

ASSEMBLY THIRD READING
AB 1830 (Petrie-Norris, et al.)
As Introduced February 11, 2026
Majority vote

SUMMARY

Requires, rather than authorizes, a court to order an ignition interlock device (IID) for a first-time driving under the influence (DUI) conviction that does not cause bodily injury, and makes permanent certain provisions of the IID pilot program currently in place.

Major Provisions

- 1) Requires, rather than authorizes, a court to order a person convicted of a DUI involving alcohol with no priors¹ that did not cause bodily injury to another person, to install a functioning, certified IID on any vehicle that person operates, and prohibit that person from operating a vehicle unless it is equipped with an IID, for a period not to exceed six months from the date of conviction.
- 2) Makes permanent certain provisions of the IID pilot program currently in place, extended last year by AB 366 (Petrie-Norris), Chapter 689, Statutes of 2025, which requires courts, until January 1, 2033, to order the installation of IIDs for alcohol-involved repeat DUI and DUIs causing bodily injury to another person, as follows:
 - a) For a period of one year for a person convicted of a DUI with one prior, or a first-time DUI causing bodily injury to another person.
 - b) For a period of two years for a person convicted of a DUI with two priors, or a DUI causing bodily injury to another person with one prior.
 - c) For a period of three years for a person convicted of a DUI with three or more priors, a DUI within 10 years of specified impaired driving felonies, a DUI with a prior conviction for felony intoxicated vehicular manslaughter or intoxicated manslaughter while operating a vessel, as specified, a DUI causing bodily injury to another person with two or more priors, or a DUI causing bodily injury that proximately caused great bodily injury (GBI) to another, and the offense occurred within 10 years of two or more priors.
 - d) For a period of four years for a person convicted of a DUI causing bodily injury with one prior punishable as a specified impaired driving felony.
- 3) Specifies that every manufacturer certified by the DMV to provide IIDs must adopt a fee schedule that provides for the payment of the costs of the IID, the administration of the program, installation of the device, service, maintenance, and recalibration of the device, and any other costs associated with the device by persons subject to this chapter in amounts

¹ For purposes of IID installation requirements, a "prior" means a separate conviction for a DUI, DUI causing bodily injury, wet reckless offense, intoxicated vehicular manslaughter, intoxicated vehicular manslaughter involving a vessel, and specified impaired driving offenses involving a vessel, as specified, that occurred within 10 years of the current violation. (Veh. Code, § 23575.3, subd. (h)(3).)

commensurate with that person's income relative to the federal poverty level, as defined, as follows:

- a) A person with an income at 125% of the federal poverty level or below is responsible for 10% of the costs associated with the IID, and the IID provider is responsible for absorbing the cost of the IID that is not paid by the person.
 - b) A person with an income at 126 to 225%, inclusive, of the federal poverty level is responsible for 25% of the costs associated with the IID, and the IID provider is responsible for absorbing the cost of the IID that is not paid by the person.
 - c) A person with an income at 226 to 325%, inclusive, of the federal poverty level is responsible for 50% of the costs associated with the IID, and the IID provider is responsible for absorbing the cost of the IID that is not paid by the person.
 - d) A person who is receiving CalFresh benefits and who provides proof of those benefits to the manufacturer or manufacturer's agent or authorized installer is responsible for 50% of the costs associated with the IID, and any additional costs accrued by the person for noncompliance with program requirements.
 - e) A person with an income at 326 to 425%, inclusive, of the federal poverty level and who provides income verification, as specified, is responsible for 90% of the costs associated with the IID, and any additional costs accrued by the person for noncompliance with program requirements.
 - f) Makes all other persons responsible for 100% of the costs associated with the IID.
 - g) Makes the manufacturer responsible for the percentage of costs that the person ordered to install an IID is not responsible for, as specified.
 - h) Requires the IID provider to verify the income of the person ordered to install an IID to determine the costs associated with the IID by verifying any of the following documents from the person:
 - i) The previous year's state or federal income tax return.
 - ii) The previous three months of weekly or monthly income statements.
 - iii) Employment Development Department verification of unemployment benefits.
 - i) Provides that at any point during which an IID is installed and in use, an individual shall be permitted to apply for reduced costs and shall be credited for any previously paid costs that were in excess of the above fee schedule, as specified. An individual shall also be permitted to apply for reduced costs based on a change in income.
- 4) Requires an IID provider to post conspicuously on its internet website and contracts the fee schedule information established above, and before an individual executes a contract for an IID, the provider shall also give verbal notification of the fee schedule and how to apply for reduced costs.

- 5) Requires installation service and repair providers to post conspicuously in their place of business and verbally inform a person of the fee schedule information established above, prior to installation and servicing of the device.
- 6) Specifies that the requirement that an individual who is required to install an IID must arrange for each vehicle with an IID to be serviced by an installer every 60 days is subject to the fee schedule described above.
- 7) Requires a copy of the above fee schedule information to also be provided to an individual, together with the court order requiring the installation of an IID.
- 8) Requires the DMV to publish and share such fee schedule information, as follows:
 - a) The DMV must post the fee schedule information described above on its website.
 - b) The DMV must include the fee schedule information described above in any mailed notice of revocation or suspension that notifies an individual of the requirement to install an IID.
- 9) Requires the DMV to annually report to the Legislature the following information:
 - a) The number of DUI offenders with no priors, as specified, who were required to have an IID installed as a result of the IID program, who killed or injured anyone in a crash while they were operating a vehicle under the influence of alcohol.
 - b) The number of DUI offenders with no priors, as specified, who were required to have an IID installed as a result of the IID program, who killed or injured anyone in a crash while they were operating a vehicle and were not under the influence of alcohol.
 - c) The number of DUI offenders with no priors, as specified, who were required to have an IID installed as a result of the IID program, who were convicted of specified offenses including a "wet reckless" offense, a DUI where the person is under 21 years of age, a DUI, a DUI causing bodily injury, gross vehicular manslaughter while intoxicated, vehicular manslaughter while intoxicated without gross negligence, or intoxicated vehicular manslaughter while operating a vessel with gross negligence, during the term in which the person was required to have the IID installed.
- 10) Removes previously implemented provisions of law authorizing the DMV to undertake a study and report its findings to the Legislature by January 1, 2013, regarding the overall effectiveness of the use of IIDs in reducing the recidivism rate of first-time DUI offenders, as specified, and requiring the DMV to report data pertaining to IIDs to California State Transportation Agency (CalSTA) by March 1, 2024, and requiring CalSTA to submit a report to the Legislature pertaining to the effectiveness of IIDs by January 1, 2025.
- 11) Makes technical and conforming changes.

COMMENTS

Eliminates Judicial Discretion for IID Installation for First-Time DUI Offenders: This bill would remove judicial discretion to order an IID for first-time DUI offenders, discretion that has been preserved for decades despite repeated efforts to remove it.

Multiple legal and statutory bases give courts discretion to impose IIDs for first-time DUI offenses not causing bodily injury. (Vehicle Code, Section 23575.3.) IIDs are mandated for almost all other DUI offenders. Under the current pilot program, a court has the option to order an IID for a first-time DUI offender. A court can also impose an IID as a condition of probation, which is commonly given to first-time DUI offenders; courts have broad discretion to fashion and impose additional probation conditions that are particularized to the defendant. (*People v. Smith* (2007) 152 Cal.App.4th 1245, 1249.) A valid condition must be reasonably related to the offense and aimed at deterring misconduct in the future. (*People v. Carbajal* (1995) 10 Cal.4th 1114, 1121.)

Judicial discretion permits courts to tailor the sentence in the appropriate manner to the facts of the crime, the person's history, and the person's current circumstances. As stated by the California Supreme Court, "Society receives maximum protection when the penalty, treatment or disposition of the offender is tailored to the individual case." (*People v. Williams* (1970) 30 Cal.3d 470, 482 [citation and internal quotation marks omitted].) "Only the trial judge has the knowledge, ability and tools at hand to properly individualize the treatment of the offender." (*Ibid.*)

Judicial discretion may be particularly important for first-time misdemeanor DUI offenses. First, misdemeanor DUIs encompass a broad range of circumstances and behavior, including, for example, a minor who miscalculated the size of a single drink, has the bare minimum .08% blood alcohol level (BAC), and is pulled over for a non-moving offense, showing no signs of impairment, and who has no history of alcohol abuse or poor judgment. Alternatively, this could apply to a person who has been binge drinking, has a BAC significantly over the limit, and whose judgment and motor skills are extensively impaired. This bill would require the installation of an IID in both cases. Moreover, given that courts must already order IIDs for repeat DUI offenders and DUIs causing bodily injury, this bill proposes to treat first-time DUIs not involving injury similarly to serial DUI offenders, as well as DUI offenders involving crashes and injury.

Second, judicial discretion is uniquely important as applied to first-time DUI offenses since an IID burdens persons other than the offender. IIDs are required to be installed on every vehicle an offender operates, including vehicles to which they may have access but do not own. (Veh. Code, Section 23575.3, subd. (o)(2).) As such, a court might find that the imposition of an IID is not the best remedy where a single car is shared between family members and requiring an IID on that car will burden persons who have engaged in no wrongdoing. This concern may be most applicable to parents of young drivers, given that younger drivers are overrepresented in DUI arrests.² For example, a DUI conviction given to a new and financially dependent driver who was using their parents' car would require their parents to install IIDs on every vehicle their child

² DMV, 2022 Annual Report of the California DUI Management Information System, 2023, available at: <https://qr.dmv.ca.gov/portal/uploads/2023/09/2022-DUI-MIS-Report.pdf>.

operates, as well as incur the financial burden associated with installing and routinely servicing the IIDs on behalf of their child.

Third, courts can already order IIDs for first-time DUI offenders where a judge deems an IID an appropriate remedy. (Veh. Code, Section 23575.3, subd. (h)(1)(A)(i).) Accordingly, the need to mandate IID installation for every first-time DUI offender is somewhat unclear.

According to the Author

No statement submitted.

Arguments in Support

According to *Mothers Against Drunk Driving (MADD)*, AB 1830 "would improve the drunk driving law by making California the 35th state to require ignition interlocks for all first-time convicted drunk drivers for six months. California's current law is limited to repeat offenders and first time offenders who cause an injury crash."

"Drunk driving remains a problem in California. Since 2019, according to the National Highway Traffic Safety Administration (NHTSA), drunk driving deaths in California have increased 40%, resulting in 1,355 preventable deaths in 2023. "

"Research demonstrates that laws like AB 1830 save 253 lives each year. According to the Insurance Institute for Highway Safety, laws like AB 1830 reduce drunk driving deaths by 26%. Utilizing this information, AAA and MADD estimates that AB 1830 will save 253 lives each year."

"What is an ignition interlock? An ignition interlock is a device about the size of a smartphone that is wired into the ignition system of a vehicle. If an interlock detects a blood alcohol content above .02, the vehicle will not start."

"There are over 425,000 reasons why MADD urges you to support this lifesaving proposal. Interlocks are already working to stop drunk driving in California, but the law is not reaching every eligible drunk driver. Over the past 18 years, interlocks have prevented 425,999 attempts to drive drunk in California. Can you imagine how many more attempts to drive drunk will be stopped by enacting an all-offender interlock law with AB 1830? "

"Interlocks are more effective than license suspension. According to the Centers for Disease Control and Prevention (CDC), ignition interlocks reduce repeat drunk driving offenses by 67%. An ignition interlock is more effective than license suspension alone, because up to 75% of convicted drunk drivers continue to drive on a suspended license."

Arguments in Opposition

According to the *California Public Defenders Association*,

"AB 1830 Eliminates Judicial Discretion"

"AB 1830 removes the ability of judges to exercise reasoned judgment in individual DUI cases. Under current law, courts retain limited discretion to tailor penalties based on the specific facts before them. AB 1830 replaces that discretion with a rigid mandate requiring IIDs for every first-time DUI offender"

"Judicial discretion exists because cases differ. Courts are often best positioned to determine whether an IID meaningfully advances public safety or whether another sanction—such as license restrictions, alcohol education programs, or probation conditions—would be more effective."

"AB 1830 eliminates that flexibility and replaces it with a one-size-fits-all penalty, requiring the same sanction regardless of individual circumstances."

"California Has Already Tested This Policy"

"California has previously studied whether mandatory IID requirements should apply to first-time offenders. In 2009, the Legislature declined to impose a statewide mandate due to limited supporting evidence. Instead, *AB 91 created a pilot program in four counties* requiring IIDs for first-time DUI offenders and directed the Department of Motor Vehicles to evaluate the results before considering broader expansion."

"Two subsequent DMV studies evaluated the program. The *2014 DMV report* concluded that the pilot program *did not reduce either first-time or repeat DUI convictions* and found no evidence of a broader deterrent effect. A *2016 follow-up report* again found *mixed traffic safety results* and recommended additional study rather than statewide expansion."

"Despite these findings, the Legislature later expanded IID availability statewide through SB 1046 (2016) while preserving judicial discretion. Under the current framework, courts may order an IID for first-time offenders when appropriate. If an IID is not ordered, the driver must obtain a restricted license allowing travel only to work, DUI programs, and necessary job-related driving. This approach preserves accountability while allowing courts to determine when IID installation is actually warranted."

"AB 1830 Disregards the Evidence"

"The available evidence does not support eliminating judicial discretion."

"The *2016 DMV evaluation* found that while IID installation appeared to reduce DUI convictions during the first six months after installation, that effect *disappeared within two years*. More concerning, the study observed *higher crash rates among IID participants* compared with the control group:

- 1) Crash rates were roughly equal during the first 300 days
- 2) 58% higher between 300 and 730 days
- 3) 116% higher after 730 days"

"Based on these findings, the report's authors did not recommend expanding mandatory IID requirements statewide and characterized the results as producing "mixed traffic safety outcomes." The report also emphasized that license suspensions and revocations remain the most effective deterrents. It cautioned that layering excessive financial and administrative penalties can reduce compliance. When sanctions become too costly or difficult to meet, some drivers disengage from the legal system entirely—undermining, rather than strengthening, deterrence."

"In conclusion, AB 1830 replaces a balanced, evidence-informed system with a rigid mandate. Courts already possess the authority to order ignition interlock devices when they determine the

device will improve public safety. Eliminating that discretion does little to enhance safety while imposing substantial costs on drivers—particularly those with limited financial means—and creating a guaranteed market expansion for private IID vendors. California should maintain the current approach, which allows courts to require IIDs when appropriate while preserving the flexibility needed to craft sanctions that are both effective and achievable."

FISCAL COMMENTS

According to the Assembly Committee on Public Safety, "Significant one-time costs (Motor Vehicle Account (MVA), General Fund) of more than \$15 million to the DMV to develop a new application to implement an all-offender IID mandate as currently drafted, plus additional ongoing costs for staffing to support the increased workload. The DMV reports that the project would trigger the California Department of Technology's Project Approval Lifecycle (PAL) process, which typically takes at least 18 months, in addition to system buildout time after PAL approval. The bill takes effect January 1, 2027, which the DMV reports creates a significant mismatch with when the DMV could realistically receive Budget Change Proposal funding for chaptered legislation in fiscal year 2027-28. Absent a dedicated funding source or cost-recovery mechanism, implementation costs would rely on the MVA, which is projected to face insolvency — further limiting the DMV's ability to pursue large-scale system changes on the proposed timeline. Existing DUI-related fees deposited into the MVA, including the \$125 administrative per se fee and \$103 administrative service fee, may help with ongoing cost recovery.

"As mentioned, 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."

"The Legislative Analyst's Office has identified a General Fund structural deficit of approximately \$35 billion annually beginning in 2027-28."

VOTES

ASM PUBLIC SAFETY: 8-0-1

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

ABS, ABST OR NV: Haney

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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