

TITLE 13: DEPARTMENT OF MOTOR VEHICLES

Division 1, Chapter 1

Article 2.5 – Driving Under the Influence Program

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Sections 124.92 in Article 2.5, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to terminations of suspension or revocation.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **September 7, 2026**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt/amend/repeal these regulations under the authority granted by Vehicle Code section 1651, to implement, interpret, or make specific Vehicle Code section 13353.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The state of California is a member of the Driver's License Compact and shares with other states information related to a driver who commits serious driving offenses such as driving under the influence, vehicular manslaughter, and reckless driving.

The Driver's License Compact provides uniformity among the member jurisdictions when exchanging information with other states on convictions, record, licenses, and other data pertinent to the licensing process. Compact members will not issue a driver's license to an applicant whose license has been

suspended by another state when the suspension period has not yet terminated. Applicants for a driver's license in a Compact member state are required to surrender their driver's licenses issued by any other member state. There are times where a resident who relocates out of California is unable to obtain a driver's license in their new state due to a suspension or revocation on their driving record. Typically, the new state will not issue a driver's license until the suspension or revocation has been lifted.

Vehicle Code section 13353.5 authorizes the department, upon application, to terminate a suspension or revocation of a person's driver's license if that person is a resident of another state. The driver is required to provide the department with proof of residency in that state and an Application for Termination of Action, form DL 4006. Current regulation allows the driver to submit their documentation either through the mail or by email. The department has amended the form DL 4006 to require the form and supplemental documentation to be submitted only through email. This change to the submission requirements will ensure the application documents are sent directly to the area of the department responsible for processing.

BENEFITS OF THE PROPOSED REGULATION

The revisions to the form will benefit drivers by streamlining the application process and reduce instances where their application documents could be lost or delayed. The submission change will allow for faster processing as the information will be sent directly to the area responsible for processing the termination of action.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department has conducted a review of other state regulations and has determined this is the only regulation related to drivers applying to terminate their driver's license action. Therefore, the department has determined this action is neither inconsistent nor incompatible with other state regulations.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

There are no comparable federal statutes or regulations related to termination of actions nor the process by which a driver submits their application to the department.

DOCUMENTS INCORPORATED BY REFERENCE

The following document is incorporated by reference:

- Application for Termination of Action, form DL 4006 (Rev. 5/2024)

This form is not published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the document is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Effects on Housing Costs: None.
- Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.: None.
- Cost Impact on Representative Private Persons or Businesses: There are no cost impacts to representative private persons or businesses. This action only amends the application process.
- Small Business Impact: This action will not impact small businesses. The provisions only impact individuals.
- Local Agency/School District Mandate: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: The department does not anticipate this action will have a significant statewide adverse economic impact directly affecting businesses, including California businesses ability to compete with businesses in other states. This action only impacts individuals.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has made the initial determination that this action will not impact, 1) the creation or elimination of jobs within the State of California, 2) the

creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) worker safety or the state's environment.

This proposed action will benefit drivers who reside in other states who are in need of a driver's license to drive and establish identity. This action will streamline the termination of action process to ensure the driver does not experience unnecessary delays during the application process.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins

Department of Motor Vehicles

Legal Affairs Division

PO Box 932382, MS C-244

Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282-7294

Facsimile: (916) 657-6243

E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV

Department of Motor Vehicles

Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.