI with three or more priors, a DUI causing bodily injury, or gross vehicular manslaughter.
 - e) A DUI or DUI causing bodily injury with a prior conviction for felony intoxicated vehicular manslaughter or intoxicated vehicular manslaughter while operating a vessel.
 - f) A DUI causing bodily injury, where the violation proximately causes great bodily injury (GBI) to another person, and the offense occurred within 10 years of two or more priors.
 - g) Gross vehicular manslaughter while intoxicated.
 - h) Vehicular manslaughter while intoxicated, without gross negligence, within seven years of two or more priors.
 - i) Intoxicated vehicular manslaughter while operating a vessel and with gross negligence, as specified.

¹ For purposes of this analysis, a “DUI” refers to a DUI punishable under Vehicle Code section 23152 that does not cause bodily injury. A DUI causing bodily injury is punished separately under Vehicle Code section 23153.

² 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.

- 2) Specifies that if the DMV revokes the privileges of a person to drive a motor vehicle pursuant to the above, the DMV shall not reinstate the privilege revoked until the expiration of eight years after the date of revocation and until the person whose privilege was revoked gives proof of financial responsibility, as defined, except as specified below.
- 3) Authorizes, four years from the date of the last conviction of an offense specified above, a person whose license was revoked pursuant to the above to apply to the DMV to have their privilege to operate a motor vehicle reinstated, subject to the condition that the person submits an ignition interlock device (IID) "Verification of Installation" form and agrees to install and maintain an IID, as specified.
- 4) Requires the IID to remain on the person's motor vehicle for two years following the reinstatement of the person's driving privilege pursuant to this bill.
- 5) Requires the DMV to reinstate the person's license pursuant to the above, if the person satisfies all of the following conditions:
 - a) The person was not convicted of any drug- or alcohol-related offenses under state law, during the driver's license revocation period.
 - b) The person successfully completed a specified licensed DUI program, following the date of the last conviction of an offense specified above, if such a program is required.
 - c) The person was not convicted of violating specified prohibitions against driving a vehicle on a suspended or revoked license, including driving on a suspended or revoked license because of a DUI conviction, during the revocation period.
- 6) Requires the DMV to immediately terminate the restriction issued pursuant to the above and immediately revoke the privilege to operate a motor vehicle of a person who attempts to remove, bypass, or tamper with the IID, who has the device removed prior to the termination date of the restriction, or who fails three or more times to comply with any requirement for the maintenance or calibration of the ignition interlock device, and specifies that the privilege shall remain revoked for the remaining period of the original revocation and until all reinstatement requirements are met.

EXISTING LAW:

- 1) 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 0.08 percent or more, by weight, of alcohol (BAC) in their blood, to drive a vehicle (generally referred to as a DUI). (Veh. Code, § 23152 subds. (a), (b) (f), & (g).)
- 2) Punishes a DUI as follows:
 - a) A first DUI is a misdemeanor punishable by imprisonment for four days to six months in county jail, 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,³ 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 a nine-month (60-hour) program if the person's BAC was .20% or more, or they refused to take a chemical test, if given probation. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a); 23536, subs. (a) & (c); 23538, subs. (a) & (b); 23575.3, subd. (h)(1)(A)(i).)
- b) A DUI with one prior is a misdemeanor punishable by imprisonment for three months to one year in county jail, 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, subs. (a) & (b); 23575.3, subd. (h)(1)(B).)
- c) A DUI with two priors is a misdemeanor punishable by imprisonment for four months to one year in county jail, 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, subs. (a) & (b); 23575.3, subd. (h)(1)(C).)
- d) A 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 jail-eligible felony by 16 months, or two or three years, a fine of \$390 to \$1,000, a three-year IID installation mandate, a four-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)(7); 23550; 23552, subs. (a) & (b); 23575.3, subd. (h)(1)(D).)
- 3) 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 (generally referred to as a DUI causing bodily injury.) (Veh. Code, § 23153 subs. (a), (f), & (g).)
- 4) Punishes a DUI causing bodily injury, as follows:
- a) A first 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, 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 a nine-month (60-hour) program if the person's BAC was .20% or more or they refused to take a chemical test, if given probation. (Veh. Code, §§ 13352 subd. (a)(2), 23554; 23556, subs. (a) & (b); 23575.3, subd. (h)(2)(A).)

³ Only if the offense involved alcohol.

- b) A 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, 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) A DUI causing bodily injury with two or more priors is a felony punishable by imprisonment in state prison by two, three, or four years, 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).)
- 5) Punishes a DUI with specified prior felonies, or those that cause certain injury, as follows:
- a) Punishes a person convicted of a DUI causing bodily injury, where the violation proximately causes great bodily injury (GBI) to another person, and the offense occurred within 10 years of two or more priors, as a felony with a five-year license revocation, and a three-year IID installation mandate. (Veh. Code, §§ 23566, subd. (b); 13352 subd. (a)(6).)
 - b) 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 four or five-year license revocation and a three or four-year IID mandate. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subds. (a), (c) & (d).)
 - c) Punishes a person convicted of any DUI who has a prior conviction for felony intoxicated vehicular manslaughter or intoxicated vehicular manslaughter while operating a vessel as a wobbler with 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).)
- 6) Authorizes a court, notwithstanding the above, to order a 10-year license revocation if a person has been convicted of three or more separate DUIs or DUIs causing bodily injury, the last of which was punishable as a DUI with two priors, a DUI with three or more priors, a DUI causing bodily injury with two or more priors, a DUI or DUI causing bodily injury with a prior specified felony, a DUI or DUI causing bodily injury with a prior conviction for felony intoxicated vehicular manslaughter, as specified, or a DUI causing bodily injury, where the violation proximately caused GBI and occurred within 10 years of two or more priors. (Veh. Code, § 23597, subd. (a).)
- 7) Prohibits a DUI license suspension or revocation from being reinstated until the person gives proof of financial responsibility and of successful completion of their DUI program. (Veh. Code, § 13352, subds. (a)(1)(A).)
- 8) Authorizes the DMV to issue a restricted license to a person convicted of a DUI or DUI causing bodily injury, contingent on that person installing an IID, as follows:

- a) Requires, generally, the DMV to advise the person that they may apply for a restricted license if they meet certain requirements: 1) the conviction was not only for drugs (for first-time offenders); 2) they provide proof of enrollment or completion of a DUI program; 3) they agree to continue satisfactory participation in the program; 4) they verify that they installed an IID, agree to maintain the IID for the required installation period, and comply with associated IID requirements 5) they provide proof of financial responsibility; and 6) they pay specified fees. (Veh. Code, § 13352, subs. (a)(1)(A), (a)(2)(A), (a)(3)(A), (a)(4)(A), (a)(5)(A), (a)(6)(A), (a)(7)(A).)
- b) Specifies that if a person was convicted of a DUI other than their first DUI offense, and the conviction was only for drugs, they must complete 12 months of the suspension period. (Veh. Code, § 13352, subs. (a)(3)(A)(i).)
- c) Provides that the restricted driving privilege shall become effective when the DMV receives all required documents and fees, and shall remain in effect until all reinstatement requirements are satisfied, except the DMV must terminate the privilege if the person fails to comply with their DUI program's requirements or attempts to remove, bypass, or tamper with their mandated IID, or fails three or more time to maintain their IID, as specified. (Veh. Code, § 13352, subd. (e).)
- d) Provides that, irrespective of the above, if a person maintains an IID for the mandatory required term, the DMV shall reinstate the person's privilege to operate a vehicle at the time the other reinstatement requirements are satisfied. (Veh. Code, § 13352, subd. (f).)
- 9) Requires the DMV to administratively suspend the driving privileges of drivers who exceed the legal BAC limit or who fail or refuse to complete a chemical or alcohol screening test, before any criminal conviction, as specified. (Veh. Code, §§ 13353.2; 13353.3.)
- 10) Provides that if a person is convicted of a DUI, DUI causing bodily injury, or a hit and run, and is sentenced to one year in jail or more than one year in state prison under specified DUI sentencing statutes, the court may postpone the revocation or suspension of the person's driving privilege until the term of imprisonment is served. (Veh. Code, § 23665, subd. (a).)
- 11) Establishes a mandatory one-year criminal license revocation for the following convictions:
 - 1) failure of a driver involved in an accident resulting in injury or death to stop and perform specified duties; 2) a felony in the commission of which a motor vehicle is used, except as specified; 3) reckless driving causing bodily injury. (Veh. Code, § 13350, subs. (a) & (b).)
- 12) Establishes a mandatory three-year license revocation for the following convictions: 1) manslaughter (except for misdemeanor vehicular manslaughter; 2) three or more specified hit and run or reckless driving violations within 12 months; and 3) gross vehicular manslaughter while intoxicated, intoxicated vehicular manslaughter while operating a vessel, or fleeing or attempting to elude a peace officer, causing serious bodily injury, as specified. (Veh. Code, § 13351, subs. (a) & (b).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** 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 1687 will help by increasing the revocation period for a third DUI conviction from three years to eight years. This stronger deterrent reduces the likelihood of repeat offenses, keeps high-risk drivers off the road, and helps prevent alcohol-related injuries and fatalities, ultimately improving public safety across the state."
- 2) **License Suspensions and Revocations for DUIs:** Existing law 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 0.08 percent or more, by weight, of alcohol (BAC) in their blood, to drive a vehicle. (Veh. Code, § 23152 subds. (a), (b) (f), & (g).) This establishes the crime of a DUI that does not cause bodily injury. California also makes it unlawful to drive impaired while concurrently doing an act forbidden by law or neglecting a duty imposed by law, which proximately causes bodily injury to another. (Veh. Code, § 23153 subds. (a), (f), & (g).) This is the crime of a DUI causing bodily injury. The punishment for a DUI or DUI causing bodily injury generally depends on the defendant's number of separate "priors" within 10 years of the current offense. (Veh. Code, § 23540.) Convictions that are considered "priors" are a DUI under Vehicle Code section 23152, a DUI causing bodily injury under Vehicle Code section 23153, and a "wet reckless" conviction under Vehicle Code section 23103.5. (*Ibid.*) A wet reckless occurs where the prosecution agrees to a plea to a charge of reckless driving under Vehicle Code 23103, in satisfaction of, or as a substitute for, an original DUI charge, as specified. (Veh. Code, § 23103.5.)

A person convicted of a DUI or DUI causing bodily injury is subject to numerous criminal penalties, including jail or prison time, specified fines, participation in a DUI program, installation and maintenance of an IID mandate, and license suspensions or revocations. This bill pertains to criminal license revocations, meaning those sanctions that are imposed after a person's *conviction* for a DUI. These license sanctions are distinct from pre-conviction administrative suspensions that the DMV may impose on individuals who drive in violation of the legal BAC threshold or who fail or refuse to complete a chemical or alcohol screening test, as discussed more below (Veh. Code, §§ 13353; 13353.1; 13353.2; 13353.3)

The duration of a criminal DUI license suspension or revocation increases with each prior offense. (Veh. Code, §§ 13352, subd. (a)(1)-(7).) A first DUI is subject to a six-month license suspension or a 10-month suspension if probation is given and a 9-month DUI program is ordered. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a).) A DUI with one prior is subject to a two-year license suspension, a DUI with two priors results in a three-year license revocation, and a DUI with three or more priors results in a four-year license revocation. (Veh. Code, §§ 13352, subd. (a)(1), (3), (5) & (7).) License suspensions and revocations for a DUI causing bodily injury are even longer. A first-time DUI causing bodily injury is subject to a one-year license suspension, a DUI causing bodily injury with one prior receives a three-year license revocation, and a DUI causing bodily injury with two or more priors is subject to a five-year license revocation. (Veh. Code, §§ 13352, subd. (a)(2), (4), (6) & (7).) Courts may postpone the commencement of a license revocation or suspension arising from a DUI conviction until the term of imprisonment is served, for individuals sentenced to one year in county jail or to more than one year in state prison. (Veh. Code, § 23665, subd. (a).)

Additional license revocations apply to DUIs where the person has specified prior impaired driving felonies, DUIs that cause certain injuries, and to serious repeat DUI offenders. First, a person convicted of a DUI causing bodily injury that proximately causes GBI to another person that occurs 10 years of two or more priors is subject to a five-year license revocation. (Veh. Code, §§ 23566, subd. (b); 13352 subd. (a)(6).) Second, an individual convicted of any DUI within 10 years of specified impaired driving felonies is subject to a four or five-year license revocation. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subds. (a), (c) & (d).) Third, a person convicted of any DUI who has a prior conviction for felony intoxicated vehicular manslaughter or intoxicated vehicular manslaughter while operating a vessel is subject to a four or five-year license revocation. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subds. (b), (c) & (d).)

Finally, courts have discretion to order a 10-year license revocation if a person has been convicted of three or more separate DUIs or DUIs causing bodily injury. (Veh. Code, § 23597, subd. (a).) This only applies if the last offense was punishable as a DUI with two priors, a DUI with three or more priors, a DUI causing bodily injury with two or more priors, a DUI or DUI causing bodily injury within 10 years of a prior specified felony, a DUI or DUI causing bodily injury with a prior conviction for felony intoxicated vehicular manslaughter, or a DUI causing bodily injury, where the violation proximately caused GBI and occurred within 10 years of two or more priors. (Veh. Code, § 23597, subd. (a).) This license sanction doesn't have a washout period; however, most of the last triggering convictions require multiple impaired driving offenses within 10 years. (Veh. Code, §§ 23566; 23550.5.) In determining whether to issue a 10-year revocation, the court shall consider the person's level of remorse, the time between the previous convictions, BAC at the time of violation, participation in an alcohol treatment program, risk to traffic or public safety, and the person's ability to install an IID. (Veh. Code, § 23597, subd. (a).) A person may apply to have their driving privileges reinstated, contingent on the installation of an IID, five years from the date of the last conviction. (Veh. Code, § 23597, subd. (c)(1).)

Notably, DUI criminal license sanctions do not completely prohibit the defendant from driving. Generally, a person convicted of a DUI can apply to the DMV for a restricted license. (Veh. Code, § 13352, subds. (a)(1)(A).) To obtain such a license, the defendant must meet several requirements, including installing and maintaining an IID on every vehicle they operate for a specified period. (Veh. Code, § 13352, subds. (a)(1)(A).) Additionally, the underlying conviction cannot have been only for drugs (for first-time offenders), and they must provide proof of enrollment or completion of a specified DUI program, agree to continue satisfactory participation in the DUI program, provide proof of financial responsibility, and pay specified fees. (*Ibid.*) If the DUI was not that person's first offense and the underlying conviction was only for drugs, the defendant must complete 12 months of the suspension period. (Veh. Code, § 13352, subds. (a)(3)(A)(i).) If the person meets these requirements, they may receive a restricted license, which shall remain in effect until all reinstatement requirements are satisfied. (Veh. Code, § 13352, subd. (e)(1).) However, if a person maintains their IID for the mandatory term, the DMV shall reinstate their driving privileges at the time the other reinstatement requirements are satisfied. (Veh. Code, § 13352, subd. (f).) Given that the duration of IID mandates are generally shorter than license suspension or revocation periods, this can permit a person who has completed their mandated IID installation term, and who has otherwise met all their reinstatement requirements to return to driving, without an IID, before the original license sanction date expires.

First-time DUI offenders have an additional avenue to receive a restricted license without having to install an IID. Specifically, the DMV must issue a restricted driver's license to a person convicted of their first DUI upon proof of enrollment in a DUI program, proof of financial responsibility, and payment of fees. (Veh. Code, §§ 13352.4, subd. (a).) This permits the person to engage in limited driving to and from their work and their DUI program. (Veh. Code, §§ 13352.4, subd. (c).) However, a court may disallow the issuance of a restricted license if it finds that the person would present a traffic safety or public safety risk if authorized to operate a motor vehicle. (Veh. Code, §§ 13352.4, subd. (h); 23536, subd. (d).)

- 3) **Effect of this Bill:** This bill authorizes the DMV to revoke a person's driver's license for eight years if they are convicted of three or more specified impaired driving offenses. Specifically, it authorizes the DMV to revoke a person's driving privileges for eight years if they are convicted of three or more of the following offenses, or any combination thereof, where each of the three or more violations occurred within 10 years: 1) gross vehicular manslaughter while intoxicated, 2) vehicular manslaughter while intoxicated, without gross negligence, within seven years of two or more priors; 3) intoxicated vehicular manslaughter while operating a vessel; 4) a DUI with two priors; 5) a DUI with three or more priors; 6) a DUI causing bodily injury with two or more priors; 7) a DUI or DUI causing bodily injury within 10 years of certain impaired driving felonies; and 8) a DUI causing bodily injury, where the violation proximately causes GBI and occurred within 10 years of two or more priors. If a revocation is ordered, the DMV is prohibited from reinstating the person's driving privileges until the expiration of eight years after the date of revocation and until the person provides proof of financial responsibility, except as specified below.

Similar to existing DUI license suspensions and revocations, and particularly, the existing 10-year revocation option, this bill authorizes a person to apply for a restricted license. Specifically, it authorizes a person subject to an above revocation to apply to have their driving privileges reinstated four years from the date of the last conviction of an offense specified above, conditioned on the requirement that the person submits an IID "Verification of Installation" form and agrees to install and maintain an IID. The IID must remain on the person's motor vehicle for two years following reinstatement. The DMV is required to reinstate a person's license if: 1) the person was not convicted of any drug- or alcohol-related offenses during the revocation period; 2) the person completed a specified licensed DUI program, if such a program is required; and 3) the person was not convicted of violating specified prohibitions against driving a vehicle on a suspended or revoked license during the revocation period. The DMV must immediately terminate the restriction issued pursuant to the above and revoke the privilege to operate a vehicle of a person who attempts to remove, bypass, or tamper with the IID, who has the device removed prior to the termination date of the restriction, or who fails three or more times to comply with any requirement for the maintenance or calibration of the IID. The privilege shall remain revoked for the remaining period of the original revocation and until all reinstatement requirements are met.

The need for this bill is somewhat unclear. First, the offenses this bill applies to already receive independent license revocations. Indeed, most of the convictions encompassed by this bill already receive either a four or five-year license revocation. Offenses that can result in a four-year license revocation include a DUI with three or more priors, a DUI or DUI causing bodily injury with a prior felony intoxicated vehicular manslaughter conviction, or a DUI within 10 years of specified impaired driving felonies. (Veh. Code, §§ 13352, subds.

(a)(7); 23550; 23550.5, subds. (b), (c) & (d).) Offenses subject to a five-year license revocation include a DUI causing bodily injury with two or more priors, a DUI causing bodily injury, where the violation proximately causes GBI to another and occurred within 10 years of two or more priors, a DUI causing bodily injury with a prior felony intoxicated vehicular manslaughter conviction, or a DUI causing bodily injury within 10 years of a specified felony. (Veh. Code, §§ 13352 subd. (a)(6); 23550.5; 23566, subd. (b).) A conviction for gross vehicular manslaughter results in a three-year license revocation. (Veh. Code, § 13351, subds. (a) & (b).) This bill may increase the length of the license revocation for a conviction for any of these offenses to eight years, instead of the existing applicable revocation term, if the defendant has committed at least two other of the above-listed impaired driving offenses, where each offense occurred within a 10-year period.

Second, existing law already gives courts discretion to order a 10-year license revocation for serial repeat DUI offenders. Specifically, Vehicle Code section 23597 authorizes a 10-year license revocation for individuals convicted of three or more DUIs, with specific requirements as to the last offense. (Veh. Code, § 23597, subd. (a).) Similar to the provisions of this bill, a person subject to a ten-year license revocation may apply for a restricted license, conditioned on the installation of an IID on that person's vehicle, five years from the date of their last conviction. (Veh. Code, § 23597, subd. (c)(1).)

- 4) **Benefits of Swift and Certain License Sanctions:** Individuals are less likely to commit driving offenses when they believe sanctions will be swift and certain.⁴ According to the National Highway Traffic Safety Administration (NHTSA), research suggests that “swift and certain administrative sanctions—such as [administrative license suspension] and vehicle impoundment—can be highly effective in reducing alcohol impaired-driving crashes and fatalities, and in reducing further impaired driving by DWI offenders.”⁵ California's administrative suspension laws require the DMV to suspend a person's license, prior to any conviction, if they refuse to submit to or fail to complete a chemical test or alcohol screening test, or drive in excess of specified BAC thresholds. (Veh. Code, §§ 13353; 13353.1; 13353.2, subd. (a).) If a person's BAC exceeds the legal limit, the arresting peace officer must personally serve a notice of suspension or revocation on the arrested person, take possession of their driver's license, and issue the person a temporary license, which shall be valid for 30 days from the date of arrest. (Veh. Code, § 13382, subds (a) & (b).) The suspension becomes effective 30 days after such service. (Veh. Code, § 13353.3, subds. (a).) The DMV, upon receiving a sworn peace officer report relating to the arrest and suspension, shall conduct an administrative review to determine if the facts warrant a suspension. (Veh. Code, §§ 13353.2, subd. (d); 13557; 13380.) For individuals with no prior DUIs, who did not refuse a chemical test, and were not previously determined to have driven impaired, the suspension shall be for four months. (Veh. Code, § 13353.3, subd. (b)(1).) If the driver has prior DUIs, refused a chemical test, or has previously been determined to have driven impaired, as specified, the suspension shall be for one year. (Veh. Code, § 13353.3, subd. (b)(2).) Upon suspension, an individual may apply for a restricted driver's license if they enroll in a specified DUI program, install and maintain an IID, and pay specified fees. (Veh. Code, § 13353.6, subd. (a).) Notably, administrative and criminal license sanctions run

⁴ National Highway Traffic Safety Administration, *Countermeasures that Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices* (2023), at p. 1-11, available at: https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/countermeasures-that-work-11th-2023-tag_0.pdf

⁵ *Ibid.*

concurrently. If the DMV administratively suspends a person's driver's license because they exceeded the legal BAC limit, and that person is later convicted of a DUI, arising out of the same occurrence, the two suspension or revocation periods run concurrently, and the total period of the license sanction shall not exceed the longer of the two suspension or revocation periods. (Veh. Code, § 13353.3, subd. (c).)

The traffic safety benefits of *administrative* license suspensions are well-documented. A 2000 report found that administrative license suspensions and revocations “reduced crashes of different types by an average of 13%.”⁶ Another study that analyzed the long-term impacts of license suspensions across the U.S. found that administrative license revocations reduced alcohol-related fatal crash involvement by 5%, resulting in an estimated 800 saved lives annually.⁷ A study in Ontario, Canada, found that a law requiring immediate roadside license suspensions for drivers with BACs from .05 to .08 resulted in a 17% decrease in fatalities and injuries.⁸

The swift and certain penalties of administrative suspensions can be contrasted with the “lengthy and uncertain outcomes in criminal courts.”⁹ While the benefits of quick administrative license sanctions are well-established, the value of lengthy post-conviction license suspensions is less clear. According to NHTSA, “[a]lthough *administrative* license actions are highly effective in reducing crashes.... *court-imposed* license actions appear less effective” and “long court-imposed license suspensions may do little to reduce recidivism.”¹⁰ This is supported by a 2007 study on the effects of DUI mandatory pre-conviction and post-conviction driver's license suspension laws in 46 U.S. states.¹¹ That study found that “[a]dministrative or preconviction drivers license suspension policies have statistically significant and substantively important effects in reducing alcohol-related fatal crash involvement by 5%” but that “[i]n clear contrast, postconviction license suspension policies have no discernable effects.”¹² This led the study to conclude that “[t]he effectiveness of a deterrence policy appears to be more strongly affected by celerity—the speed by which punishment is applied after the offending behavior—than by the high severity of the penalty.”¹³

A person who drives impaired and is ultimately convicted of a DUI is already subject to administrative and criminal license suspensions or revocations. The primary effect of this bill is to authorize an extension of the length of the criminal license revocation for specified repeat DUI offenders. Accordingly, while this bill guarantees greater punishment for certain repeat impaired drivers, it is less clear whether it will effectively deter impaired driving behavior.

⁶ National Highway Traffic Safety Administration, *supra*, at p. 1-11.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Id.* at p. 1-62.

¹¹ Wagenaar, A.C. and Maldonado-Molina, M.M, *Effects of Drivers' License Suspension Policies on Alcohol-Related Crash Involvement: Long-Term Follow-Up in Forty-Six States*, *Alcoholism: Clinical and Experimental Research* (2007), 31: 1399-1406, available at: <https://onlinelibrary.wiley.com/doi/10.1111/j.1530-0277.2007.00441.x>

¹² *Ibid.*

¹³ *Ibid.*

- 5) **Impact of License Suspensions on Jobs and Wages.** Creating an eight-year license revocation for certain repeat impaired driving offenders, which permits application for a restricted license approximately four years into the revocation, may negatively impact individuals who rely on their vehicles to drive to work, take their children to school, and attend medical appointments, among other life necessities. A license suspension “can make it harder to find and keep a job, can increase one’s exposure to the criminal legal system, and can generally place a great strain on one’s life and the life of one’s family.”¹⁴ Research has found that “having a valid driver’s license and possession of a car is a stronger predictor of finding employment and leaving public assistance than a high school diploma.”¹⁵ Almost 30% of jobs require some amount of driving, and 75% of workers commute to work in a car.¹⁶

According to a study on the impacts of license suspension in New Jersey conducted by Rutgers, the New Jersey Department of Transportation, and the Federal Highway Administration, 42% of individuals with a history of license suspension lost their jobs when they had their driving privileges suspended.¹⁷ Job loss was most significant among low-income and younger drivers.¹⁸ 45% of those who lost their job because of the suspension could not find another job, a trend that was most pronounced among low-income and older drivers.¹⁹ Further, of those who were able to find another job, 88% reported a decrease in income.²⁰ This was most true for low-income drivers. Finally, more than half of those with a history of license suspension reported that they could not afford the increased cost of auto insurance as a result of the suspension.²¹

Research suggests that an estimated 75% of suspended drivers continue to drive.²² Individuals who have their licenses suspended may simply “choose to keep driving because they have to work, which puts them at serious legal risk if they are caught driving with suspended licenses.”²³ In California, individuals who drive on a suspended or revoked license, or fail to comply with the conditions of a restricted license, can be subject to additional criminal penalties and fines. Existing law makes it a misdemeanor to drive on a license that was suspended or revoked because of a DUI conviction. (Veh. Code, § 14601.2, subd. (a).) The first offense is punishable by 10 days to six months in county jail and a \$300 to \$1,000 fine, and a second offense within five years of a prior violation is punishable by 30 days to one year in county jail and a \$500 to \$2,000 fine. (Veh. Code, § 14601.2, subd. (d).) Similarly, it is a misdemeanor, punishable by up to six months in county jail and a \$5,000 fine for a person to fail to install an IID when required to do so, to operate a vehicle not

¹⁴ U.S. Department of Health & Human Services, *Challenges to Employment: Fines, Fees, and License Suspensions* (Dec. 2022), available at: <https://acf.gov/opre/report/challenges-employment-fines-fees-license-suspensions>

¹⁵ Leiva and Marano, *Challenges to Employment: Fines, Fees, and License Suspensions*, Building Evidence of Employment Strategies (Nov. 2022), at p. 4, available at: https://acf.gov/sites/default/files/documents/opre/bees_orlando_brief.pdf

¹⁶ *Id.* at p. 1.

¹⁷ Driver’s License Suspensions, Impacts and Fairness Study, New Jersey Department of Transportation (Aug. 2007), at p. 56, available at: https://vtc.rutgers.edu/wp-content/uploads/2014/04/MVC-DL-Suspension-Study-Final-Report-Vol1_9-13-07_.pdf

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ *Ibid.*

²² American Association of Motor Vehicle Administrators, *Reducing Suspended Drivers and Alternative Reinstatement Best Practices: Edition 3* (May 2021), at p. 3, available at: <https://www.aamva.org/getmedia/b92cc79d-560f-4def-879c-6d6e430e4f4d/Reducing-Suspended-Drivers-and-Alternative-Reinstatement-Best-Practices-Edition-3.pdf>

²³ Leiva and Marano, *supra*, at p. 1.

equipped with an IID, or to remove, bypass, or tamper with an IID. (Veh. Code, §§ 23573, subd. (i), 23247, subds. (d) & (e).)

- 6) **Argument in Support:** According to the *Peace Officers' Research Association of California (PORAC)*, “AB 1687 strengthens penalties for repeat DUI offenders by requiring the Department of Motor Vehicles to immediately revoke the driver’s license of individuals with three or more DUI-related convictions. The bill also prohibits reinstatement of the license for at least eight years following the revocation, ensuring longer-term removal of dangerous drivers from California roadways.

“PORAC supports AB 1687 because it increases accountability for repeat impaired drivers and helps keep dangerous offenders off the road. Stronger license revocation provisions enhance public safety and support the work of peace officers who respond to DUI incidents and work to prevent serious injuries and fatalities on California’s roadways.”

- 7) **Argument in Opposition:** According to the *California Public Defenders Association*, AB 1687 “would require the Department of Motor Vehicles (“DMV”) to immediately revoke the driving privilege of a person upon a showing that the person has 3 or more convictions for, among other things, driving while under the influence of an alcoholic beverage and prohibit the DMV from reinstating their driving privileges until 8 years after the date of revocation.

“Suspending a driver’s license for DUI offenses often imposes severe and disproportionate economic consequences, particularly for low-income individuals who depend on driving to maintain employment. For many workers—especially those in rural areas or in occupations such as delivery, construction, and sales—the loss of a license effectively means the loss of a job. Studies in some jurisdictions show that more than 40% of individuals lose employment after a license suspension. Rather than promoting stability or accountability, license suspensions frequently trigger a cycle of poverty by cutting off access to work while fines, fees, and program costs continue to accumulate.

“These policies also create a debt trap. Individuals must often pay hundreds or thousands of dollars in fines, reinstatement fees, and mandatory programs—costs that can range from \$400 to more than \$3,000—before they can legally drive again. Without the ability to drive to work, many cannot earn the income necessary to repay these obligations. As a result, some individuals drive out of necessity, exposing themselves to additional criminal penalties and further compounding their financial hardship.

“License suspensions also disproportionately impact rural, low-income and minority communities, which are less likely to have access to reliable public transportation and less able to afford costly rehabilitation requirements. Research further suggests that suspensions imposed for financial reasons—such as unpaid fines or fees—do not increase repayment rates. Instead, they make repayment less likely by preventing individuals from working.

“Additionally, research has identified troubling racial disparities in DUI license suspension practices. The study “Trends and disparities in alcohol-DWI license suspensions by suspension duration, North Carolina, 2007–2016,” by Bhavna Singichetti and colleagues (September 20, 2024), found evidence of disparities in suspension duration across race, ethnicity, and sex, and noted that structural factors such as residential segregation may

contribute to unequal outcomes. This study can be found at <https://doi.org/10.1371/journal.pone.0310270>.

“Suspending a driver’s license for DUI offenses often produces severe economic consequences without improving public safety. Instead, CPDA supports more balanced alternatives that protect public safety without pushing individuals into economic hardship, including allowing restricted licenses for employment and eliminating debt-based license suspensions, which promote accountability while allowing individuals to remain employed and support their families.”

8) Related Legislation:

- a) AB 1748 (Sanchez) increases the length of the driver’s license suspensions and revocations that apply to a conviction for a DUI or a conviction for a DUI causing bodily injury. AB 1748 is being heard in this Committee today.
- b) AB 1546 (Schultz) increases the punishment for a DUI with two priors from a misdemeanor to a wobbler and increases the punishment for a DUI with four or more priors from a wobbler to a straight felony, and increases the license revocation period for a DUI with four or more priors from four years to five years, among other changes. AB 1546 is pending a hearing in the Assembly Appropriations Committee.
- c) AB 1874 (Wilson) provides that when a court imposes a suspension or revocation of a person’s driver’s license as part of a criminal sentence, the period of suspension or revocation shall commence upon the person’s release from custody. AB 1874 is being heard in this Committee today.
- d) AB 1723 (Ellis), specifies that the “date of revocation,” for purposes of the prohibition against the DMV reinstating a person’s driving privilege until the expiration of three years after the date of revocation, for persons convicted of certain vehicle-related crimes, means the date the DMV revokes a person’s privilege to drive a motor vehicle, as specified, and not the date of conviction. AB 1723 is pending a hearing in the Assembly Appropriations Committee.

9) Prior Legislation:

- a) AB 401 (Flora) of the 2019-2020 Legislative Session 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. AB 401 failed passage in this Committee.
- b) AB 2337 (Linder), of the 2013-2014 Legislative Session, would have extended, by one year, the revocation period of an individual’s driver’s license if they were convicted of a hit-and-run accident in which another individual is killed or seriously injured. AB 2337 was vetoed.
- c) AB 1104 (Pan), of the 2011-2012 Legislative Session, would have required, rather than allowed, driver’s license revocations for specified DUIs to be delayed until offenders are released from prison or county jail. AB 1104 was never heard in the Assembly

Appropriations Committee.

- d) AB 1601 (Hill), Chapter 301, Statutes of 2010, permits a court to order a 10-year revocation of a driver's license for a person convicted of three or more separate DUIs.
- e) AB 2258 (Benoit), of the 2005-2006 Legislative Session, would have created an alternate misdemeanor-felony and mandatory jail time for a fourth offense of driving on a suspended license, and required a four-year license revocation for this offense, as specified. AB 2258 failed passage in this Committee.
- f) 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.
- g) AB 4 (Bogh) of the 2004-2005 Legislative Session would have permanently revoked the driver's license of a person convicted of a third or subsequent violation of specified DUI provisions. AB 4 was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of Drinking Driver Treatment Programs
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 District Attorneys Association
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles County Sheriff's Department
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)
San Bernardino County
San Diego County District Attorney's Office
Streets are for Everyone (SAFE) (ORG)
Streets are for Everyone Inland Empire
Streets for All
The River's Edge Ranch
We Save Lives

Opposition

ACLU California Action
California Public Defenders Association
Debt Free Justice California
Ella Baker Center for Human Rights
Justice2jobs Coalition
LA Defensa
Local 148 Los Angeles County Public Defender's Union
San Francisco Public Defender

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