

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 1874 (Wilson) – As Amended March 26, 2026

SUBJECT: Vehicles: driver's license suspension and revocation

SUMMARY: Provides that if a person is convicted of specified vehicle crimes that require the Department of Motor Vehicles (DMV) to revoke their driving privileges for three years and the person is imprisoned in jail or prison as a result of the conviction, the DMV shall not reinstate their driving privileges until three years after their release from confinement or imprisonment, rather than three years after the date of revocation. Specifically, **this bill:**

- 1) Prohibits the DMV from reinstating the driving privileges of a person subject to a three-year license revocation until the expiration of three years after the person's release from confinement or imprisonment, and until the person whose privilege was revoked gives proof of financial responsibility, as defined, for individuals convicted of any of the below crimes who are imprisoned in a county jail or state prison as a result of the conviction or convictions:
 - a) Manslaughter resulting from the operation of a motor vehicle, except for misdemeanor vehicular manslaughter;
 - b) Conviction of three or more violations of a hit and run resulting in injury or death, a hit and run resulting only in property damage, reckless driving, reckless driving causing bodily injury or great bodily injury, or reckless driving that causes specified injuries, within a period of 12 months from the time of the first offense to the third or subsequent offense, or a combination of three or more convictions of violations within the same period; and,
 - c) Violation of gross vehicular manslaughter while intoxicated or intoxicated vehicular manslaughter while operating a vessel with gross negligence, as specified, or of fleeing or attempting to elude a peace officer, causing death or serious bodily injury resulting in specified serious impairments of physical condition, as specified.

EXISTING LAW:

- 1) Provides that whenever in the Vehicle Code the DMV is required to suspend or revoke the privilege of a person to operate a vehicle upon the conviction of such a person of violating the Vehicle Code, such suspension or revocation shall begin upon a plea, finding, or verdict of guilty. (Vehicle Code section (VEH) 13366)
- 2) Requires the clerk of a court in which a person was convicted of certain offenses, including a violation of the Vehicle Code or a violation of any other statute relating to the safe operation of vehicles, among others, to prepare within five days after conviction and immediately forward to the DMV, an abstract of the record of the court covering the case in which the person was so convicted. (VEH 1803)
- 3) Requires, generally, the DMV, for criminal offenses that result in a criminal license suspension or revocation, to immediately suspend or revoke the privilege of a person to drive

a vehicle upon receipt of a duly certified abstract of the record of a court showing that the person has been convicted of specified offenses. (VEH 13350, 13351, 13352)

- 4) Requires the DMV, when a person's driving privileges are suspended or revoked, to notify the person by mail of the action taken and of the effective date of the suspension or revocation, except for persons personally given notice by the DMV, a court, a peace officer, or otherwise pursuant to the Vehicle Code. (VEH 13106)
- 5) Provides that if a person is convicted of a hit and run, driving under the influence (DUI), or DUI causing bodily injury and is sentenced to one year in a county jail or more than one year in the state prison under specified DUI sentencing statutes, the court may postpone the revocation or suspension of the person's driving privilege until the term of imprisonment is served. (VEH 23665)
- 6) Authorizes the DMV to suspend a person's driving privileges, upon receipt of a record of conviction from a court, showing that the person has been convicted of any of the following offenses:
 - a) Failure to stop in the event of an accident resulting in damage to property only or otherwise failing to comply with the requirements to immediately stop at the scene of an accident resulting in only damage to property and perform certain duties.
 - b) A second or subsequent conviction of reckless driving.
 - c) Misdemeanor vehicular manslaughter. (VEH 13361)
- 7) Requires the DMV to immediately revoke a person's driving privileges for a mandatory one-year period from the date of revocation and until the person provides proof of financial responsibility, upon receipt of a record of conviction from a court showing a person has been convicted of any of the following offenses:
 - a) Failure of a driver involved in an accident resulting in injury or death to a person to stop or otherwise comply with the requirements to perform specified duties at the scene of the accident.
 - b) A felony in the commission of which a motor vehicle is used, except for crimes subject to separate suspension and revocation rules, as specified.
 - c) Reckless driving causing bodily injury. (VEH 13350)
- 8) Requires the DMV to immediately revoke a person's driving privileges for a mandatory three-year period from the date of revocation and until the person provides proof of financial responsibility, upon receipt of a record of conviction from a court showing a person has been convicted of any of the following offenses:
 - a) Manslaughter resulting from the operation of a motor vehicle, except for misdemeanor vehicular manslaughter.
 - b) Conviction of three or more specified hit and run or reckless driving violations within a period of 12 months from the time of the first offense to the third or subsequent offense, or a combination of three or more convictions of violations within the same period.

- c) Violation of gross vehicular manslaughter while intoxicated or vehicular manslaughter while operating a vessel with gross negligence or of fleeing or attempting to elude a peace officer, causing serious bodily injury resulting in specified serious impairments of physical condition, as specified. (VEH 13351)
- 9) Requires the DMV to immediately suspend or revoke a person's driving privileges, upon receipt of a court record showing that the person has been convicted of a DUI or DUI causing bodily injury, with the length of the license suspension or revocation depending on the person's number of prior¹ DUIs, as follows:
- a) A first DUI is a misdemeanor with a six-month license suspension, a DUI with one prior is a misdemeanor with a two-year license suspension, a DUI with two priors is a misdemeanor with a three-year license revocation, and a DUI with three or more priors is an alternate-felony misdemeanor (hereafter, "wobbler") with a four-year license revocation. (VEH 13352)
 - b) A first DUI causing bodily injury is a wobbler with a one-year license suspension, a DUI causing bodily injury with one prior is a wobbler with a three-year license revocation, and a DUI causing bodily injury with two or more priors is a felony with a five-year license revocation. (VEH 13352)
- 10) Authorizes a court, notwithstanding existing license suspensions and revocations for DUIs, to order a 10-year license revocation if a person has been convicted of three or more separate DUIs or DUIs causing bodily injury, the last of which was punishable as a DUI with two priors, a DUI with three or more priors, a DUI causing bodily injury with two or more priors, a DUI or DUI causing bodily injury with a prior specified felony, a DUI or DUI causing bodily injury with a prior conviction for felony intoxicated vehicular manslaughter, as specified, or a DUI causing bodily injury, where the violation proximately caused great bodily injury (GBI) and occurred within 10 years of two or more priors. (VEH 23597)
- 11) Provides if a person convicted of a Vehicle Code violation relating to the speed of vehicles or reckless driving, the court may, unless a DMV revocation is required, suspend the person's driving privilege for up to 30 days upon a first conviction, up to 60 days upon a second conviction, and up to six months upon a third or subsequent conviction. (VEH 13200)
- 12) Authorizes a court to suspend a person's driving privileges for up to six months, upon a conviction for any of the following offenses:
- a) A hit and run only resulting in damage to property.
 - b) Specified reckless driving offenses.
 - c) Failure to stop at a railway grade crossing, as specified.
 - d) Fleeing or attempting to elude a peace officer, as specified, fleeing or attempting to elude a peace officer with willful or wanton disregard for safety, and fleeing or attempting to
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elude a peace officer that proximately causes serious bodily injury or death, as specified, if the person's license was not revoked by the DMV, as required.

- e) Knowingly causing or participating in a vehicular collision or any accident, for the purpose of presenting a false insurance claim. (VEH 13201)

13) Authorizes a court to suspend the driving privileges of a person who commits an assault that constitutes "road rage," as defined, for six months for a first offense and one year for a second or subsequent offense, to commence, at the discretion of the court, either on the date of the person's conviction, or upon the person's release from confinement or imprisonment. (VEH 13210)

FISCAL EFFECT: Unknown

COMMENTS: If a person is convicted of gross vehicular manslaughter while intoxicated, they can be sentenced to a minimum of four years in prison. Their license will be revoked for three years, and revocation will last the entirety of the time they are in prison.

According to the National Highway Traffic Safety Administration, 39,474 people died in traffic collisions in California between 2014 and 2023. 10,034 of those deaths were pedestrians, and 12,056 of those deaths were alcohol related. 4,270 of those deaths were drivers under the age of 21. In the United States, motor vehicle crashes account for 20% of all children's and adolescent deaths. In 2023, the primary crash factor in California was the influence of alcohol, followed by improper turns, failure to yield, speeding, and other violations.

Under existing law, a person's license is revoked if they are convicted of vehicular manslaughter (except misdemeanor vehicular manslaughter), three or more convictions of reckless driving or hit and runs causing injury in 12 months. This bill would require DMV to delay the license revocation as part of their sentence until after the convicted person has been released from confinement or imprisonment. Under existing law, a court may delay a person's license suspension until the term of imprisonment has been served for a DUI offense or for a hit-and-run involving bodily injury.

A person who receives a license suspension may be able to get a restricted license that authorizes them to drive in limited circumstances. License revocations remove the ability for a person to drive under any circumstance.

This bill only applies to license restrictions that occur after conviction. DMV is still authorized to administratively suspend a person's license after a person has been arrested for DUI or a traffic collision that results in a person's death that they have been determined to be at fault for.

License suspensions and revocations have proven to be a successful deterrent. According to *An Evaluation of the Specific Deterrent Effect of Vehicle Impoundment on Suspended, Revoked and Unlicensed Drivers in California* by David J. Deyoung license suspensions and vehicle-based sanctions are among the most effective tools for reducing the risk posed by high-risk drivers. While it is estimated that up to 75% of suspended or revoked drivers may continue to drive illegally, they typically drive more carefully and less frequently during their period of disqualification. These license actions are critical because California drivers whose licenses have been suspended and revoked have been found to have a fatal crash rate 3.7 times higher than

that of the average driver. By formally disqualifying these individuals, the state can significantly attenuate the traffic safety risk they pose to the public.

The effectiveness of these suspensions is further bolstered by the downstream effects of vehicle impoundment, which serves to both incapacitate and deter offenders. Research shows that impounding the vehicles of those driving with a suspended or unlicensed status leads to a substantial decrease in recidivism and future traffic incidents. Specifically, first-time offenders whose vehicles were impounded showed 24.7% fewer crashes and 18.1% fewer traffic convictions compared to similar drivers who were not sanctioned with impoundment. These benefits are even more pronounced for repeat offenders, who saw a 37.6% reduction in crashes. By physically removing the vehicle, the state creates a powerful deterrent that effectively reduces the subsequent crash and conviction rates of the highest-risk populations.

According to the author, “Allowing individuals convicted of serious driving offenses to return to the road immediately after incarceration puts everyone at risk. If a license suspension overlaps with jail time, when the offender cannot drive, it becomes meaningless. License suspensions should genuinely protect the public by keeping unsafe drivers off the road, not serve as empty gestures.

The state has a duty to ensure that drivers returning to our roads do not pose an ongoing risk. AB 1874 closes a dangerous loophole by preventing license suspensions from being served while offenders are incarcerated. By prioritizing public safety, this bill keeps high-risk drivers off the road during a critical time upon reentry, helping more Californians get home safely.”

Streets for All writing in support of this bill, argues “AB 1874 would clarify that the time period for a court-ordered suspension or revocation of one’s license commences upon release from custody. The bill also prohibits a concurrent suspension/revocation period and incarceration period being ordered by the courts.

Following recent reporting by CalMatters in their *License to Kill* series, behaviors and policies that cause dangerous conditions on our roads have taken the spotlight. When courts order a time period during which a convicted person is not allowed to drive, that time period should not include time while incarcerated when the convicted person will not be able to drive.

This bill addresses this issue by clarifying that incarceration and license suspension or revocation are not concurrent but consecutive. Reducing the number of dangerous drivers on our roadways can keep everyone safer. For these reasons we support AB 1874.”

The *California Public Defenders Association*, writing in opposition, argue “We must oppose Assembly Bill 1874 (AB 1874) by Assemblymember Wilson unless it is amended to narrowly tailor its provisions to the offenses involving injury or death where the individual has been sentenced to the custody of the Department of Corrections and Rehabilitation. Additionally, it should be amended to delete “any other custodial facility” which includes ICE detention facilities.

AB 1874 would provide that when a driver’s license is suspended or revoked as part of a criminal sentence that suspension or revocation shall not commence until after the person is released from custody.

AB 1874 is unconstitutional, unworkable, and unduly punitive to the most vulnerable of our population. First, it would result in varying degrees of punishment for individuals convicted of the same offense in violation of the constitutional principle of equal protection of the laws. Some judges may impose longer sentences than other judges for the same offense, as they are permitted (within discretionary limits) but the effect of this bill is to extend the actual period of suspension for those with the longer period of incarceration, even though the period of suspension or revocation is set by law and cannot be extended by the judge. Moreover, the primary purpose of license sanctions is to protect the public from dangerous drivers, and the public will be protected while that driver is in jail. Also, not infrequently an individual can be jailed for both driving and non-driving offenses at the same time, so the net effect is that their license suspension is increased by virtue of an offense that has nothing to do with their driving danger. This would result in unduly punitive suspensions that bear little rational relation to the offense, and treating similarly situated individuals disparately is a denial of the equal protection of the laws.

Secondly the provisions of AB 1874 would be problematic to implement. For one thing, if the suspension is not effective until the person is released from custody then they could very well have a valid license in jail (even though they are unlikely to use it), but what if they are temporarily let out of jail on work release or work furlough, or humanitarian release for a family emergency, or medical treatment not available in jail? Under this bill it would appear they could still drive because their license is not suspended. What if an individual is sentenced, but is free on bail pending appeal? Wouldn't they be able to drive then as well? If this quandary is resolved by making the suspension operative at sentencing but extending until the completion of incarceration that would make the violation of equal protection only more glaring.

Another troubling aspect of implementing AB 1874 is that it does not tell us how the Department of Motor Vehicles (DMV) will know when to start the license suspension or revocation. DMV will not know when the individual is released from custody. Even if DMV receives the sentencing record from the court, individuals routinely both gain and lose custody credits during their incarceration affecting their release dates. If DMV has trouble getting records from courts what makes us believe that jails will be any more diligent, especially when enforcing license restrictions is not part of their core function? The possibility of information falling through the cracks is just too great. Additionally, the individual has to be informed that their license is suspended in order for it to be effective. Who is going to do that when they get out of jail?

Thirdly, excessive license suspensions and the likelihood of re-offending due to operational problems are likely to fall disproportionately on the poorest, least informed and least educated of our populations, especially on immigrants who have limited English skills and knowledge of our laws. They are likely to come in contact with the authorities simply out of ignorance or inadvertence. When that happens it can be catastrophic, as recent ICE horror stories have taught us.

The example of non-citizens who were detained for driving on a suspended license and then transferred to ICE custody where they spent 2-4 years in custody before they were granted immigration relief is illustrative. If tolling had been in effect when they were released from ICE custody, they would find that their license suspension had just begun. In many parts of California without little or no public transportation they would be unable to seek and retain employment.”

Related and previous legislation. AB 1748 (Sanchez) increases the length of the driver's license suspensions and revocations that apply to a conviction for a DUI or a conviction for a DUI causing bodily injury. AB 1748 died in Assembly Public Safety Committee.

AB 1546 (Schultz) increases the punishment for a DUI with two priors from a misdemeanor to a wobbler and increases the punishment for a DUI with four or more priors from a wobbler to a straight felony and increases the license revocation period for a DUI with four or more priors from four years to five years, among other changes. AB 1546 is pending a hearing in the Assembly Appropriations Committee.

AB 1687 (Lackey), punishes a person convicted of three or more specified vehicle offenses, including a DUI or a DUI causing bodily injury, among others, with an eight-year license revocation. AB 1687 is pending before this committee.

AB 1723 (Ellis), specifies that the "date of revocation," for purposes of the prohibition against the DMV reinstating a person's driving privilege until the expiration of three years after the date of revocation, for persons convicted of certain vehicle-related crimes, means the date the DMV revokes a person's privilege to drive a motor vehicle, as specified, and not the date of conviction. AB 1723 is pending before this committee.

SB 1198 (Menjivar) lengthens the license suspension periods that apply to reckless driving, among other changes. SB 1198 is pending a hearing in the Senate Appropriations Committee.

AB 2337 (Linder), of the 2013-2014 Legislative Session, would have extended, by one year, the revocation period of an individual's driver's license if they were convicted of a hit-and-run accident in which another individual is killed or seriously injured. AB 2337 was vetoed.

AB 1104 (Pan), of the 2011-2012 Legislative Session, would have required, rather than allowed, driver's license revocations for specified DUIs to be delayed until offenders are released from prison or county jail. AB 1104 was never heard in the Assembly Appropriations Committee.

AB 1601 (Hill), Chapter 301, Statutes of 2010, permits a court to order a 10-year revocation of a driver's license for a person convicted of three or more separate DUIs.

AB 2258 (Benoit), of the 2005-2006 Legislative Session, would have created an alternate misdemeanor-felony and mandatory jail time for a fourth offense of driving on a suspended license, and required a four-year license revocation for this offense, as specified. AB 2258 failed passage in this Committee.

AB 4 (Bogh), of the 2004-2005 Legislative Session, would have permanently revoked the driver's license of a person convicted of a third or subsequent violation of specified DUI provisions. AB 4 was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

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 (if amended)
California District Attorneys Association
California Narcotic Officers' Association
California Peace Officers Association
California Police Chiefs Association
California Reserve Peace Officers Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
League of California Cities
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Mothers Against Drunk Driving
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
Safety and Advocacy for Empowerment
Streets for All

Opposition

ACLU California Action
All of US or None
California Public Defenders Association (unless amended)
Debt Free Justice California
Ella Baker Center for Human Rights
Initiate Justice
Legal Services for Prisoners with Children
Local 148 Los Angeles County Public Defender's Union
San Francisco Public Defender
Uncommon Law
Western Center on Law & Poverty

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