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March 19, 2025

Erika Contreras
Secretary of the Senate
State Capitol, Room 307
Sacramento, CA 95814

Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, CA 95814

Dear Secretary Contreras and Chief Clerk Parker,

The California State Transportation Agency (CalSTA) is pleased to submit the attached "Evaluation of an Expansion of the Use of Ignition Interlock Devices through California Senate Bill 1046" report required pursuant to California Vehicle Code Section 23575.5.

Senate Bill (SB) 1046 (Hill, Chapter 783, Statutes of 2016) requires the California Department of Motor Vehicles (DMV) to conduct a Statewide Ignition Interlock Device (IID) Pilot Program. Under the statewide pilot, all repeat and all injury-involved driving under the influence (DUI) offenders, whose offenses occur on or after January 1, 2019, through December 31, 2025, are required to install an IID for a time-period ranging from one to four years, depending on the number of prior DUI convictions. The pilot does not apply to DUI offenders whose violation involved drugs only, first offenders whose violation did not involve injury, and offenders who qualify for an IID exemption.

The statewide pilot program includes various provisions related to DUI offenders, including, but not limited to:

- Authorizes the DMV to issue an IID-restricted driver license to DUI offenders who meet specified requirements without requiring them to serve any suspension or revocation period.
- Authorizes Administrative Per Se violators who did not refuse to complete a chemical test to obtain an "optional" IID restriction. These individuals also receive credit toward their mandatory IID restriction period for any time they served on

optional Administrative Per Se IID restrictions, if they are convicted of DUI related to the same violation date.

- Authorizes the courts to order IID installation for a first-time, alcohol-related DUI offender for a period up to six months upon conviction.

SB 1046 requires CalSTA to assess and report to the Legislature on the statewide IID pilot program's outcomes and effectiveness in reducing DUI recidivism by January 1, 2025. To inform this assessment, SB 1046 required the DMV to report certain data to CalSTA by March 1, 2024. SB 1046 also authorized CalSTA to contract with educational institutions to complete data analysis. CalSTA contracted with the California Policy Lab, a research institute at the University of California, for data analysis and evaluation services.

In planning for the assessment, CalSTA recognized that much of the post-SB 1046 evaluation period coincided with the COVID-19 pandemic – a period of time when California and the rest of the United States saw an increase in traffic fatalities and riskier driving behavior, including speeding and aggressive driving and driving under the influence of alcohol or drugs. As such, behavioral changes and other disruptions associated with the pandemic would likely be reflected in the analysis.

The attached report prepared by the California Policy Lab summarizes key DUI statistics from 2014 through 2023 and lays out the research team's SB 1046 program evaluation methodology and findings. Among the findings of the California Policy Lab analysis:

- Alcohol related crashes, injuries and fatalities increase in the post-SB 1046 period relative to the pre-SB 1046 period. A similar increase in fatality rates is observed in the rest of the United States.
- Total convictions among those arrested for DUI during the period spanning 2014 through 2023 declined in the post-SB 1046 period. This trend likely reflects an effect of the COVID-19 pandemic on the operations of courts throughout the state.
- Comparison of the years before and after the implementation of SB 1046 reveals that IID installation rates among people arrested for a DUI increased modestly. There was a more sizable increase in installation rates among arrests occurring in the 54 counties that were not part of an earlier four-county IID pilot program and a large decrease in installation rates in the four counties that were part of the earlier pilot.
- The pandemic dulled the effect of SB 1046 on installation rates by reducing conviction rates and making it difficult (at least early in the pandemic) to document installation and proof of insurance through an in-person visit to a DMV office.
- Installing an IID within two years of arrest reduces recidivism rates, whether measured by future DUI arrests, crashes, or crashes involving injury.

- The effect of installing an IID on future DUI arrests is greatest for people arrested for the first time. The effects on crashes and crashes with injury are largest for people with prior DUI convictions.
- The impacts of SB 1046 on overall statewide recidivism rates, although in the desired direction, are modest. Increasing IID installation rates among those arrested for a DUI would increase the effectiveness of policy requiring IID installations.

Additionally, the reporting language in California Vehicle Code Section 23575.5 identified several data points to be considered as part of the evaluation. These statistics are presented in the Executive Summary of the report, along with descriptive analysis to help contextualize and interpret the data. Please refer to Footnote 1 in the Executive Summary for further details on where the specific data points are presented in Tables ES1 and ES5 of the report.

The provisions of the SB 1046 Statewide IID Pilot sunset on December 31, 2025. As interested stakeholders consider the analysis and findings in the attached report, CalSTA offers a few items for policy consideration:

- While recent data suggests a promising downward trend in traffic crashes and fatalities, gathering additional data on post-pandemic trends and driving behaviors could help to inform future impaired driving policy discussions.
- The recidivism outcomes provided in this report are based on a two-year, post-arrest observation window. With certain data only available through December 2023, the post-SB 1046 outcomes primarily focus on people whose DUI offense occurred in 2019, 2020, and 2021. Additional study for a longer observation period might deepen the understanding of how SB 1046 program requirements have impacted DUI recidivism and overall traffic safety.
- The attached report describes outcomes that are based on any installation of an IID during the two-year observation period, regardless of the length of IID installation. Any adverse outcomes may or may not have occurred while an IID was installed. Further evaluation of safety outcomes while an IID is installed, and the continuing effects on DUI recidivism once that IID is removed, could inform future policy discussions regarding IID requirements.
- As noted in the attached report, the California Policy Lab team observed that approximately 15% of DUI offenders statewide installed an IID during the SB 1046 evaluation window. Approximately 25-27% of people subject to an IID requirement under SB 1046 installed an IID within two years of arrest. Developing a better understanding of the factors that impact an individual DUI offender's likelihood of installing an IID could assist in identifying barriers to IID program participation and potential program changes to address those barriers.

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Impaired driving continues to be a core traffic safety problem and the focus of concerted prevention and deterrence efforts by federal, state, local, and community partners. While much has been gained, more work remains to be done to eliminate impaired driving. CalSTA welcomes further conversation on potential recommendations for strengthening the components of California's comprehensive DUI countermeasure system, including how IIDs may be implemented in conjunction with other strategies, to increase public safety. For any questions, please contact Alejandro Espinoza, Deputy Secretary for Legislation at Alejandro.espinoza@calsta.ca.gov.

Sincerely,

Toks Omishakin

TOKS OMISHAKIN
Secretary

cc: Senator Cortese, Chair, Senate Transportation Committee
Senator Arreguín, Chair, Senate Public Safety Committee
Assemblymember Wilson, Chair, Assembly Transportation Committee
Assemblymember Berman, Chair, Assembly Business and Profession