SENATE COMMITTEE ON APPROPRIATIONS
Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 907 (Archuleta) - Driving under the influence and other driving offenses: comprehensive reform

Version: April 9, 2026
Urgency: No
Hearing Date: April 20, 2026

Policy Vote: PUB. S. 6 - 0
Mandate: Yes
Consultant: Bob Franzoia

Bill Summary: SB 907 would reform sentences for driving under the influence and other driving offenses.

Fiscal Impact: Implementation will require the Department of Motor Vehicles (DMV) to make modifications to its core legacy information technology systems to create new court suspensions and update driving records accordingly. DMV is undertaking an Enterprise Modernization Project (EMP) 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 services needed to be built outside the core legacy system. However, this bill may not impose new DMV automation costs to the extent the penalties imposed do not require significant changes to a defendant's driving record that cannot be accommodated within the EMP.

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.

Unknown, potentially significant cost pressure to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the new crime created by this bill. Certain rights to the defendants are attached to criminal proceedings, including the right to a jury trial and the right to counsel (at public expense if the defendants are unable to afford the costs of representation) and creating new felonies, with increased penalties, could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknown factors, including the numbers of violations alleged to have occurred and the factors unique to each case. An eight-hour court day costs approximately $10,500 in staff in workload. If the bill results in only 12 or more days spent in court, trial court costs could be in the hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

Costs to the counties and the California Department of Corrections and Rehabilitation (CDCR) to incarcerate people convicted of this new offense. 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 ranges up to $80,000. CDCR estimates the average 2026-27 cost to incarcerate one person in state prison is $139,000. Although county incarceration costs are generally not considered reimbursable state mandates pursuant to Proposition 30 (2012), 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 2011 public safety realignment (local funds, General Fund).