

Date of Hearing: June 30, 2026

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

SB 907 (Archuleta) – As Amended May 18, 2026

**SUMMARY:** Subjects a person convicted of a specified felony impaired driving crime to a three-year sentence enhancement for each prior specified impaired driving conviction, increases the punishment for fleeing the scene of an accident for a person with a prior specified driving conviction, and expands the circumstances when a court must issue a Watson Advisement. Specifically, **this bill:**

- 1) Requires a court, for certain impaired driving crimes, to impose a three-year sentence enhancement for each prior specified impaired driving crime, as follows:
  - a) Requires a court, if a person is convicted of: 1) a felony driving under the influence (DUI);<sup>1</sup> 2) felony DUI causing bodily injury; 3) DUI with three or more priors;<sup>2</sup> 4) DUI or DUI causing bodily injury (any DUI) within 10 years of certain felonies (a DUI with three or more priors, a DUI causing bodily injury, or gross vehicular manslaughter); 5) any DUI with a prior conviction for gross intoxicated vehicular manslaughter, felony intoxicated vehicular manslaughter with ordinary negligence, or intoxicated vehicular manslaughter with gross negligence involving a vessel; 6) gross intoxicated vehicular manslaughter; or 7) intoxicated vehicular manslaughter with ordinary negligence, where a prison sentence or jail-eligible felony sentence is imposed and not suspended, to impose, in addition and consecutive to any other sentence, a three-year term for each prior and separate conviction for any of these same offenses.
  - b) States that this term shall not be imposed for a prior conviction that occurred before a period of 10 years in which the defendant remained free of the commission of an offense resulting in a felony conviction and prison custody, or the imposition of a term of jail custody imposed from a jail-eligible felony or any felony sentence that is not suspended.
- 2) Increases the punishment for fleeing the scene of an accident if that person has been convicted of a prior specified vehicle crime, as follows:
  - a) For a driver involved in an accident that results in injury to another from an alternate felony-misdemeanor (wobbler) punishable by 16 months, two years, or three years in state prison, to a straight felony punishable by imprisonment in state prison for two, three, or four years, if the violation occurred within 10 years of a wet reckless,<sup>3</sup> DUI, DUI

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<sup>1</sup> 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” to another is punished separately under Vehicle Code section 23153.

<sup>2</sup> 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. (*See e.g.*, Veh. Code, § 23550, subd. (a).)

<sup>3</sup> A wet reckless conviction occurs where the prosecution agrees to a plea to a charge of reckless driving under Vehicle Code 23103, in satisfaction of, or as a substitute for, an original DUI charge, as specified. (Veh. Code, § 23103.5.)

causing bodily injury, any intoxicated vehicular manslaughter offense, or gross vehicular manslaughter that resulted in a conviction.

- b) For a driver involved in an accident that results in death or permanent, serious injury to another from a wobbler punishable by up to two, three, or four years in state prison, to a straight felony punishable by two, four, or six years in state prison, if the violation occurred within 10 years of a separate violation for a hit-and-run eligible prior that resulted in a conviction.
  - c) For a driver involved in an accident resulting only in property damage from a misdemeanor punishable by up to six months in county jail, to a wobbler punishable by up to one year in a county jail or by imprisonment for 16 months, two years, or three years in state prison, if the violation occurred within 10 years of a separate violation of a hit-and-run eligible prior that resulted in a conviction.
- 3) Expands the circumstances under which a court must issue a “Watson Advisement,” a judicial advisement informing a person, among other things, that if they continue to drive under the influence and kill someone, they can be charged with murder, to include when a court dismisses an allegation of DUI, or when a defendant pleads guilty or no contest to a different or lesser offense as a substitute for an alleged violation of DUI.

#### **EXISTING LAW:**

- 1) Makes it unlawful for any 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 0.08 percent or more, by weight, of alcohol (BAC) in their blood, to drive a vehicle. (generally referred to as a DUI). (Veh. Code, § 23152, subds. (a), (b) (f), & (g).)
- 2) Punishes DUI as follows:
  - a) DUI is a misdemeanor punishable by imprisonment for four days to six months in county jail, a fine of \$390 to \$1,000, an order to install an ignition interlock device (IID) on any vehicle that person operates for up to six months,<sup>4</sup> at the court’s discretion, a six-month license suspension or a 10-month suspension if probation is given and a 9-month DUI program is ordered, and completion of a specified DUI program. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a); 23536, subds. (a) & (c); 23538, subds. (a) & (b); 23575.3, subd. (h)(1)(A)(i).)
  - b) DUI with one prior is a misdemeanor punishable by imprisonment for three months to one year in county jail, a fine of \$390 to \$1,000, a one-year IID installation mandate, a two-year license suspension, and completion of an 18-month or 30-month DUI program, as specified, if given probation. (Veh. Code, §§ 13352, subd. (a)(3); 23540, subd. (a); 23542, subds. (a) & (b); 23575.3, subd. (h)(1)(B).)
  - c) DUI with two priors is a misdemeanor punishable by imprisonment for four months to one year in county jail, a fine of \$390 to \$1,000, a two-year IID installation mandate, a

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<sup>4</sup> Only if the offense involved alcohol.

three-year license revocation, and a three-year designation as a habitual traffic offender, and an 18- or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352, subd. (a)(5); 23546; 23548, subds. (a) & (b); 23575.3, subd. (h)(1)(C).)

- d) DUI with three or more priors is a wobbler punishable by imprisonment for six months to one year in jail, or as a felony punishable by incarceration by 16 months, or two or three years, a fine of \$390 to \$1,000, a three-year IID installation mandate, a four-year license revocation, and three-year designation as a habitual traffic offender, and an 18 or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352, subd. (a)(7); 23550; 23552, subds. (a) & (b); 23575.3, subd. (h)(1)(D).)
- 3) Makes it unlawful for any person who is under the influence of any alcoholic beverage or drug, or the combined influence of the two, or who has a BAC of .08 or more, to drive a vehicle, and concurrently do any act forbidden by law or neglect any duty in driving the vehicle, which proximately causes bodily injury to another person (generally referred to as a DUI causing bodily injury.) (Veh. Code, § 23153 subds. (a), (f), & (g).)
  - 4) Punishes a DUI causing bodily injury as follows:
    - a) A first DUI causing bodily injury is a wobbler punishable by imprisonment for three months to one year in county jail or 16 months, or two or three years in state prison, a fine of \$390 to \$1,000, a one-year IID installation mandate, a one-year license suspension, and completion of a three-month (30-hour) DUI treatment program; or, if given probation, a nine-month (60-hour) program if the person's BAC was .20 percent or more or they refused to take a chemical test. (Veh. Code, §§ 13352 subd. (a)(2); 23554; 23556, subds. (a) & (b); 23575.3, subd. (h)(2)(A).)
    - b) DUI causing bodily injury with one prior is a wobbler punishable by imprisonment for four months to one year in county jail or 16 months, or two or three years in state prison, a fine of \$390 to \$5,000, a two-year IID installation mandate, a three-year license revocation, and an 18- or 30-month DUI program, as specified, if given probation and at the court's discretion. (Veh. Code, §§ 13352 subd. (a)(4); 23560; 23562, subds. (a) & (b); 23575.3, subd. (h)(2)(B).)
    - c) DUI causing bodily injury with two or more priors is a felony punishable by imprisonment in state prison for two, three, or four years, a fine of \$1,015 to \$5,000, a three-year IID installation mandate, a five-year license revocation and three-year designation as a habitual traffic offender, and an 18- or 30-month DUI program, as specified, if given probation. (Veh. Code, §§ 13352 subd. (a)(6); 23566; 23568, subds. (a) & (b); 23575.3, subd. (h)(2)(C).)
  - 5) Establishes additional punishment for a DUI that injures or kills more than one victim, a DUI with prior specified felonies, and a DUI that causes certain injury, as follows:
    - a) Provides that a person who is convicted of DUI causing bodily injury or intoxicated vehicular manslaughter, which proximately causes bodily injury or death to more than one victim and results in a felony conviction, shall receive a one-year sentence

enhancement in state prison for each additional victim injured (maximum of three). (Veh. Code, § 23558.)

- b) Makes a person convicted of 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 guilty of a felony, punishable by two, three, or four years in state prison, a five-year license revocation, and a three-year IID installation mandate. (Veh. Code, §§ 23566, subd. (b); 13352 subd. (a)(6).)
  - c) Provides that if a person is convicted of the above offense, and the underlying offense occurred within 10 years of four or more priors, there shall be an additional punishment of three years in state prison, which shall be served in addition to and consecutive to the sentence imposed above. (Veh. Code, § 23566, subd. (c).)
  - d) Punishes a person convicted of any DUI within 10 years of specified felonies –DUI with three or more priors, DUI causing bodily injury, or gross vehicular manslaughter – as a wobbler with a four or five-year license revocation and a three or four-year IID mandate. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subds. (a), (c) & (d).)
  - e) Punishes a person convicted of any DUI who has a prior felony conviction for intoxicated vehicular manslaughter with gross negligence, intoxicated vehicular manslaughter with ordinary negligence, or intoxicated vehicular manslaughter while operating a vessel, as a wobbler with a four or five-year license revocation and a three or four-year IID mandate. (Veh. Code, §§ 13352 subd. (a)(6)-(7); 23550.5, subds. (b), (c) & (d).)
- 6) Requires a court to advise a person convicted of DUI, DUI causing bodily injury, or a wet reckless, of the following: “You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.” (Veh. Code, § 23593, subd. (a).)
- 7) Establishes penalties for fleeing the scene of the accident, as follows:
- a) Requires a driver of a vehicle involved in an accident resulting only in damage to property, including vehicles, to immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists, and perform certain duties, and makes a violation of this requirement a misdemeanor, punishable by up to six months in county jail, a fine of up to \$1,000, or by both. (Veh. Code, § 20002.)
  - b) Requires the driver of a vehicle involved in an accident that results in injury or death to another person to immediately stop the vehicle at the scene of the accident and to fulfill specified requirements, including providing identifying information and rendering reasonable assistance. (Veh. Code, §§ 20001, subd. (a); 20003.)
  - c) Provides that fleeing the scene of an accident resulting in injury to another is punishable by 16 months, two, or three years in state prison or, by imprisonment in a county jail not to exceed one year, or by a fine of not less than \$1,000 nor more than \$10,000, or by both

a fine and imprisonment. (Veh. Code, § 20001, subd. (b)(1).)

- d) Provides that fleeing the scene of an accident which results in permanent, serious injury or death to another is punishable by imprisonment in prison for two, three, or four years, or in county jail for 90 days to one year, or by a fine between \$1,000 and \$10,000, or by both a fine and imprisonment. (Veh. Code, § 20001, subd. (b)(2).)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Sponsor:** Orange County District Attorney, Los Angeles County District Attorney, Mothers Against Drunk Driving, CA Safe Roads Coalition
- 2) **Author's Statement:** According to the author, “California has fallen behind the nation in addressing drunk and impaired driving, putting our citizens at risk. This is unacceptable and a disservice to all Californians. SB 907 sends a clear message: California will no longer prioritize protecting the repeat, serial offenders that terrorize our streets over victims of drunk driving. SB 907 strengthens California’s DUI enforcement and sentencing laws, particularly for repeat offenders. The bill includes three provisions that will protect California families from drunk drivers, improve road safety, hold repeat serial offenders accountable, and close loopholes in existing law. SB 907 shows California that their government takes our drunk driving epidemic seriously and we are committed to making our roads safe and prevent the types of tragedies that have become all too common. Having lost my own Granddaughter to a drunk driver, I have seen first hand the failures of our current system and know California must stand up for families and stand up for victims.”
- 3) **Background:** There has been a substantial increase in crash fatalities in California in the last decade. Traffic fatalities can result from a variety of factors, including impaired driving, speeding, distracted driving, unsecured passengers, and unhelmeted motorcyclists, among others.<sup>5</sup> According to data published by the California Office of Traffic Safety (OTS), total crash fatalities across the state increased by about 31 percent, from 3,107 to 4,061, from 2013 to 2023.<sup>6</sup> This has been driven by an increase in almost all of the major crash fatality categories. According to OTS data, from 2013 to 2023, there was an approximate 54% increase in alcohol-impaired fatalities,<sup>7</sup> a 51% increase in unrestrained occupant fatalities,<sup>8</sup> a 51% increase in pedestrian fatalities,<sup>9</sup> a 31% increase in speeding-related fatalities,<sup>10</sup> and a 26% increase in motorcycle fatalities.<sup>11</sup> However, the latest data suggests this trend may be

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<sup>5</sup> OTS, *California Annual Report: Fiscal Year 2024*, p. 30, (2024) <<https://www.ots.ca.gov/wp-content/uploads/sites/67/2025/09/FY-2024-Annual-Report-Final-7.31-ALT-TEXT.pdf> [as of June 25, 2026].

<sup>6</sup> OTS, *California's Annual Report 2018*, p. 11, (2018) <<https://www.ots.ca.gov/wp-content/uploads/sites/67/2019/06/2018-Annual-Report.pdf>> [as of June 25, 2026]. OTS, *California Traffic Safety Quick Stats* (accessed February 4, 2026) <<https://www.ots.ca.gov/ots-and-traffic-safety/score-card/>> [as of June 25, 2026].

<sup>7</sup> OTS, *California's Annual Report 2018*, at p. 11; OTS, *2025 Traffic Safety Fact Sheet: Alcohol-Impaired and Alcohol-Involved Driving* (2025) <<https://safetrec.berkeley.edu/2025-safetrec-traffic-safety-facts-alcohol-impaired-and-alcohol-involved-driving>> [as of June 25, 2026].

<sup>8</sup> OTS, *California's Annual Report 2018*, at p. 11; OTS, *2025 Traffic Safety Fact Sheet: Occupant Protection and Child Passenger Safety* (2025) <<https://safetrec.berkeley.edu/2025-safetrec-traffic-safety-facts-occupant-protection-and-child-passenger-safety>> [as of June 25, 2026].

<sup>9</sup> OTS, *California's Annual Report 2018*, at p. 11; OTS, *2025 Traffic Safety Fact Sheet: Pedestrian Safety* (2025) <<https://safetrec.berkeley.edu/2025-safetrec-traffic-safety-facts-pedestrian-safety>> [as of June 25, 2026].

<sup>10</sup> OTS, *California's Annual Report 2018*, at p. 11; OTS, *2025 Traffic Safety Fact Sheet: Speeding-Related and Other Crashes* (2025) <<https://safetrec.berkeley.edu/2025-safetrec-traffic-safety-facts-speeding-related-and-other-crashes>> [as of June 25, 2026].

<sup>11</sup> OTS, *California's Annual Report 2018*, at p. 11; OTS, *2025 Traffic Safety Fact Sheet: Motorcycle Safety* (2025) <<https://safetrec.berkeley.edu/2025-safetrec-traffic-safety-facts-motorcycle-safety>> [as of June 25, 2026].

reversing. Total fatalities decreased by 1.9% from 2021 to 2022,<sup>12</sup> and again by 11% from 2022 to 2023.<sup>13</sup> Alcohol-impaired fatalities similarly decreased by 4.5% from 2022 to 2023.<sup>14</sup>

Alcohol and drug-involved crash fatalities, which have historically comprised a significant portion of total crash fatalities, peaked at 2,065 in 2005, before declining to a multi-decade low of 1,416 in 2010.<sup>15</sup> DUI crash fatalities then increased by about 32% from 2010 to 2021,<sup>16</sup> despite comprising an increasingly lower proportion of total crash fatalities. In 2013, DUI crash fatalities were responsible for 54.7% of all crash fatalities; in 2021, 41.7%.<sup>17</sup> That is the lowest proportion of total crash fatalities since 2001.<sup>18</sup> Further, non-alcohol-involved crash fatalities increased from 2010 to 2021 by an alarming 88% percent.<sup>19</sup> This indicates that vehicle safety factors, other than alcohol-involved impaired driving, are playing a significant role in driving California's increase in crash fatalities.

The increase in DUI fatalities has coincided with a significant decline in DUI arrests and convictions. In 2010, when impaired fatalities were at a multi-decade low, there were 195,879 DUI arrests and 148,042 DUI convictions in California.<sup>20</sup> Between 2010 and 2021, DUI arrests and convictions decreased by approximately 44% and 45%, respectively.<sup>21</sup> From 2011 to 2021, the DUI arrest rate per 100,000 licensed drivers decreased from 752 to 401.<sup>22</sup> This decrease in DUI arrests and convictions, considered alongside the significant increase in DUI fatalities, suggests a reduction in the enforcement of California's DUI laws.

- 4) **California's DUI Framework: Increased Penalties for Repeat Offenders:** Under California's statutory DUI framework, the punishment for a DUI or DUI causing bodily injury increases with each "prior" DUI conviction within 10 years of the current offense. (See, e.g., Veh. Code, § 23540, subd. (a).) Prior convictions include a DUI, a DUI causing bodily injury, and a wet reckless plea under Vehicle Code section 23103.5. (Veh. Code, §§ 23540; 23546; 23550; 23560; 23566.)<sup>23</sup> A DUI occurs if a defendant drives a vehicle under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, or who has 0.08 percent or more, by weight, of BAC in their blood. (Veh. Code, § 23152 subds. (a), (b) (f), & (g).) If, while under the influence, the person concurrently does any act forbidden by law or neglects any duty in driving the vehicle, which proximately causes bodily injury to any person other than the driver, that person is guilty of DUI causing bodily injury. (Veh. Code, § 23153 subds. (a), (f), & (g).) A wet reckless occurs where the prosecution agrees to a plea to reckless driving in satisfaction of, or as a substitute for, an original DUI charge. (Veh. Code, § 23103.5.)

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<sup>12</sup> OTS, *California Annual Report: Fiscal Year 2024*, at p. 8

<sup>13</sup> OTS, *California Traffic Safety Quick Stats* (accessed February 4, 2026) <<https://www.ots.ca.gov/ots-and-traffic-safety/score-card/>> [as of June 25, 2026].

<sup>14</sup> *Ibid.*

<sup>15</sup> State of California DMV, *DUI Summary Statistics* (accessed February 3, 2026) <<https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/dui-management-information-system-dashboards/dui-summary-statistics/>> [as of June 25, 2026].

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> State of California DMV, *DUI Summary Statistics* (accessed February 3, 2026) <<https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/dui-management-information-system-dashboards/dui-summary-statistics/>> [as of June 25, 2026].

<sup>21</sup> *Ibid.*

<sup>22</sup> DMV, 32<sup>nd</sup> Annual Report of the California Dui Management Information System (2025), at p. 6 <<https://www.dmv.ca.gov/portal/uploads/2025/10/32nd-Annual-Report-of-the-California-DUI-Management-Information-System.pdf>> [as of June 25, 2026].

<sup>23</sup> A wet reckless plea is only considered a prior if the prosecution's statement states that the defendant consumed alcohol or ingested a drug in connection with the offense. (Veh. Code, § 23103.5, subd. (c).)

A first-time DUI not causing bodily injury is punishable by imprisonment for four days to six months in county jail, a fine of \$390 to \$1,000, a possible six-month IID installation order, a six- to 10-month license suspension, and, if given probation, completion of a three- or nine-month DUI program. (Veh. Code, §§ 13352, subd. (a)(1); 13352.1, subd. (a); 23536, subds. (a) & (c); 23538, subds. (a) & (b); 23575.3, subd. (h)(1)(A)(i).) A DUI with one prior is punishable by imprisonment for three months to one year in county jail, a \$390 to \$1,000 fine, a one-year IID mandate, a two-year license suspension, and, if given probation, completion of an 18- or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(3); 23540, subd. (a); 23542, subds. (a) & (b); 23575.3, subd. (h)(1)(B).) A DUI with two priors is punishable by imprisonment for four months to one year in county jail, a \$390 to \$1,000 fine, a two-year IID mandate, a three-year license revocation, and, if given probation, a possible 18- or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(5); 23546; 23548, subds. (a) & (b); 23575.3, subd. (h)(1)(C).) A DUI with three or more priors is a wobbler, punishable by imprisonment for six months to one year in county jail, or as a jail-eligible felony by 16 months, two years, or three years. (Veh. Code, § 23550.) Additionally, this offense is subject to a \$390 to \$1,000 fine, a three-year IID mandate, a four-year license revocation, and, if given probation, a possible 18- or 30-month DUI program. (Veh. Code, §§ 13352, subd. (a)(7); 23550; 23552, subds. (a) & (b); 23575.3, subd. (h)(1)(D).)

DUIs that cause bodily injury are punished separately and more severely. A first-DUI causing bodily injury and DUI causing bodily injury with one prior are wobblers punishable by imprisonment for 90 days to one year in jail or 16 months, two years, or three years in state prison. (Veh. Code, §§ 23554; 23560.) However, a DUI causing bodily injury with two or more priors is a straight felony punishable in state prison by imprisonment for two, three, or four years. (Veh. Code, §§ 23560; 23566; 23568, subds. (a) & (b).)

In addition to the incrementally greater criminal penalties associated with each ordinary prior, certain more severe prior impaired driving crimes trigger even greater penalties. In practice, certain prior felony impaired driving offenses, among other crimes, convert an otherwise misdemeanor DUI into a wobbler. (Veh. Code, § 23550.5, subd. (a).)

## 5) **Three-Year Sentence Enhancement:**

### *a) Effect of this Provision*

This bill requires a court, if a person is convicted of one of the impaired driving crimes listed above, to impose a three-year sentence enhancement, in addition to and consecutive to any other sentence, for each prior conviction for any of these same offenses. This would only apply if a felony prison sentence or jail-eligible felony sentence for the current offense is imposed and not suspended. Each enhancement must be imposed, in addition to and consecutive to any other sentence.

Enhancements only apply if the current offense is sentenced as a felony. However, the list of prior offenses that require a three-year enhancement includes crimes that are wobblers, even if those wobblers were ultimately charged and sentenced as a misdemeanor. Prior wobbler offense that could receive a three-year enhancement include a DUI with three or more priors, any DUI within 10 years of a prior specified felony, any DUI with a prior conviction for specified intoxicated vehicular manslaughter crimes, and a conviction for intoxicated

vehicular manslaughter with ordinary negligence (Veh. Code, §§ 23550; 23550.5, subs. (a) & (b); Pen. Code, § 191.5, subd. (c)(2).) Under this bill, a person convicted and sentenced for a felony DUI crime, who has a prior misdemeanor conviction under any of these wobblers, would receive a three-year sentence enhancement for each of those prior offenses, in addition to and consecutive to the term for their current offense.

This enhancement would not apply to “any prior conviction suffered prior to a period of 10 years in which the defendant remained free of both the commission of an offense that results in a felony conviction, and prison custody or the imposition of a term of jail custody imposed [as a jail eligible felony] or any felony sentence that is not suspended.”

*b) Duplicative Criminal Penalties*

Almost all of the sentence-enhancing triggering priors proposed by this bill already trigger heightened punishment for a DUI offender. A DUI and DUI causing bodily injury are considered standard priors under California’s DUI framework. (Veh. Code, §§ 23540; 23546; 23550; 23560; 23566.) In addition to the penalty increases associated with ordinary priors, existing law singles out certain more severe priors to trigger even greater punishment. (Veh. Code, § 23550.5, subs. (a)-(b).) More severe priors, namely a felony DUI with three or more priors, felony DUI causing bodily injury, gross vehicular manslaughter, gross intoxicated vehicular manslaughter, and felony intoxicated manslaughter with ordinary negligence, function to convert subsequent otherwise misdemeanor DUI offenses into felony-eligible crimes. (*Ibid.*) This bill requires each prior felony to additionally trigger a three-year enhancement.

For example, under existing law, a DUI with one prior is typically a misdemeanor punishable by three months to one year in county jail. (Veh. Code, § 23540.) If that prior is a more severe prior, such as a felony DUI causing bodily injury, the current offense becomes a wobbler punishable by up to three years in state prison. (Veh. Code, § 23550.5, subd. (a).) Under this bill, if the current offense results in the imposition of a felony sentence, the prior offense for a felony DUI causing bodily injury also triggers a three-year sentence enhancement, in addition to converting the current offense into a potential felony charge.

These duplicative penalty increases could substantially lengthen prison sentences. For example, consider a person convicted and sentenced for a felony DUI causing bodily injury with two prior felony DUI offenses within the prior ten years. A first-time DUI causing bodily injury is punishable as a wobbler. (Veh. Code, § 23554.) Under existing law, those two priors increase the punishment for the DUI causing bodily injury from a wobbler punishable by imprisonment of up to three years to a straight felony punishable by up to four years. (Veh. Code, § 23566, subd. (a).) This bill would then add a three-year sentence enhancement for each of those two priors.

For individuals with substance use problems who have accumulated numerous DUI convictions, the increase in the total sentence would be significant. Consider a person who commits five DUIs within 10 years, the first of which caused injury and was punished as a felony, and the rest of which did not cause injury. Under current law, that person’s second, third, fourth, and fifth DUIs not causing injury are wobblers. (Veh. Code, § 23550.5, subd. (a).) A person’s fifth DUI, not causing injury, would similarly be punishable as a wobbler by imprisonment for up to three years, either as a DUI with three or more priors or as a DUI

within 10 years of a prior impaired driving felony. (Veh. Code, §§ 23550; 23550.5, subd. (a).) This bill would require, for a current fifth offense, that each of that person's prior four DUIs receive three-year sentence enhancements. This would be the case even if that person's second, third, and fourth offenses were all DUIs not involving injury that resulted in misdemeanor convictions. Ultimately, this would require the imposition of four separate three-year enhancements, in addition to up to three years in state prison.

Given that a prior DUI offense already triggers increased punishment, and certain more severe priors already trigger even greater penalties, imposing additional three-year enhancements for specified priors may be duplicative and could result in arguably excessive incarceration terms.

*c) Inconsistency in the Law*

Under this bill, a prior impaired driving crime triggers an enhancement unless the prior conviction occurred before a period of 10 years during which the defendant remained out of prison and free of a new felony conviction. This permits criminal conduct unrelated to impaired driving to extend the washout period to encompass DUI crimes more than 10 years apart. This could encompass convictions that occurred upwards of 20 years ago, depending upon the defendant's criminal conduct between their DUI offenses. For example, a person convicted of a felony DUI in 2026, who was previously convicted of a felony DUI seventeen years ago in 2009, could still be subject to a three-year sentence enhancement under this bill if, for example, they were sentenced to prison for a new non-driving-related felony in 2017. Such a person would not have remained out of prison custody and free of a new felony conviction for 10 years, and therefore, the prior conviction would trigger the three-year enhancement proposed by this bill. In contrast, under the current DUI framework, the 2009 felony DUI conviction would "wash out" because it did not occur within 10 years of the DUI conviction in 2026. (See, e.g., Veh. Code, § 23540, subd. (a).)

The need to establish a three-year sentence enhancement for prior impaired driving offenses that are subject to a different and lengthier washout period than the existing standard DUI washout period is unclear.

*d) Existing Sentence Enhancements For Impaired Driving Crimes*

Impaired drivers can also receive sentence enhancements depending on the conduct and circumstances of the offense. For example, a person convicted of a felony DUI causing injury with bodily injury or death to more than one victim can receive a one-year enhancement for each additional victim (maximum of three victims). (Veh. Code, § 23558.) There is a three-year enhancement if a person is convicted of the felony DUI causing bodily injury that proximately causes GBI and that occurred within 10 years of two or more priors; if the underlying offense occurred within 10 years of four or more priors, that person receives an additional three-year prison enhancement. (Veh. Code, § 23566, subs. (b) & (c).) A person convicted of a felony DUI may receive a three-year sentence enhancement if they personally inflicted GBI in the commission of the offense. (Pen. Code, § 12022.7, subs. (a) & (g); 23554; See e.g., *People v. Wilson* (2003) 114 Cal.App.4th 953, 956; *People v. Sainz* (1999) 74 Cal.App.4th 565, 576.) An impaired driver who kills someone and flees the scene of the accident may face a five-year sentence enhancement. (Veh. Code, § 20001, subd. (c).) An impaired driver who causes significant property damage may also be subject to sentence

enhancements. If a person takes, damages, or destroys property in the commission of a felony, that person receives an enhancement of between one and four years, depending on the loss or property value affected. (Pen. Code, § 12022.6, subds. (d).)

Additionally, certain impaired driving crimes may be subject to enhanced penalties under California's Three Strikes law. The Three Strikes law requires a person who is convicted of a felony and who has previously been convicted of one or more "violent" or "serious" felonies, known as strikes, to be subject to an alternative sentencing scheme. Specifically, if the person has one prior strike, the sentence on any new felony conviction must be double what is specified by statute. (Pen. Code, § 667, subd. (e)(1).) If the person has two prior strikes, the sentence for the third strike is 25 years to life. (Pen. Code, § 667, subd. (e)(2).)

Certain impaired driving crimes already qualify as a serious or violent felony. Murder is both a violent and serious felony. (Pen. Code, §§ 667.5, subd. (c)(1); 1192.7, subd. (c)(1).) An impaired driver who kills a person while driving, where the conduct involves implied malice, may receive a strike for a second-degree murder conviction. (Pen. Code, § 187; 190, subd. (a); CALCRIM 520 (2026); *People v. Watson* (1981) 30 Cal.3d 290, 300.) A serious felony also includes any felony in which the defendant personally inflicts GBI on a person other than an accomplice. (Pen. Code, § 1192.7, subd. (c)(1).) This includes intoxicated vehicular manslaughter crimes, gross vehicular manslaughter, or a DUI causing bodily injury if the offense involved the personal infliction of GBI. (Pen. Code, § 1192.8, subd. (a).)

- 6) **Increased Penalties for Fleeing the Scene of an Accident:** The offenses described in Vehicle Code sections 20001-20002 are commonly known as "hit and runs." To prove a violation of a hit and run the prosecution must establish that: (1) the defendant was involved in a vehicle accident while driving; (2) the accident caused damage to another's property or permanent, serious injury or death to another; (3) the defendant knew that they were involved in an accident that property damage or injured another, or knew from the nature of the accident that it was probable that such damage or injury occurred; and, (4) the defendant willfully failed to perform specified duties. (CALCRIM 2140, 2150 (2026).)

The hit and run statute "merely addresses the duties of a driver, however otherwise innocent, once the accident and its attendant injuries have occurred." (*People v. Wood* (2000) 83 Cal.App.4th 862, 866.) "The purpose of [the statute] is to prevent the driver of an automobile from leaving the scene of an accident in which he participates or is involved without proper identification and to compel necessary assistance to those who may be injured. The requirements of the statute are operative and binding on all drivers involved in an accident regardless of any question of their negligence respectively." (*People v. Scofield* (1928) 203 Cal. 703, 708.) This does not require that a person drive impaired, recklessly, or negligently. A driver's duties apply regardless of who was at fault for the accident.

If the accident results only in property damage, it is a misdemeanor punishable by up to six months in county jail. (Veh. Code, § 20002.) If the accident results in injury to another person, it is punishable by up to one year in county jail or 16 months, two, or three years in state prison. (Veh. Code, § 20001, subd. (b)(1).) However, if the accident results in death or permanent serious injury, it is punishable by 90 days to one year in county jail, or by two, three, or four years in state prison. (Veh. Code, § 20001, subd. (b)(2).)

This bill increases the punishment for fleeing the scene of the accident if the driver has

previously been convicted of certain driving crimes within 10 years of the current hit-and-run offense. The specific offenses that would trigger such increased penalties are a wet reckless, DUI, DUI causing bodily injury, any intoxicated vehicular manslaughter offense, and gross vehicular manslaughter. For the crime of fleeing the scene of an accident resulting only in property damage, any of these prior convictions would increase the punishment for the offense from a misdemeanor to a wobbler punishable by up to three years in state prison. For the crime of fleeing the scene of an accident resulting in injury, a prior specified conviction would increase the punishment for the offense from a wobbler to a straight felony punishable by up to four years in state prison. For the crime of fleeing the scene of an accident resulting in death or permanent, serious injury, a prior conviction would increase the punishment for the offense from a wobbler to a straight felony punishable by up to six years in state prison.

This may contribute to inconsistency in the penalties for hit-and-runs. Currently, the penalties are proportionate to the level of harm caused. This bill makes a hit and run with a prior specified driving crime that results in injury a straight felony, while a hit and run resulting in permanent serious injury or death would remain a wobbler.

- 7) **Removal of Judicial and Prosecutorial Discretion for Hit and Runs:** Hit and runs involving injury, serious permanent injury, or death are wobblers; meaning prosecutors and courts have discretion to charge or reduce the offenses to a misdemeanor. (Pen. Code, § 17, subd. (b).) Judicial discretion permits courts to tailor the sentence based on 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.*) This bill removes this discretion and makes these offenses straight prison felonies if the defendant has a specified driving conviction within 10 years.

Fleeing the scene of the accident may encompass a wide range of offenders. Prosecutors and courts may find that felony charges are appropriate for a person who drove negligently and was the sole cause of an accident that caused serious injury or death. On the other hand, a court may find that misdemeanor charges are more appropriate for a person who was driving lawfully at the time of an accident that resulted in minimal injury, and there were other contributing causal factors that led to the accident. Removing this discretion may not be prudent.

- 8) **Expanding California's "Prior-Based" DUI Framework to Non-DUI Crimes:** As previously discussed, the penalties for a DUI offense increase based on prior DUI convictions within 10 years of the current offense. This bill similarly increases punishment for crimes that do not require impairment if the person has a prior conviction for numerous impaired driving offenses or the crime of gross vehicular manslaughter, within 10 years. While some hit-and-run drivers may be impaired and could be incentivized to flee to avoid detection, a hit-and-run does not require impairment. A hit and run and a DUI are distinguishable crimes. The Legislature may wish to consider whether it is prudent to expand California's prior-dependent DUI framework to apply to hit-and-run offenses that do not involve impaired driving.

- 9) **Expansion of Watson Warnings:** A person who kills someone while driving impaired can be prosecuted for second-degree murder. (Pen. Code, § 187; 190, subd. (a); CALCRIM 520 (2026); *People v. Watson* (1981) 30 Cal.3d 290, 300.) Murder is the unlawful killing of a human being or fetus with malice aforethought. (Pen. Code, § 187, subd. (a).) In *People v. Watson*, the California Supreme Court held that a person who kills someone while driving under the influence may be charged with second-degree murder if the facts support a finding of implied malice. (*People v. Watson, supra*, 30 Cal.3d at p. 295). Malice may be implied “when a person, knowing that his conduct endangers the life of another, nonetheless acts deliberately with conscious disregard for life.” (Id. at p. 296.)

In 2004, the Legislature enacted AB 2173 (Parra), Chapter 502, Statutes 2004, with the stated intent of aiding prosecutors in proving implied malice in second-degree murder cases that arose out of DUI cases resulting in death by “making it clear that those individuals were aware of the danger they posed to others by drinking and driving as a result of the statement required by this bill which they signed after the original DUI conviction.”<sup>24</sup> Vehicle Code section 23593, codified by AB 2173, requires the court to provide a person convicted of a wet reckless driving offense, DUI, or DUI causing bodily injury, with the following advisement:

“You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.” (Veh. Code, § 23593, subd. (a).)

This bill broadens the circumstances under which a court must issue a Watson Warning under Vehicle Code 23593. First, it requires the warning any time a court dismisses an allegation of a DUI, expanding these warnings to conduct that does not result in a conviction. Currently, courts only give Watson Warnings under Vehicle Code 23593 if a person is convicted of certain offenses. (Veh. Code, § 23593, subd. (a).) The term “allegation,” as used in this bill, likely refers to allegations made in an accusatory pleading, such as a criminal complaint, that a person drove impaired in violation of Vehicle Code 23152. (Pen. Code, § 691, subd. (c).) This may require the warning for a person charged, but not convicted of, a DUI, whose case is later dismissed.

However, charging a person with a DUI does not establish that they engaged in unlawful impaired driving. For example, a DUI charge may be subsequently dismissed due to insufficient evidence. This is inconsistent with the existing basis for the warning, which presently requires convictions. (Cf. Health & Saf. Code, § 11369, subd. (b).) Further, the Watson Warning suggests that the defendant has already driven while under the influence, stating that “[i]f you *continue* to drive while under the influence...and, as a result of that driving, someone is killed, you can be charged with murder.” (emphasis added). The warning may not be appropriate if the DUI charge is dismissed because the facts do not support that the person was unlawfully impaired.

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<sup>24</sup> (Assem. Com. on Pub. Safety, Analysis of Assem. Bill No. 2173 (2003-2004 Reg. Sess.) as introduced February 18, 2004, p. 4.)

10) **Other Penalties for Conduct Addressed by this Bill:** California’s impaired driving criminal laws are extensive and address conduct far beyond the specific crime of simple DUI. In addition to crimes and enhancements already discussed, a person who kills someone while driving impaired may be prosecuted for intoxicated vehicular manslaughter. Intoxicated vehicular manslaughter with ordinary negligence is punishable by up to four years, while intoxicated vehicular manslaughter with gross negligence is punishable by imprisonment of up to 10 years. (Pen. Code, § 191.5, subd. (c)(1)-(2).) A person convicted of gross vehicular manslaughter while intoxicated, who has previously been convicted of any DUI, among other offenses, may be punished by 15 years to life. (Pen. Code, § 191.5, subd. (d).)

A DUI can result in substantial jail time, even when prosecuted as a misdemeanor. A DUI conviction mandates minimum jail time, and existing law additionally establishes jail enhancements for offenses involving excessive speeding, if the DUI involves a minor passenger, or if the person convicted of a DUI, at the time of arrest, willfully failed to submit to or complete a breath or urine test. (Veh. Code, §§ 23536; 23540; 23546; 23550; 23572, subd. (a); 23577, subd. (a); 23582, subd. (a).) A person convicted of a DUI may also have their vehicle impounded for up to 30 days for a first offense and up to 90 days for specified repeat offenders (Veh. Code, § 23594, subds. (a) & (b).) For certain severe impaired driving crimes, the vehicle may be subject to sale. (Veh. Code, § 23596, subds. (a) & (b).)

11) **Increased Penalties and Lack of Deterrent Effect:** According to the National Institute of Justice (NIJ), “Laws and policies designed to deter crime by focusing mainly on increasing the severity of punishment are ineffective partly because criminals know little about the sanctions for specific crimes. “More severe punishments do not ‘chasten’ individuals convicted of crimes, and prisons may exacerbate recidivism.”<sup>25</sup> Rather than penalty increases, the NIJ emphasizes the need for policies that “increase[] the perception that criminals will be caught and punished” because “[t]he *certainty* of being caught is a vastly more powerful deterrent than the punishment.”<sup>26</sup>

In a 2014 report, the Little Hoover Commission similarly addressed the disconnect between science and sentencing – that is, “put[ting] away offenders for increasingly longer periods of time, with no evidence that lengthy incarceration, for many, brings any additional public safety benefit.”<sup>27</sup> Accordingly, while this bill guarantees lengthier punishment for repeat impaired drivers and for hit-and-run offenders, it is less clear whether it will effectively prevent impaired driving and hit-and-run behavior.

12) **Argument in Support:** According to the *Los Angeles County District Attorney’s Office*, a co-sponsor of this bill, “SB 907 aims to strengthen California’s DUI and vehicular manslaughter laws, particularly for repeat offenders. The bill proposes several key fixes to existing laws. First, the “Braun’s Law” portion of the bill would ensure that individuals whose DUI charges are dismissed or pled down to a lesser or different charge are advised with a Watson warning of the serious consequences of driving while impaired, which include being charged with second degree murder the next time they drive while intoxicated and kill someone.

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<sup>25</sup> National Institute of Justice, U.S. Department of Justice, *Five Things about Deterrence* (June 5, 2016) <<https://nij.ojp.gov/topics/articles/five-things-about-deterrence>> [as of June 25, 2026].

<sup>26</sup> *Ibid.*

<sup>27</sup> Little Hoover Commission, *Sensible Sentencing for a Safer California* (Feb. 2014) at p. 4 <<https://lhc.ca.gov/wp-content/uploads/Reports/219/Report219.pdf>> [as of June 25, 2026].

“SB 907 also includes two important provisions that address repeat offenders. The bill allows for enhancements for prior felony DUI and vehicular manslaughter convictions upon a new felony conviction for those offenses. It also increases sentencing for committing a hit and run causing death or permanent, serious injury if the driver has a prior DUI or vehicular manslaughter conviction within 10 years.

“Under existing laws, repeat offenders understand that they benefit by running away from their crime. If the individual driving under the influence can delay apprehension until after the drug or alcohol is out of their system, it is likely that they will only be charged with a hit and run.

“SB 907 provides a timely and much needed fix to California’s existing laws addressing drunk driving and vehicular manslaughter. In so doing, SB 907 aims to close loopholes in the law, save lives and make communities safer.”

- 13) **Argument in Opposition:** According to *Smart Justice California*, “Smart Justice California believes in effective accountability, however current law already provides significant criminal penalties to address the behavior contemplated by SB 907. Under existing law, a person convicted of vehicular manslaughter can already be punished by up to 10 years in state prison for gross vehicular manslaughter while intoxicated, up to four years in county jail for vehicular manslaughter while intoxicated without gross negligence, and up to six years in state prison for vehicular manslaughter. (Penal Code, §§191.5, subd. (c), 193, subd. (c)(1).) A person convicted of gross vehicular manslaughter with a prior vehicular manslaughter conviction or another enumerated driving under the influence conviction can be punished by a term of 15 years to life in state prison. (Penal Code, §191.5, subd. (d).) And if a person is convicted of murder for killing another person while driving intoxicated, their offense is already considered a “violent felony” under existing law. (Penal Code, §667.5, subd. (c)(1).)

“These and other existing penalties already provide a sufficient range of options for prosecutors and courts to hold people accountable for the offenses contemplated by SB 907. To the extent existing penalties already act as a deterrent, expanding penalties will not increase their deterrent value. Research has shown that certainty of punishment has a greater deterrent effect than the severity of the punishment itself...

“Existing data does not correlate increased penalties with reduced impaired driving fatality rates. In states where DUIs can be charged as felonies, there is no significant correlation with reductions in alcohol-impaired-driving fatality. The National Judicial College supports a treatment-based approach for DUIs, stating that “punishment, unaccompanied by treatment and accountability, is an ineffective way to prevent recidivism and rehabilitate the offenders...The outcome for the offender is continued dependence on alcohol or drugs, and the community, continued peril.” For example, states with treatment programs, such as New York’s Drug Treatment Alternative-to-Prison program showed a significant and profound reduction in recidivism...

“SB 907 significantly undermines judicial discretion by mandating a “one size fits all” form of justice. The bill removes a judge’s discretion to consider the facts of a hit-and-run case and instead compels a felony charge, sidelining judicial expertise in favor of a broad penalty that risks counterproductive outcomes. The American Bar Association explains that

nationally, people who get a repeat DUI conviction (approximately 33%), “will carry on reoffending until the reasons for their continued criminal activity [are] properly addressed...[We] can promote the reduction in recidivism by taking the treatment court principles and evidence-based strategies... in our regular dockets.”

**14) Related Legislation:**

- a) AB 1546 (Schultz) would increase the punishment for a DUI with two priors from a misdemeanor to a wobbler and the punishment for a DUI with four or more priors from a wobbler to a straight felony. AB 1546 is pending a hearing in Senate Appropriations.
- b) AB 1588 (Stefani) would establish new criminal penalties for engaging in an exhibition of speed, where the violation occurred as part of a sideshow, and expand the definition of a sideshow. AB 1588 is pending a hearing in Senate Public Safety.
- c) AB 1605 (Ransom) would have required a person convicted of specified impaired driving offenses, who is granted probation, to be prohibited from purchasing alcohol for a period of at least one year, as a condition of probation. AB 1605 was held in Assembly Appropriations.
- d) AB 1662 (Wilson) would require the court, when it grants diversion to a defendant who would have had an abstract of record forwarded to the DMV if they had been convicted, to instead direct the prosecuting attorney to ensure the arresting agency provides notice to DMV of the arrest or incident. AB 1662 is pending a hearing in Senate Appropriations.
- e) AB 1685 (Lackey) would increase the number of points that must be added to a person’s driving record, from two to three, for gross vehicular manslaughter while intoxicated. AB 1685 is pending a hearing in Senate Transportation.
- f) AB 1686 (Lackey) would increase the punishment for a DUI with one prior, and a DUI with two priors, from a misdemeanor to a wobbler. AB 1686 failed passage in this Committee.
- g) AB 1687 (Lackey) would authorize 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. AB 1687 is pending a hearing in Senate Transportation.
- h) AB 1747 (Sanchez) would have increased the punishment for the crime of intoxicated vehicular manslaughter without gross negligence from a wobbler to a straight felony. AB 1747 failed passage in this Committee.
- i) AB 1814 (Alanis) would have required specified officers assigned to traffic enforcement to complete a course of training on detecting and apprehending impaired drivers within one year of their assignment to traffic enforcement, and every two years thereafter. AB 1814 was held in the Assembly Appropriations Committee.
- j) AB 1830 (Petrie-Norris) would require, rather than authorize, a court to order an IID for a first-time DUI conviction that does not cause bodily injury, and make permanent certain provisions of the IID pilot program currently in place. AB 1830 is pending a hearing in

Senate Public Safety.

- k) AB 1867 (Tangipa) would have required a person convicted of three or more specified impaired driving offenses within ten years who is sentenced to state prison to be prohibited from purchasing alcoholic beverages for life. The hearing on this bill was cancelled at the request of the author.
- l) AB 1874 (Wilson) would have provided that if a person is convicted of specified crimes that require the DMV to revoke their driving privileges for three years and the person is imprisoned as a result of the conviction, the DMV shall not reinstate their driving privileges until three years after their release from confinement or imprisonment. AB 1874 was held in Assembly Appropriations.
- m) AB 2276 (Soria) would have required the DMV to establish a statewide pilot program that requires a person convicted of specified speeding offenses to install a functioning, certified active intelligent speed assistance (ISA) device on any vehicle that person operates. AB 2276 was held in Assembly Appropriations.
- n) AB 2328 (Alanis) would have increased the punishment for a hit and run that results in death from a wobbler with a maximum punishment of two, three, or four years in state prison, to a wobbler with a maximum punishment of three, four, or five years in state prison. AB 2328 was held in the Assembly Appropriations Committee.
- o) AB 2502 (Pellerin) would specify that for purposes of impaired driving crimes, “drive” includes the volitional movement of a vehicle with specified levels of driving automation, as defined. AB 2502 is pending a hearing in Senate Public Safety.
- p) SB 953 (Niello) would require two points to be assessed to the driving record of a person for specified vehicular manslaughter crimes, even when the case was dismissed because the defendant completed court-initiated misdemeanor diversion. SB 953 is pending a hearing in Senate Transportation.
- q) SB 1198 (Menjivar) would lengthen the license suspensions that apply to reckless driving, among other changes. SB 1198 is pending a hearing in Assembly Appropriations.

**15) Prior Legislation:**

- a) AB 1281 (DeMaio), of the 2025-2026 Legislative Session, would have increased the punishment for a hit and run resulting in death or serious injury from a wobbler to a felony punishable by seven, eight, or nine years in state prison. AB 1281 failed passage in this committee.
- b) AB 1067 (Patterson), of the 2023-2024 Legislative Session, would have increased the penalties for fleeing the scene of an accident resulting in the death of another person from a wobbler with a maximum punishment of four years in state prison, to a wobbler with a maximum punishment of six years in state prison. AB 1067 was held in the Assembly Appropriations Committee.

- c) AB 582 (Patterson), of the 2021-2022 Legislative Session, was substantially similar to AB 1067 (Patterson) of the 2023-2024 Legislative Session. AB 582 was held in the Assembly Appropriations Committee.
- d) AB 401 (Flora), of the 2019-2020 Legislative Session, would have made a DUI conviction that occurs within 10 years after four or more previous specified convictions, only punishable as a felony, among other changes. AB 401 failed passage in this Committee.
- e) AB 2014 (E. Garcia), of the 2017-2018 Legislative Session, would have increased the penalty for fleeing the scene of an accident resulting in death or serious bodily injury from two, three, or four years in state prison to two, four, or six years in state prison. The hearing on AB 2014 in this committee was canceled at the request of the author.
- f) AB 2605 (Bogh), of the 2005-2006 Legislative Session, would have increased the penalty for a person convicted of a third DUI offense within 10 years from a misdemeanor to a wobbler, among other changes. AB 2605 failed passage in this Committee. a

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Safety and Advocacy for Empowerment (SAFE) (Co-Sponsor)  
American Medical Response West  
Arcadia Police Officers' Association  
Association for Los Angeles Deputy Sheriffs  
Brea Police Association  
Burbank Police Officers' Association  
California Association of Highway Patrolmen  
California Association of School Police Chiefs  
California Coalition of School Safety Professionals  
California Consortium of Addiction Programs and Professionals  
California Contract Cities Association  
California District Attorneys Association  
California Narcotic Officers' Association  
California Peace Officers Association  
California Police Chiefs Association  
California Reserve Peace Officers Association  
California State Sheriffs' Association  
City of Los Angeles, Council District 11  
City of Norwalk  
City of Pico Rivera  
Claremont Police Officers Association  
Corona Police Officers Association  
County of Fresno  
County of Orange  
Culver City Police Officers' Association  
Fullerton Police Officers' Association  
League of California Cities

Los Angeles County District Attorney's Office  
Los Angeles County Sheriff's Department  
Los Angeles School Police Management Association  
Los Angeles School Police Officers Association  
Mothers Against Drunk Driving  
Murrieta Police Officers' Association  
Newport Beach Police Association  
Norwalk; City of  
Orange County District Attorney  
Palos Verdes Police Officers Association  
Peace Officers Research Association of California (PORAC)  
Placer County Deputy Sheriffs' Association  
Pomona Police Officers' Association  
Riverside County District Attorney  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
San Francisco Bay Area Families for Safe Streets  
Streets are for Everyone  
Streets for All  
Walk San Francisco Foundation

### **Opposition**

A New Path  
ACLU California Action  
All of US or None (HQ)  
California Attorneys for Criminal Justice  
California Public Defenders Association  
Californians United for a Responsible Budget  
Courage California  
Ella Baker Center for Human Rights  
Felony Murder Elimination Project  
Friends Committee on Legislation of California  
Initiate Justice  
Justice2jobs Coalition  
LA Defensa  
Legal Services for Prisoners With Children  
Local 148 Los Angeles County Public Defender's Union  
Rubicon Programs  
San Francisco Public Defender  
Smart Justice California, a Project of Beyond Impact  
Vera Institute of Justice

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