



CALIFORNIA DUI LAWYERS ASSOCIATION

The CDLA Brief

NEWS · EDUCATION · COMMUNITY

OCTOBER

2026

MEMBER EDITION

LEGISLATIVE WATCH / FROM THE LISTSERV

What changes for a third, fourth and fifth DUI?

SIGNED SEPTEMBER 25, 2026

CALIFORNIA DUI LAWS: WHAT CHANGED
Four enacted measures, presented by subject and operative date.

DATES AT A GLANCE
SB 907 • JAN. 1, 2027
AB 1546 • JAN. 1, 2027
AB 1685 & AB 1687 • OPERATIVE JAN. 1, 2031

AB 1546: THE CLEAR PENALTY CHANGE
For a new VC 23152 offense within 10 years, AB 1546 uses the number of qualifying prior convictions to determine the available punishment.

2 QUALIFYING PRIORS • THIRD DUI
WOBBLER:
120 DAYS TO 1 YEAR COUNTY JAIL OR PC 1170(b) TERM

3 QUALIFYING PRIORS • FOURTH DUI
WOBBLER:
180 DAYS TO 1 YEAR COUNTY JAIL OR PC 1170(b) TERM

4+ QUALIFYING PRIORS • FIFTH+ DUI
FELONY:
PC 1170(h) TERM

KEY TAKEAWAY | The new law distinguishes among the third, fourth, and fifth-or-later qualifying offense.

SB 907 • BRAUN'S LAW
Specified DUI plea changes now require reasons in the court record. A plea to a different or lesser offense replacing a VC 23152 allegation requires the VC 23152 advisement. The bill also changes penalties for specified repeat-prior hit-and-run.

KEY TAKEAWAY | Court-record and advisement requirements are part of the change.

AB 1685 + AB 1687 • DMV CHANGES
AB 1685: 3 DMV points and 10-year record disclosure for gross vehicular manslaughter while intoxicated and with gross negligence.
AB 1687: a 72-month suspension framework for a VC 23153 injury DUI after 4+ qualifying priors; a restricted-license path may be available after 12 months if statutory conditions are met.

KEY TAKEAWAY | These substantive DMV provisions operate January 1, 2031.

BOTTOM LINE
AB 1546 supplies the new repeat-DUI penalty ladder; SB 907 changes specified plea and hit-and-run rules; AB 1685 and AB 1687 address defined DMV consequences.

MIDDLEBROOK

THE FOUR BILLS, BILL BY BILL
Enacted September 25, 2026 • Exact scope and timing at a glance

SIGNED SEP. 25, 2026 | **EFFECTIVE JAN. 1, 2027** | **AB 1685 & AB 1687: OPERATIVE JAN. 1, 2031**

SB 907 • BRAUN'S LAW
WHAT IT DOES: Amends VC 20001 and VC 23635. For specified DUI-allegation or prior dismissals, substitutions, or strikes, the court must state reasons on the record; when the prosecution moves the change, it must file a written statement of reasons. A plea to a different or lesser offense replacing a VC 23152 allegation requires the VC 23593 advisement. It also changes penalties for specified injury or fatal hit-and-run committed within 10 years of qualifying driving convictions.
WHEN: January 1, 2027.
A DUI-related reduced plea can carry new record and advisement requirements.

AB 1546
WHAT IT DOES: Amends VC 23550 and related provisions. A new VC 23152 offense within 10 years of TWO qualifying priors becomes a wobbler: imprisonment pursuant to PC 1170(b), OR 120 days to one year in county jail. A new VC 23152 offense within 10 years of FOUR OR MORE qualifying priors is punishable as a felony.
WHEN: January 1, 2027.
The statute turns on the count and qualifying nature of priors.

AB 1685
WHAT IT DOES: Amends VC 1808 and VC 12810. For gross vehicular manslaughter while intoxicated and with gross negligence, it provides 10-year DMV record disclosure and THREE violation points.
WHEN: Effective January 1, 2027; operative January 1, 2031.
This applies to the gross-negligence intoxication offense described in the statute.

AB 1687 • IRENE'S LAW
WHAT IT DOES: Adds VC 13352.7. A VC 23153 injury DUI within 10 years of FOUR OR MORE qualifying priors triggers a 72-month DMV suspension. After 12 months, the person may seek a restricted license by meeting statutory conditions, including treatment participation, proof of financial responsibility, fees, and a 72-month IID commitment.
WHEN: Effective January 1, 2027; operative January 1, 2031.
It is a defined injury-DUI and repeat-prior framework.

READING THE DATES
Signed is the enactment date. Effective is when the act becomes law. Operative identifies when a particular statutory provision begins to apply.

SB 907 = 2027 | AB 1546 = 2027 | AB 1685 = 2031 OPERATIVE | AB 1687 = 2031 OPERATIVE

MIDDLEBROOK

Visual analyses shared with the CDLA ListServ by Richard Middlebrook.

When news of four signed DUI bills reached the CDLA ListServ, members quickly moved beyond the headlines. They asked how the description of a fifth-offense felony differs from current law and which prior offenses count. Paul Burglin distilled the distinction: under AB 1546, a third, fourth and fifth qualifying offense becomes a wobbler, a fourth remains a wobbler, and a fifth or subsequent qualifying offense becomes a felony.

Richard Middlebrook then shared these two visual analyses to help members compare the bills. **The repeat-offense penalty changes take effect January 1, 2027.** Some separate provisions have later operative dates, so the text and qualifying priors matter in an individual case. The exchange is exactly what makes our ListServ valuable: members spotting a question in real time and sharpening the analysis together.

[Read AB 1546](#) · Join the discussion on the CDLA ListServ.

What can alcohol monitoring technology add to a DUI case?

Our Diamond Partner Educational Webinar Series opens with a timely conversation about **Personal Alcohol Monitoring Technology and DUI Prevention and Defense**.

Richard Middlebrook and James Murphy, Senior Director at Mindr, will explore the technology and its place in the practical questions DUI lawyers face. Bring your curiosity about the data, its limits and how it may inform a case or a client conversation.

Thursday, October 29, 2026

5:00–6:00 p.m. PT

1.0 MCLE credit · Complimentary

It is an opportunity to learn directly from an experienced DUI advocate and a leader in monitoring technology, then carry those insights into your own practice.

Register for the webinar →

The graphic is a vertical rectangular poster for a webinar. At the top, it features a blue header with the text 'CDLA DIAMOND PARTNER EDUCATIONAL WEBINAR SERIES' and a circular logo for the 'CALIFORNIA DUI LAWYERS ASSOCIATION'. Below the header, the title 'Personal Alcohol Monitoring Technology & DUI Prevention and Defense' is prominently displayed in a serif font. Underneath the title, it says 'HOSTED ON ZOOM' and provides a brief description: 'An educational webinar exploring personal alcohol monitoring technology and its relevance to DUI practice.' A row of four icons with text follows: a calendar icon for 'Date: Thursday, October 29, 2026', a clock icon for 'Time: 5:00–6:00 PM', a graduation cap icon for 'MCLE: 1.0 MCLE Credit Hour', and a stack of coins icon for 'Cost: Complimentary'. Below this, two headshots of the speakers are shown side-by-side. Under the first headshot is 'Richard Middlebrook' with his credentials: 'CDLA Executive Board Member | Former President | ACS-CHAL Forensic Lawyer-Scientist'. Under the second headshot is 'James Murphy' with his title: 'Senior Director, Mindr'. At the bottom, a dark blue banner contains a document icon, the text 'Registration Required', the phrase 'Register here:', and a URL: 'https://www.californiaduilawyers.org/diamond-partner-education-series-keep'. To the right of the banner is a QR code. The footer of the graphic reads 'PRESENTED BY THE CALIFORNIA DUI LAWYERS ASSOCIATION'.

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OUR PRESENTERS

Richard Middlebrook
CDLA Executive Board Member | Former President | ACS-CHAL Forensic Lawyer-Scientist

James Murphy
Senior Director, Mindr

Registration Required
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PRESENTED BY THE CALIFORNIA DUI LAWYERS ASSOCIATION

April 2027 DMV and Criminal Writs & Appeals Masterclass

All 15 seats are filled. The waiting list is open.

Cabo and Hawaii remain under consideration. Waiting-list deposit: \$250.

A promotional graphic for the CDLA Masterclass. It features a woman and a man, presumably the instructors, in the center. The text 'CDLA MASTERCLASS' is at the top in large, bold letters. Below it, 'DMV and Criminal Writs & Appeals' is written. The dates 'April 15-18, 2027' and 'Location TBD' are listed. The cost is '\$4,500' with a 'Hard Limit: 15 People' and 'First 15 People \$500 Deposit'. A 'REGISTRATION & PAYMENT' section includes an email address 'Richard@KernCountyDUI.com' and details about payment methods and fees. A 'Destination Options' section lists 'Cabo', 'Hawaii', and 'Colorado 1880s'. A 'WAITING LIST AVAILABLE' section mentions a '\$250' deposit. The graphic also includes a 'SMALL GROUP EVENT' badge and a 'Destination Options' section with images of Cabo, Hawaii, and Colorado 1880s. At the bottom, there are books titled 'APPELLATE ADVOCACY', 'CRIMINAL LAW', 'DUI DEFENSE', and 'WRITS & APPEALS', along with a gavel and a glass of wine.

Four days. Fifteen lawyers. A working roadmap from the first issue to appellate review.

From April 15–18, 2027, Richard Middlebrook and Lara Gressley will lead an intensive, destination-based class on DMV and criminal writs and appeals. Expect real examples, forms, issue development and direct access to both instructors.

Learn to preserve the record at the hearing, select and frame the strongest issues, draft persuasive papers, meet deadlines and prepare for the next level of review. Bring the questions that have kept you from filing. The aim is to leave ready to act.

Want the next available seat? Email Richard@KernCountyDUI.com with “Masterclass waitlist” in the subject. CDLA will confirm your position and provide deposit instructions.

COMMUNITY

Welcome to CDLA

Welcome to September’s new and returning members: **Carey Durbin, Efren Nava and Rob Samudrala.**

FROM THE EXECUTIVE DIRECTOR

A note from Samantha



I am grateful for the warm welcome as I begin serving CDLA. I want to make it easier for you to access timely education, connect with colleagues and use the full value of your membership. Please send me your ideas and concerns.

Samantha M. Phillips

Executive Director

ed@californiaduilawyers.org

213-608-2988

SAVE THE DATE

Northern California Holiday Dinner Meeting

Thursday, December 10, 2026 · Trader Vic's

We are returning to Trader Vic's, one of our favorite spots, for the Northern California Holiday Dinner Meeting. Save the date for a chance to reconnect with colleagues over a wonderful evening together. Program and registration details are coming soon.

COMIC RELIEF

A little ListServ humor



California DUI Lawyers Association
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