

CONCURRENCE IN SENATE AMENDMENTS

AB 1687 (Lackey)

As Amended August 27, 2026

Majority vote

SUMMARY

Subjects a person convicted of a DUI causing bodily injury involving alcohol within 10 years of four or more prior DUI convictions to a 72-month license suspension.

Senate Amendments

- 1) State that this bill shall be known, and may be cited, as "Irene's Law."
- 2) Delete the contents of the bill and provide the following:
 - a) Requires, operative January 1, 2031, that upon a conviction or finding of a DUI causing bodily injury involving alcohol, where the offense occurred within 10 years of four or more DUI convictions, as specified, that a person's driving privileges be suspended for 72 months.
 - b) Provides that such a suspension shall be subject to existing license suspension procedures that apply to a DUI causing bodily injury with two or more priors, which include the following:
 - i) Prohibit the privilege from being reinstated until the person files proof of financial responsibility and gives proof satisfactory to the DMV of successful completion of a specified DUI program.
 - ii) Permit a person to apply to the DMV for a restricted driver's license if the person meets all of the following requirements:
 - (1) Completion of 12 months of the suspension period if the underlying conviction was only for the use of drugs, at the time of the violation;
 - (2) The person provides proof of enrollment in a specified DUI program and agrees to continue satisfactory participation in the program;
 - (3) The person complies with specified ignition interlock device (IID) requirements if the conviction involved alcohol; and
 - (4) The person provides proof of financial responsibility, as defined.
 - c) Confirms the suspension requirement in this bill, commencing January 1, 2033, to substantially similar license suspension procedures that become effective for all DUI crimes in 2033.
 - d) Requires, operative January 1, 2031, until January 1, 2033, a person convicted of a DUI causing bodily injury, who has four prior convictions to install an IID in the vehicle, as ordered by the court, that is operated by that person, for a mandatory term of 72 months.
- 3) Recasts the provisions of this bill into a new Vehicle Code section.

COMMENTS

As Passed by the Assembly, this bill: Authorized 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 within a ten-year period.

Major Provisions

- 1) Authorized 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.
- 2) Specified 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) Authorized, 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

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.

submits an ignition interlock device (IID) "Verification of Installation" form and agrees to install and maintain an IID, as specified.

- 4) Required 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) Required 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) Required 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.

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."

Arguments in Support

According to *Mothers Against Drunk Driving (MADD)*, "AB 1687 changes the timeframe for how long the DMV can revoke person's license after they have been convicted of their third DUI and also allows the use of ignition interlocks for these persons. Enclosed is a chart showing the checks and balances a person with a revoked licenses faces vs that of a person restricted to utilizing an ignition interlock.

"Specifically, Irene's Law contains the following provisions:

- 1) Requires the Department of Motor Vehicles (DMV), beginning January 1, 2031, to revoke a person's driving privilege upon conviction of a DUI causing bodily injury when the person has four or more prior convictions within a 10-year period for impaired driving offenses; prohibits DMV from reinstating that person's driving privileges until the expiration of 72 months after the date of revocation, subject to certain requirements including the installation of an ignition interlock device (IID).

- 2) Requires, until January 1, 2033, a person convicted of DUI causing bodily injury with four or more prior convictions within a 10-year period for impaired driving offenses to install and maintain an IID for 72 months.

"Drunk driving is a problem in California. The bills put forward by Assemblymember Lackey will help stop this problem. Since the pandemic, drunk driving deaths have spiked. Since 2019, according to the National Highway Traffic Safety Administration (NHTSA), drunk driving deaths in California have increased 36%, resulting in 1,311 preventable deaths in 2024."

Arguments in Opposition

No longer applicable.

FISCAL COMMENTS

According to the Senate Appropriations Committee, "The DMV indicates that it would incur significant one-time costs to make necessary IT systems changes to create a new permissive license revocation and restricted license program. 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 requiring additional 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)"

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

ASSEMBLY FLOOR: 73-0-7

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Krell, Lackey, Lowenthal, Macedo, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bryan, Elhawary, Kalra, Lee, McKinnor, Muratsuchi, Celeste Rodriguez

UPDATED

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