

Date of Hearing: April 15, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2502 (Pellerin) – As Introduced February 20, 2026

Policy Committee: Public Safety

Vote: 8 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill specifies that for purposes of certain crimes, including driving under the influence (DUI) and intoxicated vehicular manslaughter, “driving” includes the volitional movement of a semi-autonomous vehicle.

FISCAL EFFECT:

Incarceration costs (local funds, General Fund) to the counties and the California Department of Corrections and Rehabilitation. Actual incarceration costs will depend on the number of convictions, the length of each sentence, and whether each sentence must be served in county jail or state prison. The average annual cost to incarcerate one person in county jail is approximately \$29,000, though costs are higher in larger counties. The Legislative Analyst’s Office estimates the average annual cost to incarcerate one person in state prison is \$128,000; CDCR estimates \$135,921. County incarceration costs are not subject to reimbursement by the state. However, overcrowding in county jails creates cost pressure on the General Fund because the state has historically granted new funding to counties to offset overcrowding resulting from public safety realignment.

It is unclear whether this bill would result in any additional incarcerations given that California Highway Patrol and local law enforcement likely enforce existing laws regardless of whether someone operates a non-autonomous or semi-autonomous vehicle.

COMMENTS:

California statutes do not define what it means “to drive” a vehicle, for purposes of California’s impaired driving laws. Existing law makes it unlawful for a 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 a blood alcohol level of 0.08 percent or more, to “drive a vehicle.” The impetus of this bill is that some people may be under the impression that they cannot be prosecuted for driving impaired when they are driving semi-autonomous vehicles because of the self-driving function of the vehicle. Accordingly, this bill seeks to clarify the application of California’s impaired driving laws to individuals driving semi-autonomous vehicles.

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