

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

Background Paper for the Joint Informational Hearing of the Senate

Public Safety Committee and Senate Transportation Committee

“Examining California’s DUI and Traffic Safety Laws”

Tuesday, March 10, 2026 – 1:30pm

1021 O Street, Room 1200

Summary

The purpose of the hearing is to provide an examination of California’s driving under the influence (DUI) and traffic safety laws and related administrative processes. Hearing panelists include representatives from law enforcement, the Department of Motor Vehicles (DMV), the Judicial Council, Mothers Against Drunk Driving, and traffic safety researchers, among others.

California’s transportation system is enormous and complex—and poses significant risks to many road users. Road injury is consistently the leading cause of death for children and young people ages 5-24 in California. It is the second leading causes of death for Californians ages 25-34, according to the California Department of Public Health.¹ Between 2013 to 2021, California experienced an approximately 29% increase in traffic fatalities on public roads.² A U.C. Berkeley report titled *Highway Crashes in California During the COVID-19 Pandemic: Insights and Considerations* found that deaths and serious injuries on the roadway peaked during the COVID-19 Pandemic, when fewer drivers on the road led to a drop in the overall crash rates, but an increase in the rate of fatal and severe crashes.³ However, more recent, preliminary data indicate slight, but promising improvements.

Preventing fatalities and injuries caused by crashes on the road is as complex and multifaceted as the transportation system itself. It reaches far beyond the conventional

¹ [State of Public Health Report](#)

² [Secretary's Policy on Road Safety](#)

³ [Highway Crashes in California During the COVID-19 Pandemic: Insights and Considerations | Safe Transportation Research and Education Center](#)

scope of transportation policy. The Safe Systems Approach is the guiding paradigm to address roadway safety for the U.S. Department of Transportation and it has also been adopted by the California State Transportation Agency (CalSTA). The Safe Systems Approach works by building and reinforcing multiple layers of protection to both prevent crashes from happening in the first place and minimize the harm caused to those involved when crashes do occur. It is a holistic approach focused on infrastructure, human behavior, responsible oversight of the vehicle and transportation industry, and emergency response. It can provide a helpful framework to evaluate policies to prevent impaired driving and advance traffic safety.

Overview of Crash Data

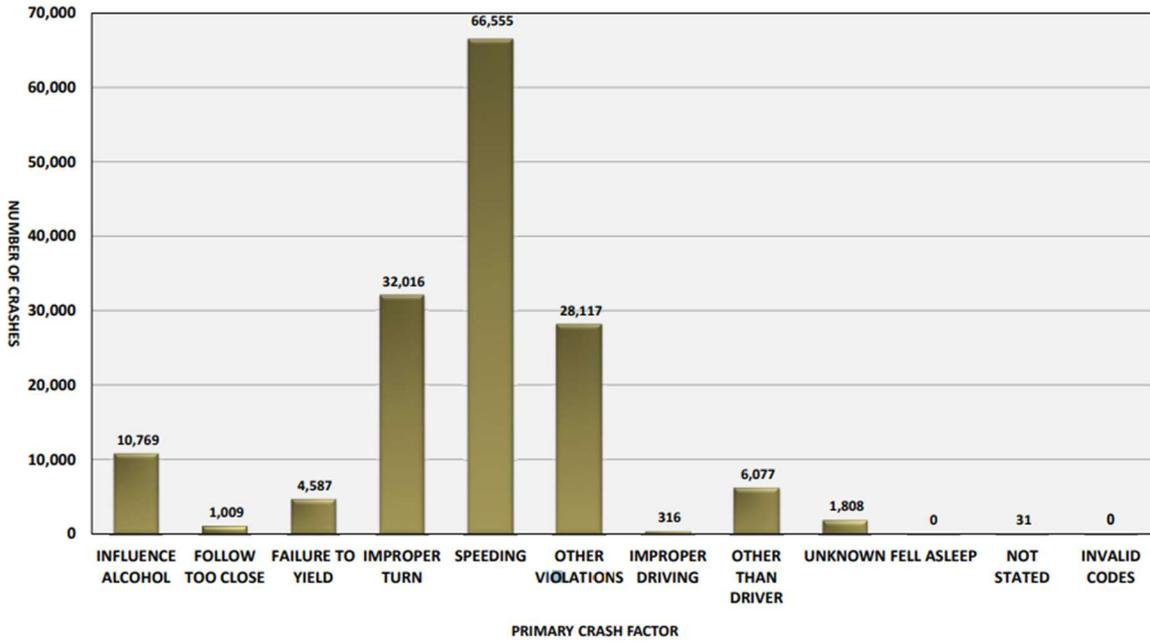
According to data from the California Statewide Integrated Traffic Records System (SWITRS), there were 17,745 fatal and serious injury crashes in California in 2024. This number reflects a continued annual decrease in fatal and serious injury crashes since 2021, in which there were 19,593 fatal and serious injury crashes. Even with this positive progress, California's rate of fatal and serious injury crashes is still far higher than it was ten years ago.

Many factors contribute to crashes—including a range of unsafe driving behaviors, such as distracted driving, speeding, DUI (driving under the influence of drugs or alcohol), and not wearing a seatbelt (unrestrained occupant). Safety-focused land use decisions and road design are also critically important for safe travel, especially for vulnerable road users such as pedestrians and bicyclists.

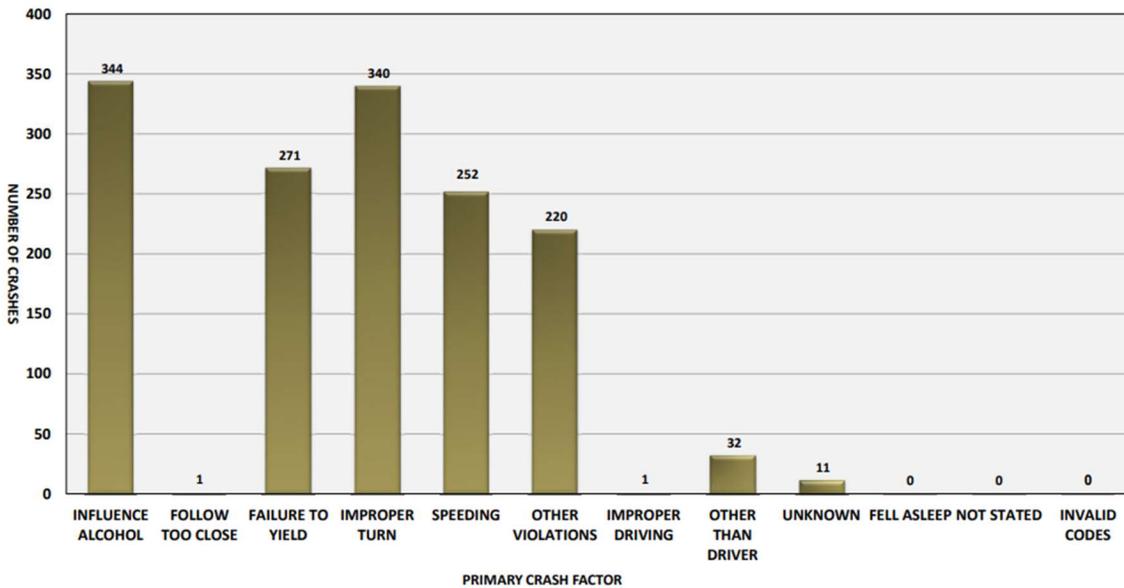
The California Department of Transportation (Caltrans) publishes reports based on tabulations of crashes that occurred exclusively on state highways. The figures below from Caltrans' *2023 Crash Data on California State Highways* report show primary crash factors of all state highway crashes, fatality crashes, and serious injury crashes.⁴ The figures do not include crashes on local roads.

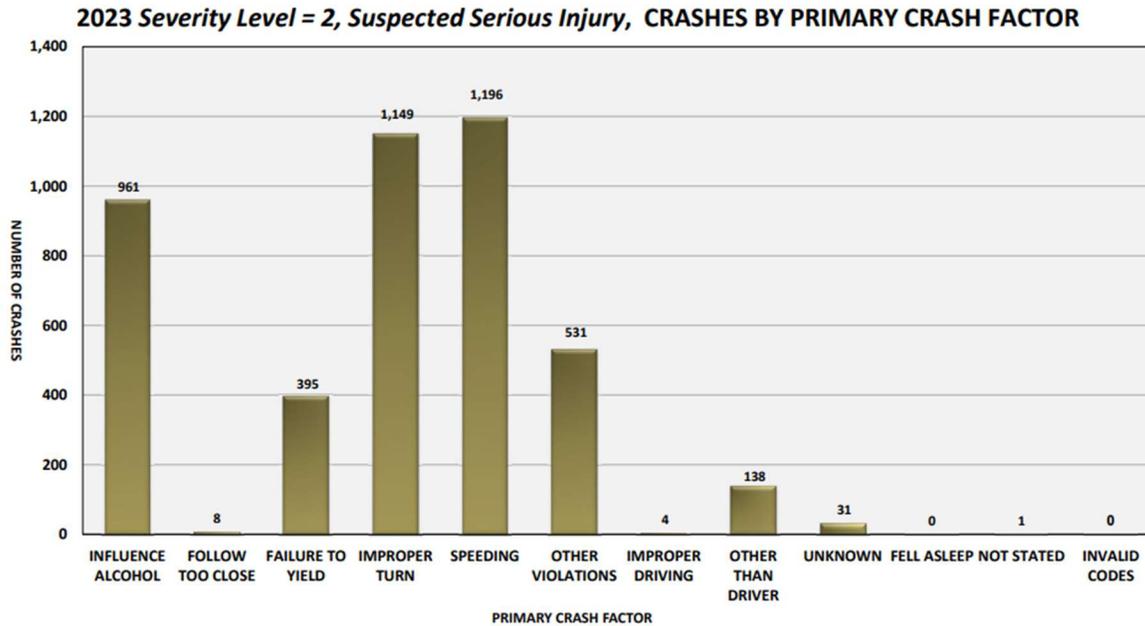
⁴ [2023 Crash Data on CSHwy Book 1](#)

2023 ALL CRASHES BY PRIMARY CRASH FACTOR



2023 Severity Level = 1, Fatality, CRASHES BY PRIMARY CRASH FACTOR





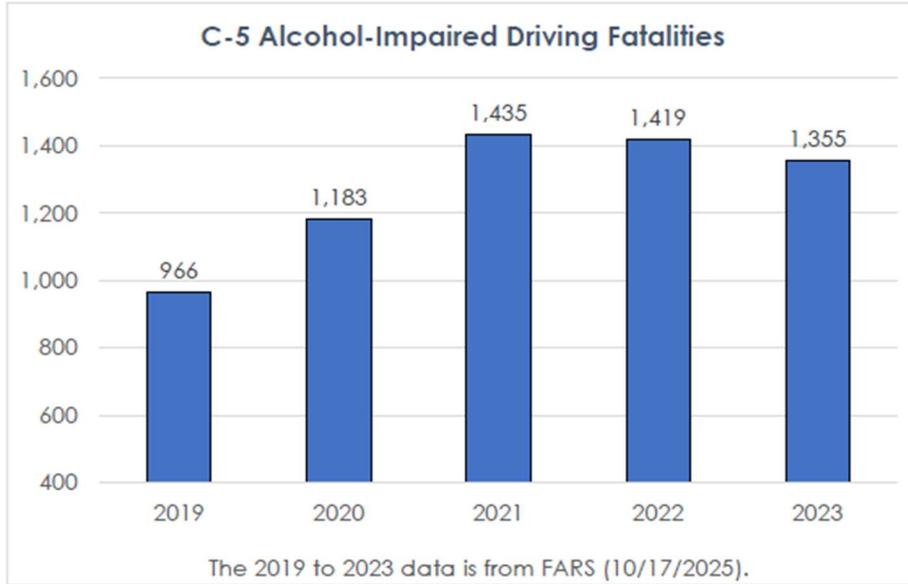
2023 Crash Data on California State Highways (road miles, travel, crashes, crash rates). Source: Caltrans. (2025).

DUI in California

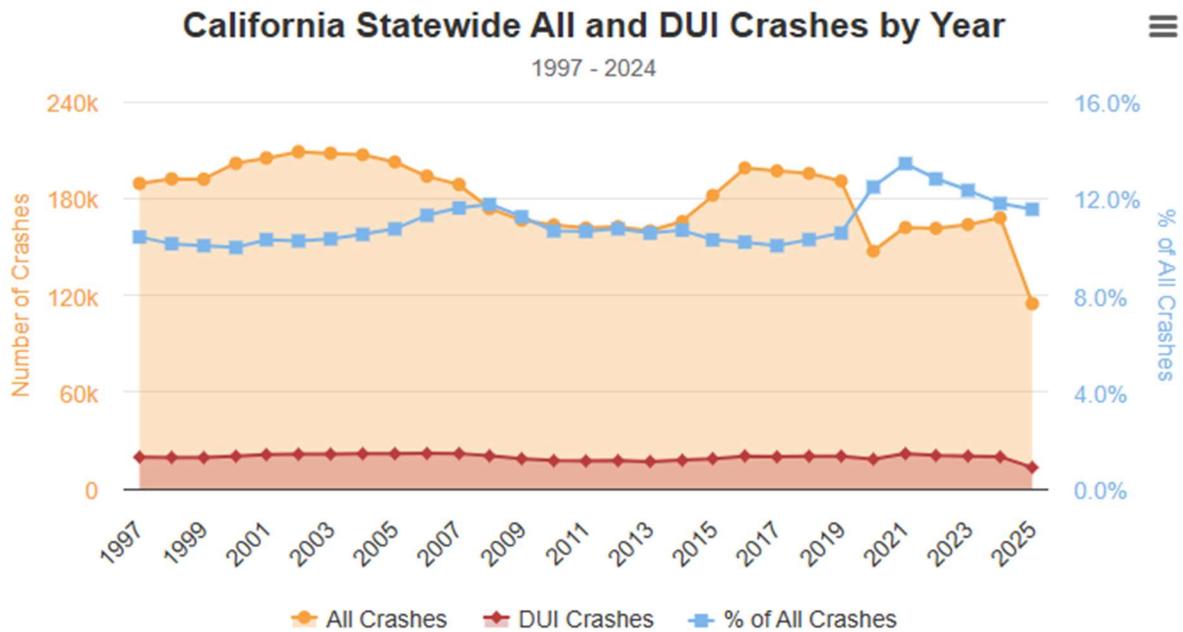
The term “DUI” is used to describe alcohol- and drug-impaired driving. According to the most recent annual report on DUIs published by the DMV, there were 110,017 DUI arrests in 2021.⁵ Alcohol- and drug-impaired driving contribute significantly to traffic deaths and injuries in California. According to the California Office of Traffic Safety, 1,355 people were killed in alcohol-impaired traffic crashes in 2023 in the state. Like other fatal crashes, alcohol-impaired fatalities decreased in California 4.5 percent between 2022 and 2023. While this decrease is promising, alcohol-impaired fatalities decreased nationally by 7.6 percent between 2022 and 2023. Notably, alcohol-involved crashes currently account for a much greater number of fatal and serious injury crashes than drug-involved crashes. In 2024, California saw 4,445 alcohol-involved fatalities and serious injuries on the roadway, as compared to 713 drug-involved fatalities and serious injuries.

The figures below demonstrate historical trends for DUI crashes in California.

⁵ California Department of Motor Vehicles, 32nd Annual Report of the California DUI Management Information System (Oct. 2025), summary statistics <<https://www.dmv.ca.gov/portal/file/32nd-annual-report-dui-management-information-system-pdf>>.



California Office of Traffic Safety. (2025). *2025 Annual Report* (p. 41).

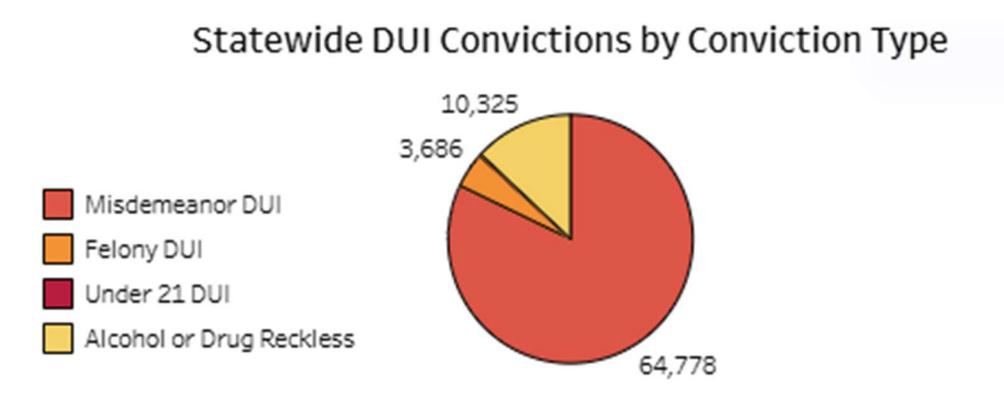


Transportation Injury Mapping System (TIMS), *Safe Transportation Research and Education Center, University of California, Berkeley*. 2026

In California, a DUI arrest triggers two separate and parallel processes: an administrative action by DMV and a criminal case in court. Shortly after arrest, the DMV begins an administrative action based on receipt of a law enforcement Administrative Per Se (APS) report (0.08% Blood Alcohol Concentration [BAC], zero tolerance, DUI probation violation, or chemical test refusal). Upon arrest, the driver typically receives a temporary license and has 10 days to request a DMV hearing to challenge the license suspension. If no hearing is requested, or if the DMV upholds the action, a license suspension or other restriction goes into effect regardless of what happens in court. If the driver's test results showed a blood alcohol content of 0.08% or more, their license will be suspended for four months for a first offense, and a second or subsequent offense within 10 years will result in a one-year suspension.

Separately, the court process determines whether the person has committed a criminal offense and a conviction may result in penalties such as fines, probation, DUI education programs, ignition interlock requirements, or incarceration.

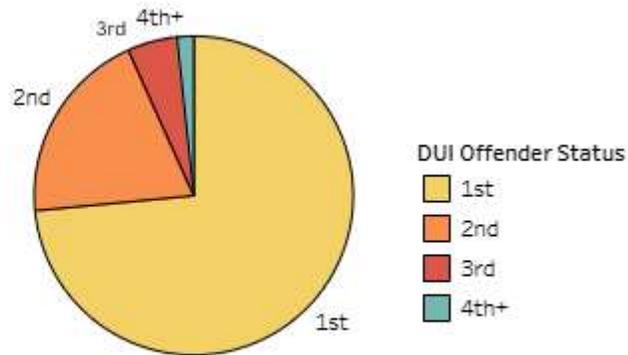
The figures below outline court DUI actions according to DMV's DUI management information system dashboard. Note: graphics are the most recent available from DMV; however, they utilize data from 2020, which may not be reflective of current trends.



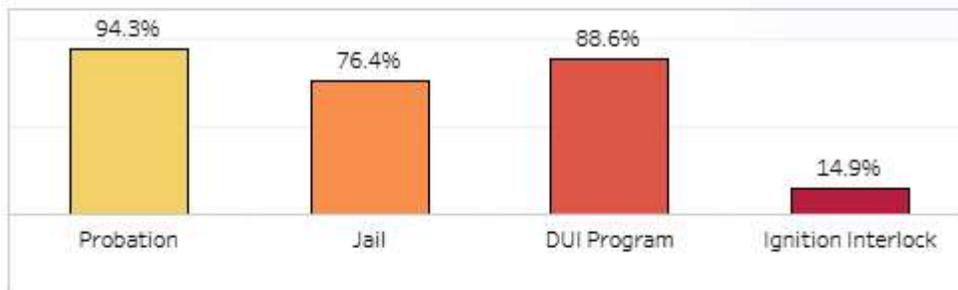
DUI Conviction Data for 2020 DUI Arrests, California Department of Motor Vehicles⁶

⁶ Mitchum, A., Rees, H., McCullough, A., & Oakley, K. DUID Conviction Data for 2020 DUI Arrests [Dashboard]. California Department of Motor Vehicles. Last Modified December 2025. <https://www.dmv.ca.gov/portal/dmv-research-reports/research-development-data-dashboards/dui-management-information-system-dashboards/dui-convictions/>

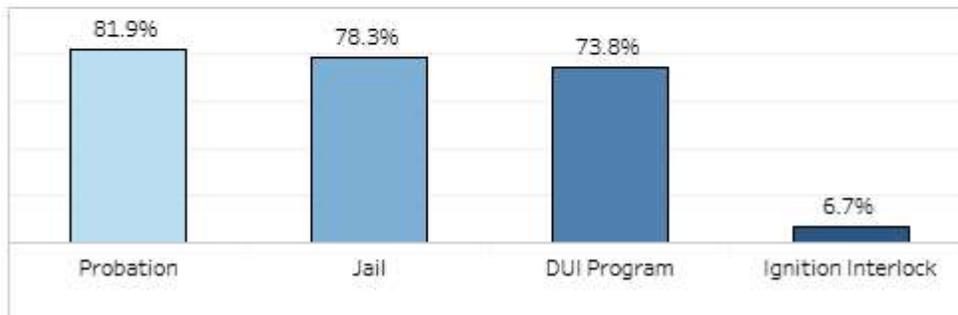
DUI Offenders by DUI Offender Status



Court Sanctions for DUI Offenders

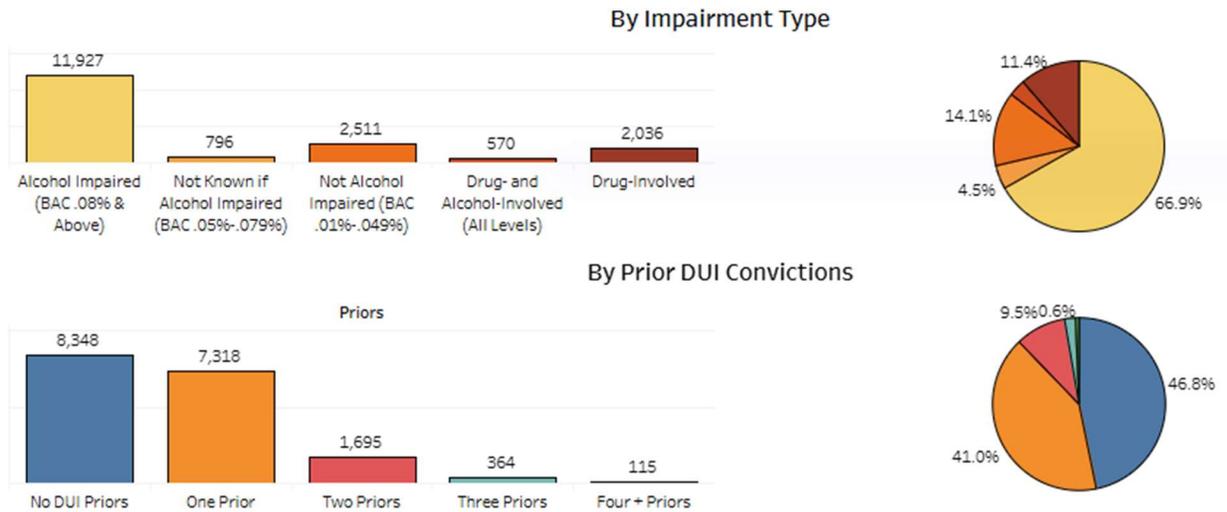


Court Sanctions for DUID Offenders



Court Sanctions for DUI and Driving Under the Influence of Drug (DUID) Offenders in 2020, California Department of Motor Vehicles

2020 Alcohol- and Drug-Involved Drivers in Fatal/Injury Crashes by Impairment Type and Prior DUI Convictions

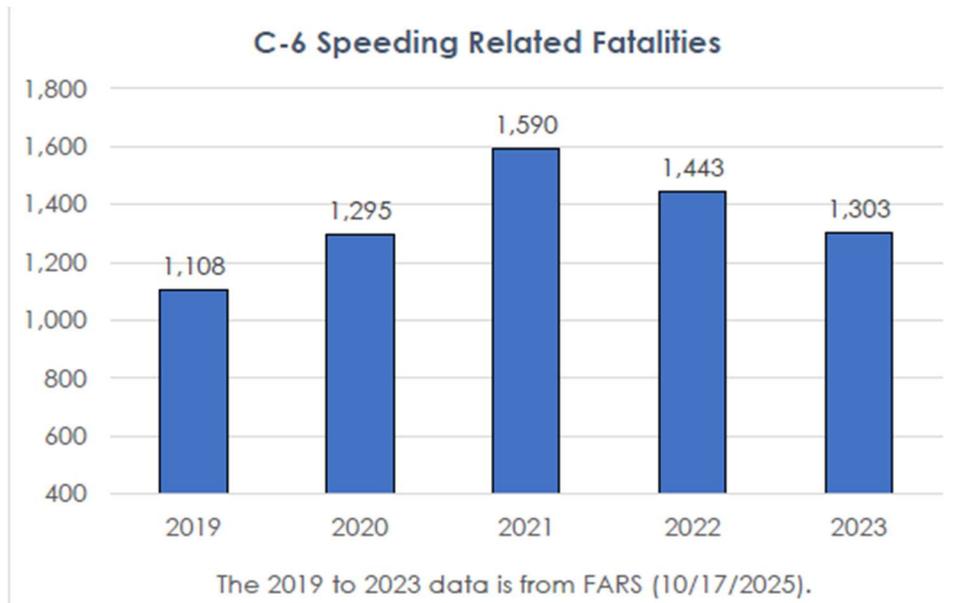


Mitchum, A., Rees, H., McCullough, A., & Oakley, K. 2020 Alcohol- and Drug-Involved Drivers in Fatal/Injury Crashes by Impairment Type and Prior DUI Convictions [Dashboard]. California Department of Motor Vehicles.

Speeding, Distracted Driving, and Other Causes of Crashes

Speeding-related fatalities continue to represent a large portion of California’s total traffic fatalities. According to a report from the U.C. Berkeley Safe Transportation Research and Education Center (SafeTREC) titled *Developing a Safe System Approach to Setting Speed Limits*, research demonstrates that speed increases crash risk in two ways: the likelihood of being involved in a crash and the severity of injuries sustained by all road users in a crash.⁷ Speeding reduces a driver’s ability to steer safely around curves or objects, reduces the amount of time a driver has to react to a dangerous situation, and extends safe stopping distances. Speeding-related fatalities in California have continued to decrease since a peak in 2021, although they remain higher than pre-pandemic levels.

⁷ [Developing a Safe System Approach to Setting Speed Limits | Safe Transportation Research and Education Center](#)



California Office of Traffic Safety. (2025). *2025 Annual Report* (p. 42).

Excessive speeds endanger all road users but are particularly hazardous for vulnerable road users—those unprotected by an outside shield and thus sustain a greater risk of injury in any collision with a vehicle. In California, 1,106 pedestrians and 145 bicyclists were killed in motor vehicle crashes in 2023. The widespread implementation of safety countermeasures can improve safety for vulnerable road users. For example, medians and pedestrian refuge islands can reduce pedestrian crashes by about 50 percent, and separated bicycle lanes can reduce crashes up to 49 percent on certain four-lane roads as well as local roads, according to the U.S. DOT.⁸

Another major cause of crashes is distracted driving. Distracted driving involves doing another activity that takes the driver's attention away from driving, such as texting, talking on a cell phone, using a navigation system, and eating. In California, 158 people were killed in distracted driving traffic crashes in 2023. Although distracted driving fatalities decreased nationally by 1.2 percent between 2022 and 2023, distracted driving fatalities increased in California 6.8 percent in the same timeframe.⁹

Successful Road Safety Policies

California has taken steps to advance road safety. The Legislature successfully passed numerous bills to address and mitigate harm on the roadway. These include policies to

⁸ <https://www.transportation.gov/safe-system-approach/safer-roads>

⁹ [2025 SafeTREC Traffic Safety Facts: Distracted Driving | Safe Transportation Research and Education Center](#)

lower speeds, establish automated enforcement, strengthen local planning requirements for vulnerable road users, and improve the safety of intersections.

In December of last year, DMV and California Highway Patrol (CHP) launched a pilot program that takes faster action against drivers who are caught traveling more than 100 mph in the hopes of reducing potentially deadly crashes. The program automatically refers these drivers to DMV for review — independent of any court proceedings — to determine whether action should be taken against their driving privileges. Furthermore, in February of this year, CalSTA announced that Avalon Boulevard in Thousand Palms (Riverside County) would serve as the first in a set of corridors to allow for testing to make high-risk thoroughfares safer in California.

Additionally, safer vehicles can help prevent certain crashes from occurring and mitigate harm to those outside of the vehicle when a crash happens. Seat belts and air bags, for example, prevented an estimated 425,000 fatalities in traffic crashes since they were first federally required, according to the U.S. DOT.¹⁰ New technology shows similar promise, including the ability to prevent crashes, limit distracted driving, and mitigate excessive speeding.

California's recent reductions in fatal and serious injury crashes are encouraging but do not lessen the urgency of the ongoing traffic safety crisis. California's crash rates are still largely above pre-pandemic levels, and in some cases, improvement is below the national average. Roadway fatalities and serious injuries stem from a complex mix of driver behavior and systemic decisions, requiring a comprehensive response rather than isolated interventions. The Safe Systems Approach provides a strong framework for addressing these risks by emphasizing prevention, redundancy, and shared responsibility across infrastructure, vehicles, enforcement, and emergency response. Additionally, Vision Zero is a strategy growing in popularity among communities which acknowledges that many factors contribute to safe mobility and calls for collaboration, data analysis, prioritizing equity, managing speed, and setting timelines to achieve zero traffic deaths. These approaches may offer helpful frameworks by which to evaluate legislative proposals related to DUI and traffic safety more broadly.

¹⁰ [Safer Vehicles | US Department of Transportation](#)