
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1198 (Menjivar) - Vehicles: reckless driving: impoundment

Version: March 25, 2026
Urgency: No
Hearing Date: April 13, 2026

Policy Vote: PUB. S. 6 - 0
Mandate: No
Consultant: Bob Franzoia

Bill Summary: SB 1198 would extend the duration of time that a court may suspend a driver's license for a conviction of reckless driving. This bill would require the registered owner of a vehicle impounded due to an arrest for reckless driving, in order to have their vehicle returned prior to the conclusion of the impoundment period, to present specified evidence that they were unaware the vehicle had been driven recklessly.

Fiscal Impact: This bill creates new discretionary court suspensions for drivers convicted of reckless driving (Vehicle Code 23103). Implementation would require the Department of Motor Vehicles (DMV) to make modifications to its core legacy information technology systems to create the new court suspensions and update the driving record accordingly.

DMV is undertaking an Enterprise Modernization Project and resources are fully committed to the project. Coordinating implementation of this bill within the project could delay implementation and/or increase costs by requiring the needed to be built outside the core legacy system. If DMV is required to implement this bill by January 1, 2027, the department will be required to build a temporary solution outside of the core legacy systems. Programming outside the core legacy systems will be costly, redundant, and will require the department to acquire new technology and services.

The Motor Vehicle Account (MVA), the primary funding account for the DMV and the California Highway Patrol is facing insolvency. The LAO has 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." The proposed Governor's 2026-2027 Budget currently projects that the MVA will be insolvent as soon as 2028-29. >

Background: Vehicle Code 23103 states:

- (a) A person who drives a vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.
- (b) A person who drives a vehicle in an offstreet parking facility, as defined in subdivision (c) of Section 12500, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

Proposed Law: This bill consists of two major provisions:

- 1) Extends the duration that a court may suspend a driver's license after a reckless driving conviction, and

- 2) Creates a new impoundment statute that applies solely to arrests for reckless driving.

Staff Comments: Existing law authorizes that a court may suspend the driver's license of a person convicted of reckless driving for a period not to exceed 30, 60 or 180 days, depending on how many such convictions the person has received.

This bill increases those discretionary suspension periods, providing that a court, for a first reckless driving conviction, may suspend a license for a period not to exceed 60 days. A court, for a second reckless driving conviction, may suspend the driver's license for a period not less than 30 days and not to exceed 6 months and for a minimum of 90 days and not to exceed 1 year for a third or subsequent conviction.

The impounding agency is responsible for any costs of impounding a vehicle if the associated case is dismissed, not filed or the court orders the release of a vehicle at the expense of the impounding agency. Impounding agency costs could increase if vehicles can be held for longer periods of time, as proposed. For a vehicle held 30 days at an average daily impoundment cost of \$150, excluding other charges, an impounding agency would need to hold more than ten improperly impounded vehicles annually to exceed \$50,000.

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