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** Pro Hac Vice applications forthcoming*

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

JOHN DOE 1, *et al.*, Plaintiffs/Petitioners, vs. CALIFORNIA DEPARTMENT OF MOTOR VEHICLES, *et al.*, Defendants/Respondents.	Case No. **VERIFIED PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

INTRODUCTION

1. This action is brought on behalf of approximately 20,000 immigrant drivers and business owners residing in California who face imminent cancellation of their commercial driver's licenses, and the resulting loss of their livelihoods, due to administrative errors committed by the California Department of Motor Vehicles (DMV).

2. On November 6, 2025, the DMV notified 17,299 immigrant drivers and business owners in California that it would cancel their non-domiciled commercial driver's license ("CDL") on January 5, 2026, due to an error with the expiration date on their license. DMV subsequently notified an additional 2,700 immigrant drivers that their license would be cancelled in mid-February. For all 19,999 immigrants, the DMV intends to cancel their commercial licenses without affording any opportunity to obtain a corrected license or to contest the cancellation.[1]

3. DMV regulations provide that the agency set the expiration date for a CDL given to an immigrant ("nonresident") on either the same date or before the expiration of the driver's work authorization or legal presence documents.

4. For the last several years, however, the DMV has issued licenses inconsistent with this regulation and has purportedly issued non-compliant CDLs to approximately 20,000 immigrant drivers.

5. In instances like this where the DMV seeks to correct a license with an incorrect expiration date, California mandates that the DMV either: (1) cancel the license *without* prejudice and give applicants the opportunity to immediately reapply for a corrected license as required by Cal. Veh. Code section 13100; or (2) change the expiration date on its own accord (see Cal. Veh. Code § 12816.)

6. Despite clear statutory mandates, the DMV is abdicating its duties and neither canceling the CDLs without prejudice and allowing individuals the right to immediately reapply nor correcting the expiration date on its own.

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[1] On the same day that affected individuals' commercial license will terminate, the DMV intends to also cancel the individual's noncommercial driver's license but is allowing them to immediately re-apply for a new non-commercial driver's license.

7. Instead, the DMV has informed applicants that it is not processing—issuing, renewing, or amending—any nonresident CDL and therefore individuals cannot immediately reapply for a corrected license. The DMV has also not provided any timeline of when—if ever—individuals will be permitted to reapply.

8. DMV's "notice of cancellation" is in effect a notice that DMV will be terminating their driving privileges for an indefinite period of time. The Vehicle Code sets out basic due process protections before the DMV takes away a driver's license temporarily or permanently. Yet, the DMV has provided no process by which affected individuals can contest the agency's actions, show valid work authorization, or reapply for a corrected license.

9. DMV's plan is therefore to revoke and indefinitely terminate 17,299 licenses on January 5, 2026, and another 2,700 licenses in mid-February, without providing individuals with meaningful notice, opportunity to be heard, or avenue for relief.

10. The DMV is aware that its actions will leave thousands of "eligible drivers in the cold without any resolution" and that the sudden disappearance of them from our roads will disrupt our supply chains and services on which the public depends. And yet, as of filing, the DMV has not changed course to ensure its actions are consistent with its statutory duties and comport with basic due process requirements.

11. Individual Plaintiffs/Petitioners John Does 1, 2, 3, and 4 and Jane Doe 1 (collectively, "Individual Plaintiffs") are each non-domiciled CDL holders who received a letter from the DMV informing them that their CDLs will be cancelled in 60 days due to errors with their expiration date through no fault of their own. These Individual Plaintiffs represent a class of similarly situated individuals who received the same letters from DMV notifying them that their CDL will be cancelled. For these drivers, a valid CDL is a requirement of their job and once their CDL is cancelled, they will immediately lose their jobs and ability to cover basic expenses, risking further consequences, including foreclosure or eviction, bankruptcy, food insecurity, and lack of health care.

12. Associational Plaintiff Jakara Movement ("Jakara") is headquartered in Fresno and counts among its members hundreds of immigrant commercial drivers residing throughout the state.

Many of Jakara's members received a letter from the DMV notifying them that their commercial driver's license would be cancelled.

13. The Individual Plaintiffs and Jakara's members—and similarly situated drivers across the state—play an indispensable role in our local and national economies, providing essential services that communities rely on every day, including transporting food, driving children to school, and delivering manufactured goods. The sudden loss of their ability to work threatens not only their livelihoods but also the stability of our supply chains and services on which the public depends. Neither the individuals nor our communities can sustain the harm that will occur if these drivers lose their licenses, careers, and economic stability.

14. Plaintiffs bring this class action writ of mandate and complaint for declaratory, injunctive, monetary, and restitution relief against the DMV and its Director Steve Gordon, in his official capacity, to compel performance of their duties consistent with state law, to prevent the erroneous deprivation of Plaintiffs' statutory, property, and liberty interest in their licenses, and to ensure they do not exceed the scope of their statutory authority.

JURISDICTION AND VENUE

15. Jurisdiction is proper pursuant to article VI, section 10 of the Constitution of California and Code of Civil Procedure section 410.10.

16. This Court has authority to issue relief pursuant to California Code of Civil Procedure sections 526, 527, 1060 and 1085.

17. Venue is proper under CCP section 393(b)(1) because "some part" of the cause of action arose in this County. Plaintiff John Doe 1 lives, and has felt the effects of DMV's actions, in this county. Venue is further proper under CCP section 401(1) because the DMV is a state agency which may be sued in a county in which the Attorney General maintains an office and the Attorney General maintains an office in Alameda County.

18. Plaintiffs have standing to pursue this action due to their specific injuries, as taxpayers under common law, and in furtherance of the public interest.

PARTIES

19. Plaintiff John Doe 1 is a tax-paying resident of Alameda County. He holds a CDL, which he first received in 2017. He uses his CDL to drive buses for a leading technology company and has previously worked for various counties as a transit driver. John Doe 1's employment requires him to have a CDL. In November 2025, John Doe 1 received a letter from the DMV notifying him that his CDL will be revoked within 60 days due to an error made by the DMV, and through no fault of his own. Without his CDL, he cannot maintain his job and will not be able to support his wife and two children, one of whom is a child with a severe learning disability.

20. Plaintiff John Doe 2 a tax-paying resident of California. He holds a CDL, and owns and operates his own tow truck company California. John Doe 2 relies on his CDL to support his wife and two minor children and to pay his mortgage, car payments, and various other expenses. His wife is pregnant and expecting their third child in February. In November 2025, John Doe 2 received a letter from the DMV notifying him that his CDL will be revoked within 60 days due to an error made by the DMV, and through no fault of his own.

21. Plaintiff John Doe 3 is a tax-paying resident of California. He holds a CDL, which he first received in 2021. He was awarded Driver of the Year in 2024 by his current employer. He relies on his CDL to pay his mortgage for a recently purchased home, make his car payments, and pay various other expenses. In November 2025, John Doe 3 received a letter from the DMV notifying him that his CDL will be revoked within 60 days due to an error made by the DMV, and through no fault of his own.

22. Plaintiff John Doe 4 is a tax-paying resident of California. He holds a CDL, which he first received in 2019. After driving freight for several years, he obtained a passenger and school-bus endorsement and currently works for a public school district. He is currently on parental-bonding leave, following the birth of his youngest child. He relies on his CDL to provide health insurance and financial support to his family. In November 2025, John Doe 4 received a letter from the DMV notifying him that his CDL will be revoked within 60 days due to an error made by the DMV, and

through no fault of his own. He was particularly confused by this letter because his current CDL expires on the same day as his current work authorization document.

23. Plaintiff Jane Doe 1 is a tax-paying resident of California. She holds a CDL, which she first obtained in 2018. Since then, she has driven a school bus for a Central Valley public school district. She finds joy in supporting the schoolchildren that she transports each day and depends on her job for her family's livelihood. In November 2025, Jane Doe 1 received a letter from the DMV notifying him that her CDL will be revoked within 60 days due to an error made by the DMV, and through no fault of her own. Although her district has been looking for alternative jobs for her if she loses her CDL, the only job available would cut her salary in half.

24. Plaintiff the Jakara Movement is a grassroots, membership-based community-building organization working to empower, educate, and organize working-class Punjabi Sikhs, and other marginalized communities; to advance their health, education, and arts/cultural, economic, social, and community power. Several members of Jakara received the November letter from the DMV notifying them that their CDL will be revoked within 60 days due to an error made by the DMV, and through no fault of their own.

25. Defendant DMV is the California state agency responsible for regulating, overseeing, and issuing driver's licenses to commercial and noncommercial drivers throughout California.

26. Defendant Steve Gordon is the civil executive officer for the DMV, referred to as the Director of Motor Vehicles. Respondent Gordon oversees administration and enforcement of the California Vehicle Code as it relates to the DMV and is responsible for his agency's actions. Respondent Gordon is sued in his official capacity.

STATUTORY FRAMEWORK

27. The DMV is the state agency responsible for executing state and federal laws relating to the issuance, cancellation, and revocation of commercial driver's licenses.

28. To operate a commercial motor vehicle, an individual must possess a valid commercial driver's license. (See Cal. Veh. Code § 15250(a).)

29. California residents who are not United States citizens or legal permanent residents may obtain and maintain commercial driver's license after passing knowledge and driving tests that comply with both federal and state requirements. (§ 15250(b)(2)(A).)

30. For these CDL-holders, DMV's regulations require the commercial license to expire on the same date the applicant's work authorization or legal presence expires. (Cal. Code Regs. tit. 13, § 26.02(c).)

31. The regulations prohibit DMV from renewing or upgrading such a CDL unless the applicant submits proof of valid work authorization or legal presence. *Id.*

32. If DMV seeks to cancel a CDL due to an error, a cancellation means "that a driver's license certificate is terminated without prejudice and must be surrendered." (Cal. Veh. Code § 13100.) The DMV may cancel licenses only as "specifically authorized" in Vehicle Code section 13100 which is "when application is made for a license to operate vehicles of a higher class, or when a license has been issued through error or voluntarily surrendered to the department." *Ibid.* The statute directs the DMV to allow "any person whose license has been canceled may immediately apply for a license." *Ibid.* There is no exception to this requirement.

33. For errors on a driver's license that relate to expiration dates, the statute allows the DMV to correct expiration dates without canceling an individual's nonresident commercial driver's license. (See Cal. Veh. Code § 12816 (allowing the DMV to "adjust the expiration date for any driver's license").)

34. The Code draws a clear distinction between license cancellation and license revocation. A revocation terminates a person's privilege to drive and bars issuance of a new license until the revocation period has passed. (Cal. Veh. Code §13101.)

35. Because license revocation results in the termination of a driver's privilege to drive, the DMV's authority is confined to those circumstances expressly authorized by statute. (See generally Cal. Veh. Code §§ 13350-92 ("Suspension and Revocation by Department").) The Vehicle Code requires revocation upon conviction of specific enumerated crimes or offenses. (See Cal. Veh. Code §§ 13350, 13351, 13351.5, 13352, 13353, 13353.1, 13353.2, 13357.) In limited circumstances,

the DMV may also exercise its discretion to revoke a license for "any ground which authorize the refusal to issue a license." (§13359.)

36. Even where revocation is mandatory, the Vehicle Code imposes procedural constraints on DMV's authority. The DMV must provide notice of revocation under Section 13106. And in many instances, the DMV must afford affected individuals due process protections before a license is revoked. These protections include adequate notice, an opportunity to examine and present evidence, hearing before an impartial adjudicator, and the right to appeal. (See, e.g., Cal. Veh. Code §§ 13557, 13378.)

37. The Vehicle Code does not grant DMV discretion to cancel or revoke licenses for any grounds it sees fit; the DMV's authority to cancel or revoke licenses is limited by what the Code authorizes.

FACTUAL ALLEGATIONS

38. Despite its own regulation, the DMV did not consistently ensure that a CDL's expiration date matched the end of a person's period of work authorization or lawful presence. Plaintiffs John Doe 1-3 and Jane Doe 1's own experiences confirm this practice:

- John Doe 1's current work authorization is valid until March 25, 2030, but his CDL will expire on September 11, 2030;
- When John Doe 2 obtained his most recent CDL, his work authorization was set to expire on April 2, 2025, but his CDL's expiration date was set as March 17, 2027. Since then, his work authorization period has been extended to September 24, 2026, but he had no reason to believe that he should notify the DMV of this change;
- When John Doe 3 obtained his most recent CDL, his work authorization was set to expire on January 9, 2025, but his CDL's expiration date was set as May 24, 2027. He has since renewed his work authorization until January 8, 2030, but he had no reason to believe that he should notify the DMV of this change; and
- Jane Doe 1's current work authorization is valid until April 21, 2027, but her CDL will expire on August 27, 2027.

39. Following a recent audit, DMV discovered "shortcomings of its technical systems and processes" that led to CDLs "being issued with validity dates" not matching the expiration of the applicant's work authorization or legal presence documents. (See Letter from DMV to Federal Motor Carrier Safety Administration, (dated Oct. 26, 2025), at 8-9, https://calmatters.org/wp-content/uploads/2025/11/FMCSA-CA-Response-10.26.2026-1-1.pdf (hereinafter "Oct. 26 Letter").) These errors are entirely of DMV's own making.

40. The DMV initiated its audit in response to the September 26, 2025, letter from the Federal Motor Carrier Safety Administration ("FMSCA") finding that California was not in "substantial compliance with the standards for issuing non-domiciled…CDLs." (See Preliminary Determination Letter from FMCSA to DMV, (dated Sept. 26, 2025), at 1, https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2025-09/Letter%20to%20California_2025%20Annual%20Program%20Review%20Findings.pdf.)

41. A "non-domiciled commercial driver's license" is a defined term in federal law for the licenses that are issued to drivers who are neither U.S. Citizens nor lawful permanent residents. (Compare 49 CFR § 383.71(f) with Cal. Veh. Code § 15210(1)(n)(1).)

42. Federal regulations set forth the minimum requirements for obtaining a commercial driver's license but states may impose additional requirements as California has done. (See generally 49 C.F.R. Part 383; Cal. Veh. Code §15250(b) (enacting by reference federal standards codified in Part 383 of Title 49 of the Code of Federal Regulations); Cal. Code Regs. tit. 13, § 26.02(c) (requiring more stringent expiration date requirements for the issuance of nonresident CDLs).)

43. With the exception of a brief period between September 29, 2025, through November 13, 2025, federal regulations do not require the expiration dates of nonresident CDLs to match the expiration date of their work authorization or lawful presence documentation issued by DHS.

44. During that brief period, the federal government through promulgation of an Interim Final Rule ("IFR") attempted to amend federal regulations to require expiration dates to match. (See 90 Fed. Reg. 46,509, 46,525 (Sep. 29, 2025).) The IFR would have also barred several categories of immigrants, who were otherwise legally present and authorized to work in the country, from obtaining

nonresident CDLs. The IFR directed states to stop issuing, renewing, or maintaining CDLs for previously eligible categories of immigrants including asylum seekers, asylees, refugees, and recipients of Deferred Action for Childhood Arrivals. The IFR, however, was stayed in its entirety by the D.C. Circuit Court of Appeals on February 13, 2025. (See *Lujan, et al. v. Federal Motor Carrier Safety Administration, et al.*, No. 25-1215, Order (D.C. Cir. Dec. 3, 2025).

45. California—and not the federal government—requires that a nonresident CDL expire on the same date as an individual's work authorization or legal presence documents. (Cal. Code Regs. Tit. 13 section 26.02(c).) Accordingly, when the DMV issued nonresident CDLs with expiration dates extending beyond the expiration date of an individual's work permit or legal presence documents, the DMV was out of compliance with only DMV regulations, not federal law.

November 6th Cancellation Letter

46. Shortly before the D.C. Circuit Court stayed the IFR, the DMV sent out mass cancellation letters dated November 6, 2025 (hereinafter, "November 6th Cancellation Letter") to 17,299 immigrants with CDLs residing in California. *See* Exhibit A (attached hereto).

47. Petitioners John Does 1 through 4, Jane Doe, and Jakara members, received the November 6th Cancellation Letter with the subject title reading "Notice of Commercial Driver's License (CDL) Cancellation," which stated that:

> [T]he DMV [has] determined that your Commercial Driver's License (CDL) is not consistent with California law which requires that the expiration date of a CDL must be on or before the expiration of the legal presence documents provided to the DMV.
>
> We regret to inform you that the DMV will cancel your commercial driver's license 60 days from the date of this letter pursuant to California Vehicle Code § 13100 unless you provide legal presence documents that meet new federal guidelines issued on September 26, 2025[2] […] such as permanent residency or U.S. citizenship.

[2] The Interim Final Rule was publicly announced on September 26, but it became effective on its publication in the Federal Register on September 29.

The letter further stated that cancellation of the individual's CDL would also result in the cancellation of the individual's noncommercial or regular driver's license ("DL") and described the steps the individual would be required to take to obtain a new DL.

48. Though the DMV cited to Section 13100 in support of its cancellation decision, it provided no process for recipients to immediately re-apply for a new nonresident CDL; it only created a process for reapplication of a DL.

49. The November 6th Cancellation Letter's reference to the "new federal guidelines" referred to the IFR, which the D.C. Circuit stayed seven days after the DMV issued the Cancellation Letters. To date, the DMV has not revised or withdrawn the Cancellation Letters to reflect that the IFR is no longer in effect and cannot lawfully support the DMV's decision.

50. John Doe 4 received the November 6th Cancellation Letter despite the fact that his CDL expires on the same day as the work authorization document he presented when he most recently renewed his CDL.

51. One Jakara member attempted to address his concerns about the November 6th Cancellation letter by going to a DMV office in person. Once he arrived, however, he was pressured into surrendering his CDL, out of fear that his non-commercial driver's license would already be cancelled. Although he currently has work authorization, he has not been able to regain his CDL and is prevented from driving commercially.

December 15th Cancellation Letter

52. On information and belief, the DMV identified an additional 2,700 nonresident CDLs where the commercial license's expiration date did not match the expiration date of the individual's work authorization or legal presence documents as issued by DHS.

53. On information and belief, the DMV sent the 2,700 individuals a letter dated December 15, 2025, notifying them that their nonresident CDL will be cancelled on February 13, 2026 (hereinafter "December 15 Cancellation Letter").

54. On information and belief, the December 15th Cancellation Letter is materially identical with the November 6th Cancellation Letter with the exception that the DMV no longer relies

on the stayed IFR. Instead, it states: "Pursuant to a preliminary determination of non-compliance issued by the Federal Motor Carrier Safety Administration, the DMV is currently unable to issue non-domiciled CDLs."

55. This paragraph refers to a preliminary determination by the FMCSA that the California DMV's issuance and renewals of DMVs for non-citizen drivers was inconsistent with federal law that was in effect before the issuance of the IFR.

56. The DMV publicly maintains that it cannot issue corrected nonresident CDLs due to FMCSA's preliminary determination of non-compliance and threat to withhold funds. The DMV has taken the opposite position in its communications with the FMCSA. In its October 26, 2025, response to the FMCSA's preliminary determination, the DMV's expressly stated that its compliance issue under California's regulation is "not a violation of federal law, which imposed no comparable requirement before the IFR, and thus is not a basis for withholding highway funding." (See Response to September 26, 2025, Letter Regarding Commercial Learning Permit and Commercial Driver's License Issuance at 9 (Oct. 26, 2025) chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://calmatters.org/wp-content/uploads/2025/11/FMCSA-CA-Response-10.26.2026-1-1.pdf.)

57. On information and belief, the DMV reiterated its position to the FMCSA in a follow up response on December 10, 2025, and explained that it "will resume issuing non-domiciled…CDL's on December 17, 2025." On information and belief, DMV believes that its decision to reissue corrected nonresident CDLs is consistent with FMCSA's instruction to reissue licenses and does not run afoul of federal requirements.

58. But on December 19, 2025, the DMV reversed course under pressure from the federal government.

Consequences of DMV's Cancellation Letters

59. The DMV's November 6th and December 15th Cancellation Letters have led to widespread panic and despair. Plaintiffs feel "shattered," "helpless," and "left in the dark" by DMV's

November 6th Cancellation Letter. They are being punished for the state's failure to meet a requirement they were unaware of and which DMV did not enforce.

60. Plaintiffs have bought homes, cars, and trucks, relying on their ability to continue working a well-paying job that requires a CDL. Many drivers are the main or even sole providers for their families. The DMV's actions will result in the loss of their hard-earned careers and impose severe financial and emotional hardships on the drivers and their families.

61. John Doe 1 received his nonresident CDL in 2017 and has been a bus driver for the last eight years. His CDL has given him the flexibility he needs to care for his severely disabled child. Prior to receiving the November 6th Cancellation Letter, John Doe 1 had never been told by the DMV that he needed to present evidence of his work permit renewal documents to ensure that his CDL's expiration date did not exceed the term for his work authorization. If John Doe 1 had been made aware of this requirement, he would have provided the DMV with the requisite documentation to ensure his CDL was in compliance with state law. If John Doe 1 loses his CDL, he will lose his job and will not be able to support his family of four and their monthly expenses.

62. John Doe 2 is panicked after learning that his CDL—and the towing business that he built with it—will all be taken away without any opportunity for him to contest DHS' decision. John Doe 2's wife is pregnant with their third child, and he does not know how they will survive if on January 5th he is forced to shut down his business. His work authorization has been automatically renewed. If John Doe 2 loses his CDL, he will not be able to pay his monthly family and business expenses.

63. John Doe 3 recently purchased his first home and fears that he will now lose it because without his CDL, he cannot pay his mortgage. He has always maintained lawful work authorization and cannot understand how the DMV can suddenly terminate his CDL when both documents are valid. John Doe 3 loves being a truck driver and has dedicated himself to his profession as evidenced by the multiple awards he has received, including the 2024 Driver of the Year Award from his current employer. If John Doe 3 loses his CDL, he will not be able to afford his monthly expenses.

64. John Doe 4 recently welcomed a newborn to his family. He provides essential financial support and health insurance to his wife and children. His employer has told him that, if he loses his CDL, he will not have a job waiting for him when he returns from parental bonding leave. Because he has spent his career as a commercial driver, it is not clear how he will continue to support his family if he loses the CDL. The threat of the imminent loss of his livelihood has caused him anguish and despair.

65. Jane Doe 1 depends on her job as a school bus driver to provide for herself and her family—and she loves to contribute to her community by supporting the schoolchildren she transports each day. If she loses her CDL, she will face a 50 percent drop in salary, as she is forced into an alternative, lower-paying job. Her passengers will also come back from winter break to see a stranger at the front of the bus.

66. While Plaintiffs are grappling with what the impending termination of their CDL means for their futures, others like John Doe 4 do not understand why the DMV identified their CDL as being out of compliance. John Doe 4 has a valid nonresident CDLs where the expiration date matches the expiration date of their work authorization document. He does not understand why the DMV identified his CDL as being "not consistent with California law."

67. DMV has not explained how it identified 19,999 licenses as out of compliance with state law and how it can ensure that its determinations are accurate. The agency has not explained whether it reviewed only an impacted individual's most recent license renewal application or whether it examined the initial issuance and any later renewals or amendments. Nor has the agency released any public guidance explaining its criteria, its methodology, or the scope of its review.

68. For John Doe 4, like the other Individual Plaintiffs, he has no ability to challenge the DMV's decision. He cannot request a hearing, examine the evidence DMV relied upon, nor present evidence to show why the DMV should not cancel and terminate his CDL.

69. The consequences of DMV's actions and its failure to provide individuals with a modicum of due process will be felt beyond Individual Plaintiffs and the class of impacted individuals. It will extend to their families, communities, and businesses.

70. As of the date of this complaint, the DMV has not announced its intent to rescind the November 6th Cancellation Letter and December 15th Cancellation Letter nor resumed reissuing corrected non-resident CDLs. It has not provided any process for Plaintiffs and the class of individuals they represent to be able to challenge DMV's determination or provide an avenue for relief to maintain their CDL. (See State of California Department of Motor Vehicles, *Commercial Driver's Licenses* (last viewed Dec. 22, 2025) https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/commercial-driver-licenses-cdl/ ("[u]ntil further notice, the California DMV cannot issue, reissue, or renew limited-term legal presence (non-domiciled) commercial driver's licenses (CDLs).") DMV's field offices continue to inform impacted individuals that they have no guidance and there is nothing they can do to assist them.

71. The DMV—and not the federal government—has left its constituents "out in the cold without resolution."

CLASS ALLEGATIONS

72. Pursuant to Code of Civil Procedure § 382, the individual Plaintiffs bring this action on their own behalf and on behalf of all others similarly situated. The proposed class consists of all individuals who received a letter from the DMV informing them that their licenses will be cancelled in 60 days.

73. On information and belief, approximately 20,000 individuals ("Class Members") received such a letter from the DMV, which violates the law and deprives these individuals of their right to due process.

74. Class members are suffering and will continue to suffer harm as a result of the DMV's decision to cancel their licenses with prejudice.

75. The size of the class is so numerous that joinder of all members is impracticable.

76. Common questions of law and fact predominate over questions affecting individual Class Members. These questions include: (a) whether the DMV has violated its ministerial duty pursuant to California Vehicle Code section 13100; (b) whether the DMV's decision to cancel Petitioners' license without providing an opportunity to be heard and contest the decision violate the

recipients' due process rights; and (c) whether the DMV acted beyond the scope of section 13100 by cancelling the non-domiciled CDLs with prejudice.

77. The prosecution of separate actions by individual Class Members would create a risk of inconsistent or varying adjudication.

78. Plaintiffs' claims are typical of the claims of the class as a whole in that Plaintiffs and the class all received letters from the DMV informing them that their CDLs will be cancelled within 60 days without recourse. The claims arise from the DMV's cancellation.

79. Plaintiffs will fairly represent and adequately protect the interests of members of the class as a whole. Plaintiffs do not have any interests antagonistic to those of other Class Members. By filing this action, Plaintiffs have displayed an interest in vindicating their rights, as well as the claims of others who are similarly situated. The relief sought by Plaintiffs will inure to the benefit of members of the class generally. Plaintiffs are represented by qualified, experienced, and competent counsel.

80. Class Members share a common need to maintain their CDLs. A class action is superior to individual lawsuits for resolving this controversy.

81. Defendants' actions, as alleged herein, have resulted in, and will continue to result in irreparable injury to Plaintiffs and the class, for which they have no plain, speedy, or adequate remedy at law. Plaintiffs and Class Members will suffer irreparable injury in that they are at risk of losing their livelihoods, thereby exposing them and their families to severe financial and emotional hardships.

FIRST CAUSE OF ACTION

Writ of Mandate to Compel Compliance with Vehicle Code

Civ. Proc. Code § 1085

82. Plaintiffs incorporate all preceding allegations.

83. Under California Code of Civil Procedure section 1085, subdivision (a), "[a] writ of mandate may be issued by any court to any inferior tribunal, corporation, board, or person to compel

the performance of an act which the law specifically enjoins, as a duty resulting from an office, trust, or station . . . ."

84. To obtain a writ of mandate, a plaintiff must establish three elements: (1) "the respondent has a clear, present, and ministerial duty to act in a particular way;" (2) "the petitioner has a clear, present and beneficial right to performance of that duty;" and (3) "there is no other plain, speedy, and adequate remedy." (*California Priv. Prot. Agency v. Superior Ct.*, 99 Cal. App. 5th 705, 721 (2024), review denied (Apr. 24, 2024).)

85. Defendants have clear ministerial duties imposed on them by California Vehicle Code § 13100, which states that:

> When used in reference to a driver's license, "cancellation" means that a driver's license certificate is terminated without prejudice and must be surrendered. Any person whose license has been canceled may immediately apply for a license. Cancellation of license may be made only when specifically authorized in this code, when application is made for a license to operate vehicles of a higher class, or when a license has been issued through error or voluntarily surrendered to the department.

86. The statute defines cancellation as the termination of a driver's license "without prejudice," and it permits an immediate application for a new license. *Id.* Therefore, if the DMV cancels a driver's license, it triggers a "clear, present, and ministerial duty" to implement the statutory consequence—i.e., to accept an application for reissuance if the driver chooses to immediately apply for a corrected license. (See *Kavanaugh v. W. Sonoma Cnty. Union High Sch. Dist.*, 29 Cal. 4th 911, 922, 926 (2003).)

87. The DMV's decision to prohibit the drivers from "immediately" applying for a license following cancellation breaches this ministerial duty.

88. Plaintiffs have a clear, present, and beneficial interest in the DMV's performance of that duty, which would allow Plaintiffs to maintain their CDLs, without which Plaintiffs will suffer irreparable harm in the form of financial, psychological, and emotional harm.

89. Plaintiffs seek to protect the public's interest in a strong economy and governmental services that are provided by the thousands of drivers in the proposed class.

90. Plaintiffs have no other plain, speedy, or adequate remedy. The DMV alone has authority to issue, cancel, and reissue CDLs in California.

SECOND CAUSE OF ACTION

Right to Due Process

Violation of California Constitution, Art. 1, § 7

Writ of Mandate and/or Common-Law Taxpayer Suit to Compel Compliance with California Due Process Clause

91. Plaintiffs incorporate all preceding allegations.

92. The California Constitution provides that "[a] person may not be deprived of life, liberty, or property without due process of law." (Cal. Const. Art. I § 7(a).)

93. Defendants have an obligation to comply with the California Constitution.

94. The Due Process clause requires adequate procedure before a person may be deprived of any "statutorily conferred benefit or interest," not limited to property or liberty interests. (*Barri v. Workers' Comp. Appeals Bd.* (2018) 28 Cal. App. 5th 428, 463.)

95. Commercial drivers have a liberty, property, and statutory interest in their CDLs, particularly given their importance to drivers' ability to pursue a livelihood.

96. Due process requires, at a minimum, a person must receive notice and a meaningful opportunity to be heard. (*Id*).

97. The DMV's efforts to cancel the CDLs of Plaintiffs and the putative class deprives drivers of their interest in their CDLs without any opportunity to be heard.

98. The DMV's efforts to cancel the CDLs of Plaintiffs and the putative class further reflect inadequate process, given the weighty interests of the drivers, the dignitary harms of DMV's efforts, the substantial risk of error, and the minimal interests of the State in depriving drivers of their livelihoods.

99. The DMV's efforts constitute an unlawful expenditure of taxpayer funds.

100. Plaintiffs have a clear, present, and beneficial interest in the DMV's performance of its constitutional duty, which would allow Plaintiffs to maintain their CDLs, without which Plaintiffs will suffer irreparable harm in the form of financial, psychological, and emotional harm.

101. Plaintiffs seek to protect the public's interest in a strong economy and governmental services that are provided by the thousands of drivers in the proposed class.

102. Plaintiffs have no other plain, speedy, or adequate remedy. A writ and/or any available injunctive or declaratory relief is necessary to prevent them from being unlawfully deprived of their CDLs.

THIRD CAUSE OF ACTION

Ultra Vires

103. "Administrative agencies only have the power conferred upon them by statute and an act in excess of these powers is void." (*Rich Vision Centers, Inc. v. Bd. of Med. Examiners* (1983) 144 Cal. App. 3d 110, 114.)

104. Veh. Code §13100 authorizes the DMV to cancel a license "without prejudice."

105. By purporting to cancel Plaintiffs' and the putative class's licenses with no opportunity for drivers to obtain corrected licenses, the DMV effectively canceled the licenses "with prejudice." Such action is in excess of the powers conferred on the DMV by statute.

106. Any such action by DMV would accordingly be void and have no effect.

107. Plaintiffs seek to protect the public's interest in a strong economy and governmental services that are provided by the thousands of drivers in the proposed class.

108. Plaintiffs have no other plain, speedy, or adequate remedy. A writ and/or any available injunctive or declaratory relief is necessary to prevent them from being unlawfully deprived of their CDLs.

REQUEST FOR RELIEF

WHEREFORE, Plaintiffs and the proposed class pray for judgment and the following relief against Defendants as follows:

1. Certify this action as a class action.

2. Issue a writ of mandate, preliminary injunction or permanent injunction requiring Defendants to perform ministerial duties as required by the Vehicle Code and take all steps necessary to ensure that Plaintiffs and the class may immediately obtain a corrected commercial driver's license without interruption to their driving privileges.

3. Issue declaratory relief, preliminary injunction, permanent injunction, and or a writ of mandate that:

   a. Respondents' November 5th Cancellation Letter and December 15th Cancellation Letter are null and void and its decision to terminate Plaintiffs' nonresident commercial driver's licenses violates Vehicle Code Section 13100;

   b. Respondents' decision to terminate Plaintiffs' commercial driving privileges without providing them with meaningful notice, opportunity to be heard, and a pathway to relief violates the Due Process Clause of the California Constitution; and

   c. Respondents' actions are void, as they exceed their statutory authority.

4. Award Petitioner the costs of this action and reasonable attorneys' fees; and

5. Such other and further relief as the Court deems just and proper.

DATED: December 22, 2025

Respectfully submitted,
WEIL, GOTSHAL & MANGES LLP
THE SIKH COALITION
ASIAN LAW CAUCUS

By: /s/ *David R. Singh*
David R. Singh

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* *Pro Hac Vice* applications forthcoming

VERIFICATION

I, Munmeeth Soni, am a Legal Director of the Sikh Coalition. I represent Plaintiffs in the underlying action. The Sikh Coalition is headquartered in New York City, and I work remotely from my office in Los Angeles. None of the Individual Plaintiffs or the Associational Plaintiff reside in Los Angeles. I am therefore submitting this verification on behalf of the Plaintiffs as permitted under California Code of Civil Procedure section 446(a).

I have read the foregoing Verified Petition for Writ of Mandate and Class Action Complaint for Declaratory and Injunctive Relief, and know the contents thereof. The facts as alleged therein are true to the best of my knowledge, except as to those matters alleged on information and belief, and as to those matters, I believe them to be true. I have authorization to verify such facts on behalf of the Plaintiffs.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 22, 2025, in Los Angeles, California.

Munmeeth Soni

Exhibit A

CALIFORNIA STATE TRANSPORTATION AGENCY
GAVIN NEWSOM, Governor

DEPARTMENT OF MOTOR VEHICLES
OPERATIONS DIVISION
P.O. BOX 942890 M/S G204
Sacramento, CA 94290-0001
Telephone: (800) 777-0133

November 6, 2025

[redacted]

[redacted]

Subject: Notice of Commercial Driver's License (CDL) Cancellation

Dear [redacted]

This letter is to inform you that the Department of Motor Vehicles (DMV) recently reviewed your driver record and submitted legal presence documents. Based on this review, the DMV determined that your Commercial Driver's License (CDL) is not consistent with California law which requires that the expiration date of a CDL must be on or before the expiration of the legal presence documents provided to the DMV.

We regret to inform you that the DMV will cancel your commercial driver's license **60 days** from the date of this letter pursuant to California Vehicle Code §13100 unless you provide legal presence documents that meet new federal guidelines issued on September 26, 2025 (linked below), such as permanent residency or U.S. citizenship.

In addition to your CDL being cancelled, your noncommercial driver's license (DL) will also be cancelled. To obtain a new license, you must:

- Complete an application online,
- Schedule an appointment to visit your nearest DMV field office,
- Surrender the driver's license in your possession, and
- Bring this letter and all relevant documentation so our staff may conduct a thorough review and provide appropriate guidance.

Additional licensing requirements may apply. To start your application and schedule an appointment, please visit edl.dmv.ca.gov or call (800) 777-0133.

On September 26, 2025, federal guidelines established by the Trump Administration imposed new restrictions on issuance of CDLs to individuals with limited-term legal presence (non-domiciled) in the United States. For more information regarding the new FMCSA requirements for non-domiciled CDLs, visit https://www.fmcsa.dot.gov/newsroom/interim-final-ruling-restoring-integrity-issuance-non-domiciled-drivers-licenses-cdl.

Sincerely,

California Department of Motor Vehicles