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Assemblywoman, District 11

FACT SHEET

AB 1622: Driving record: points: misdemeanor diversion

Summary

Existing law authorizes judges to offer diversions for misdemeanor driving offenses that clear the defendant's driving record. However, the driver will have no points or consequence of their misdemeanor reflected on their driving record. This bill seeks to require the DMV to assess points regardless of diversion.

Background

California Vehicle Code Section 12810 mandates the DMV to assign violation points to driving records for convictions involving the unsafe operation of a motor vehicle. An accumulation of points can lead to license suspension, increased insurance, or probation.

Diversion programs effectively allows judges to erase misdemeanor driving offenses from existence.[1] While the intention was to shield people from the stigma and opportunity limitations of "low level" crime, the unintended consequence is that some people charged with vehicular manslaughter avoid that on their driving record.[1]

Since 2019, roughly 400 drivers accused of causing a fatal crash went on to receive another ticket, get into another collision, or both – after the date they allegedly killed someone on the road.[1]

According to the "License to Kill" reports from CalMatters last year, "nearly 40% of the drivers charged with vehicular manslaughter since 2019 have a valid license."[2] Also in this report, nearly a third of the three dozen drivers who were granted diversion for manslaughter have gotten a ticket or been involved in another collision after their initial fatal crash.

Problem

Under current law, drivers who commit serious driving related offenses can sometimes avoid points on their record if their misdemeanor case is dismissed through diversion, meaning the DMV may never see the conduct, even when public safety was at risk. This leads to the driver both avoid criminal conviction and maintain a clean driving record making it difficult to track repeat offenders.

Solution

AB 1662 resolves this loophole by amending CA Vehicle Code Section 12810 to require the court to send diversion points to the DMV for assessment, even if the court dismissed it. The solution ensures dangerous drivers will continue to be held accountable for their misdemeanors through the DMV.

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[1] https://calmatters.org/investigation/2025/12/california-vehicular-manslaughter-diversion/
[2] https://calmatters.org/investigation/2025/04/key-takeaways-california-deadly-drivers/