

AMENDED IN SENATE APRIL 9, 2025

AMENDED IN SENATE MARCH 25, 2025

**SENATE BILL**

**No. 692**

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**Introduced by Senator Arreguín**  
***(Principal coauthor: Senator Richardson)***

February 21, 2025

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An act to amend Sections 50236 and 50243 of the Health and Safety Code, and to amend Sections 22650, 22660, 22661, 22662, and 22851.3 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 692, as amended, Arreguín. Vehicles: homelessness.

Existing law makes it unlawful for a peace officer or an unauthorized person to remove an unattended vehicle from a highway, except as provided. Under existing law, the removal of a vehicle is a seizure, subject to the limits set forth in jurisprudence for the Fourth Amendment of the United States Constitution. Existing law authorizes a city, county, or city and county to adopt an ordinance establishing procedures for the abatement and removal, as public nuisances, of abandoned, wrecked, dismantled, or inoperative vehicles or parts of vehicles from private or public property. Existing law requires that any ordinance for the removal of abandoned vehicles contain certain provisions, including a provision exempting vehicles under certain circumstances, and a provision providing no less than a 10-day notice of intention to abate and remove the vehicle or part thereof as a public nuisance, unless the property owner and the owner of the vehicle sign releases. Existing law also exempts from the 10-day notice prior to removal provision, a vehicle meeting specified requirements, including being valued at less than

\$200 and being determined to be a public nuisance, if the property owner has signed a release.

This bill would additionally authorize a city, county, or city and county to adopt an ordinance for the abatement and removal of vehicles formerly used as shelter by ~~persons experiencing homelessness. a~~ *person*. The bill would require an ordinance establishing procedures for the removal of abandoned vehicles to contain a provision making the ordinance applicable to public agencies operating certain vehicle buyback programs, as specified. The bill would also specifically authorize a local government to perform emergency summary abatement of vehicles creating imminent health and safety hazards. The bill would modify the exemption from prior 10-day notice of intention to abate and remove a vehicle to no longer require that both the vehicle be determined to be a public nuisance and that the property owner sign a release.

Existing law authorizes vehicles or parts thereof to be disposed of by removal to, among other places, a scrapyard or automobile dismantler's yard.

The bill would authorize specified vehicles to be scrapped and dismantled in place and disposed of at a suitable site operated by a local authority.

~~Existing law establishes the Homeless Housing, Assistance, and Prevention program, administered by the California Interagency Council on Homelessness, for the purpose of providing jurisdictions with grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges, as specified. Existing law provides for the allocation of funding under the program among continuums of care, cities, counties, and tribes in rounds and establishes round 5 for the purpose of creating and implementing regionally coordinated plans that organize and deploy the full array of homelessness programs and resources comprehensively and effectively. Existing law authorizes the use of those funds for services for people experiencing unsheltered homelessness, including, among other things, street outreach, and specified programs funded by the Encampment Resolution Grant. Existing law establishes round 6 for the purpose of, among other things, expeditiously reducing unsheltered homelessness through homelessness prevention activities and sustaining existing interim housing solutions. Existing law authorizes the use of those funds for, among other things, permanent housing solutions that can prevent or serve those experiencing unsheltered homelessness, as specified.~~

~~This bill would additionally authorize the use of funds from rounds 5 and 6 for vehicle buyback programs for persons experiencing vehicular homelessness, if the buyback offer is paired with an offer of interim or permanent housing.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 50236 of the Health and Safety Code is~~  
2     ~~amended to read:~~  
3     ~~50236. (a) The intent of round 5 is to sustain existing federal,~~  
4     ~~state, and local investments towards long-term sustainability of~~  
5     ~~housing and supportive services.~~  
6     ~~(b) Applicants shall develop data-driven plans which fund the~~  
7     ~~state's priorities.~~  
8     ~~(c) Provided that before proposing to use round 5 resources to~~  
9     ~~fund new interim housing solutions, the applicant first demonstrates~~  
10    ~~that the region has dedicated sufficient resources from other sources~~  
11    ~~to long-term permanent housing solutions, including capital and~~  
12    ~~operating costs, allowable uses of round 5 base program allocation~~  
13    ~~funds include all of the following:~~  
14    ~~(1) Permanent housing solutions, including all of the following:~~  
15    ~~(A) Rental subsidies, including to support placement of~~  
16    ~~individuals in CARE Court.~~  
17    ~~(B) Landlord incentives, such as security deposits, holding fees,~~  
18    ~~funding for needed repairs, and recruitment and relationship~~  
19    ~~management costs.~~  
20    ~~(C) Move-in expenses.~~  
21    ~~(D) Operating subsidies in new and existing affordable or~~  
22    ~~supportive housing units serving people experiencing~~  
23    ~~homelessness, including programs such as Homekey, new or~~  
24    ~~existing residential care facilities, funded by the Behavioral Health~~  
25    ~~Continuum Infrastructure Program or the Community Care~~  
26    ~~Expansion Program. Operating subsidies may include operating~~  
27    ~~reserves.~~  
28    ~~(E) Homelessness prevention through rental assistance, rapid~~  
29    ~~rehousing, and other programs, so long as they prioritize~~  
30    ~~households with incomes at or below 30 percent of the area median~~  
31    ~~income, who pay more than 50 percent of their income in housing~~

1 costs, and who meet criteria for being at highest risk of  
2 homelessness through data-informed criteria adopted by the  
3 council.

4 (F) Problem-solving and diversion support programs that prevent  
5 people at risk of or recently experiencing homelessness from  
6 entering unsheltered or sheltered homelessness.

7 (G) Services for people in permanent housing, so long as the  
8 services are trauma-informed and practice harm reduction, to  
9 include intensive case management services, assertive community  
10 treatment services, critical time intervention services, other tenancy  
11 support services, evidence-based employment services,  
12 coordinating mental health, substance use, and primary care  
13 treatment, or other evidence-based supportive services to increase  
14 housing retention.

15 (H) Capital for permanent housing that serves people  
16 experiencing homelessness, including conversion of underutilized  
17 buildings or existing interim or transitional housing into permanent  
18 housing.

19 (2) Interim housing solutions, including all of the following:

20 (A) Navigation centers that are low barrier, as defined in  
21 Sections 65660 and 65662 of the Government Code, to include  
22 any of the following:

23 (B) Operating expenses in existing congregate shelter sites.

24 (C) Operating expenses in new or existing nonecongregate shelter  
25 sites and transitional housing for youth.

26 (D) Motel or hotel vouchers.

27 (E) Services provided to people in interim housing, to include  
28 trauma-informed and evidence-based intensive case management  
29 services, housing navigation, connecting people to substance use  
30 or mental health treatment, public benefits advocacy, and other  
31 supportive services to promote stability and referral into permanent  
32 housing.

33 (F) Capital funding to build new nonecongregate shelter sites,  
34 including for construction, rehabilitation, and capital improvements  
35 to convert existing congregate sites into nonecongregate sites.

36 (G) Capital funding for clinically enhanced congregate or  
37 nonecongregate shelter sites.

38 (H) Youth-focused services in transitional housing.

39 (3) (A) Services for people experiencing unsheltered  
40 homelessness, including street outreach, including, but not limited

1 to, persons experiencing homelessness from encampment sites and  
2 those transitioning out of encampment sites funded by the program  
3 known as the Encampment Resolution Grant consistent with  
4 Section 50251 to access permanent housing and services. This  
5 includes evidence-based engagement services, intensive case  
6 management services, assertive community treatment, housing  
7 navigation, harm reduction services, coordination with street-based  
8 health care services, and hygiene services for people living in  
9 encampments and unsheltered individuals.

10 (B) Vehicle buyback programs for persons experiencing  
11 vehicular homelessness, if those buyback offers are paired with  
12 an offer of interim or permanent housing.

13 (C) Services coordination, which may include access to  
14 workforce, education, and training programs, or other services  
15 needed to promote housing stability in supportive housing.

16 (D) Systems support for activities necessary to create regional  
17 partnerships and maintain a homeless services and housing delivery  
18 system, particularly for vulnerable populations, including families  
19 and homeless youth.

20 (E) Improvements to existing emergency shelters to lower  
21 barriers and increase privacy.

22 (F) Any new interim sheltering funded by round 5 funds must  
23 be low-barrier, comply with Housing First as provided in Chapter  
24 6.5 (commencing with Section 8255) of Division 8 of the Welfare  
25 and Institutions Code, and prioritize interventions other than  
26 congregate shelters.

27 (4) A program recipient shall not use funding from the program  
28 allocated under this section to supplant existing Encampment  
29 Resolution Grant funds provided under Section 50251.

30 (d) (1) Applicants may request, in a form prescribed by the  
31 council, approval to utilize round 5 funding on allowable  
32 expenditures outside of the state's intended priorities, as  
33 enumerated in this section.

34 (2) The council may grant applicants preapproval to utilize  
35 program funding on allowable uses only after an applicant has  
36 demonstrated that state priorities are adequately resourced, and  
37 the applicant has exhausted all means to accomplish these priorities.

38 (e) An applicant shall not use more than 7 percent of a round 5  
39 program allocation for administrative costs incurred by the city,  
40 county, continuum of care, or tribe to administer its program

1 allocation. For purposes of this subdivision, “administrative costs”  
2 does not include staff or other costs directly related to  
3 implementing activities funded by the program allocation.

4 (f) (1) The council may authorize an applicant to use up to an  
5 additional 1 percent for costs related to the Homeless Management  
6 Information System. Related costs include Homeless Management  
7 Information System licenses, training, system operating costs, and  
8 costs associated with carrying out related activities.

9 (2) Upon agreement between the grantee and the Homeless  
10 Management Information System lead entity, the grantee shall  
11 transfer the authorized amount of funds pursuant to paragraph (1)  
12 for related costs to the Homeless Management Information System  
13 lead entity. The council shall specify the method and manner for  
14 this transfer of funds.

15 (g) A recipient of a round 5 program allocation shall comply  
16 with Housing First as provided in Chapter 6.5 (commencing with  
17 Section 8255) of Division 8 of the Welfare and Institutions Code.

18 (h) Notwithstanding Section 27011 of the Government Code,  
19 or any other law governing the deposit of funds in the county  
20 treasury, a county may accept or deposit into the county treasury  
21 funds from any source for the purpose of administering a project,  
22 proposal, or program under this chapter.

23 (i) For purposes of Section 1090 of the Government Code, a  
24 representative of a county serving on a board, committee, or body  
25 with the primary purpose of administering funds or making funding  
26 recommendations for applications pursuant to this chapter shall  
27 have no financial interest in any contract, program, or project voted  
28 on by the board, committee, or body on the basis of the receipt of  
29 compensation for holding public office or public employment as  
30 a representative of the county.

31 SEC. 2. Section 50243 of the Health and Safety Code is  
32 amended to read:

33 50243. (a) The intent of round 6 is to reflect the state’s  
34 priorities to prevent and expeditiously reduce unsheltered  
35 homelessness through homelessness prevention activities,  
36 sustaining existing interim housing solutions, and permanent  
37 housing solutions, including long-term sustainability of affordable  
38 permanent supportive housing.

39 (b) Applicants shall develop data-driven plans that fund the  
40 state’s priorities.

~~(e) Applicants shall demonstrate how the region will use available resources to sustain all existing and, as applicable, any proposed interim housing investments within the region, including, but not limited to, use of local dedicated funding, Behavioral Health Services Act funds, or any funds pursuant to Chapter 6 (commencing with Section 50216) or this chapter as long-term capitalized operating reserves, or any other local, state, or federal funding source.~~

~~(d) Before proposing to use round 6 resources to fund new interim housing other than new interim housing for youth or proposing to use round 6 resources to fund nonhousing solutions, applicants shall first demonstrate that their region has dedicated sufficient resources from other sources to sustain their existing and planned portfolio of long-term permanent affordable housing and existing interim solutions, including capital and operating costs.~~

~~(e) Subject to subdivision (d), allowable uses of round 6 base program allocation funds include all of the following:~~

~~(1) Permanent housing solutions that can prevent or serve those experiencing unsheltered homelessness, including, but not limited to, persons experiencing homelessness coming from encampment sites. These uses include all of the following:~~

~~(A) Rental subsidies, including to support placement of individuals in CARE Court.~~

~~(B) Landlord incentives, such as security deposits, holding fees, funding for needed repairs, and recruitment and relationship management costs.~~

~~(C) Move-in expenses.~~

~~(D) Operating subsidies in new and existing affordable or supportive housing units serving people experiencing or at risk of homelessness, including programs such as Homekey, new or existing residential care facilities, funded by the Behavioral Health Continuum Infrastructure Program or the Community Care Expansion Program. Operating subsidies may include capitalized operating reserves.~~

~~(E) Supportive services for people in permanent housing, so long as the services are trauma-informed and practice harm reduction, to include intensive case management services, assertive community treatment services, critical time intervention services, other tenancy support services, evidence-based employment~~

1 services, coordinating mental health, substance use, and primary  
2 care treatment, or other evidence-based supportive services to  
3 increase housing retention.

4 (F) Capital for permanent housing that serves people  
5 experiencing homelessness, including conversion of underutilized  
6 buildings or existing interim or transitional housing into permanent  
7 housing.

8 (G) Services coordination, which may include access to  
9 workforce, education, and training programs, or other services  
10 needed to promote housing stability in permanent supportive  
11 housing.

12 (2) Homelessness prevention includes, but is not limited to, both  
13 of the following:

14 (A) Rental assistance, rapid rehousing, and other programs as  
15 long as they prioritize households with incomes at or below 30  
16 percent of the area median income.

17 (B) Diversion support programs that prevent people at risk of  
18 or recently experiencing homelessness from entering unsheltered  
19 or sheltered homelessness.

20 (3) Interim housing solutions, that can provide shelter to those  
21 experiencing unsheltered homelessness, including, but not limited  
22 to, persons experiencing homelessness coming from encampment  
23 sites. These uses include all of the following:

24 (A) Navigation centers that are low barrier, as defined in  
25 Sections 65660 and 65662 of the Government Code.

26 (B) Operating expenses for existing congregate shelter sites.

27 (C) Operating expenses in new or existing nonecongregate shelter  
28 sites and transitional housing for youth.

29 (D) Motel or hotel vouchers.

30 (E) Services provided to people in interim housing, to include  
31 trauma-informed and evidence-based intensive case management  
32 services, housing navigation, connecting people to substance use  
33 or mental health treatment, public benefits advocacy, and other  
34 supportive services to promote stability and referral into permanent  
35 housing.

36 (F) Capital funding to build new nonecongregate shelter sites  
37 and transitional housing sites for homeless youth, including for  
38 construction, rehabilitation, and capital improvements to convert  
39 existing congregate sites into nonecongregate sites.



1 ~~(G) Capital funding for clinically enhanced congregate or~~  
2 ~~noncongregate shelter sites.~~

3 ~~(H) Youth-focused services in transitional housing.~~

4 ~~(I) Improvements to existing emergency shelters to lower~~  
5 ~~barriers and increase privacy.~~

6 ~~(J) Any new interim sheltering funded by round 6 funds shall~~  
7 ~~be low barrier, comply with Housing First as provided in Chapter~~  
8 ~~6.5 (commencing with Section 8255) of Division 8 of the Welfare~~  
9 ~~and Institutions Code, and prioritize interventions other than~~  
10 ~~congregate shelters except clinically enhanced congregate shelters~~  
11 ~~as specified in subparagraph (G).~~

12 ~~(4) Nonhousing solutions, including nonhousing services for~~  
13 ~~people experiencing unsheltered homelessness, including, but not~~  
14 ~~limited to, persons experiencing homelessness from encampment~~  
15 ~~sites and those transitioning out of encampment sites. This includes~~  
16 ~~street outreach, evidence-based engagement services, intensive~~  
17 ~~case management services, assertive community treatment, housing~~  
18 ~~navigation, harm reduction services, coordination with street-based~~  
19 ~~health care services, and hygiene services for people living in~~  
20 ~~encampments and unsheltered individuals.~~

21 ~~(5) Vehicle buyback programs for persons experiencing~~  
22 ~~vehicular homelessness, if those buyback offers are paired with~~  
23 ~~an offer of interim or permanent housing.~~

24 ~~(f) (1) Applicants may request, in a form prescribed by the~~  
25 ~~department, approval to utilize round 6 funding on allowable~~  
26 ~~expenditures outside of the state's intended priorities, as~~  
27 ~~enumerated in this section.~~

28 ~~(2) The department may grant applicants preapproval to utilize~~  
29 ~~program funding on allowable uses only after an applicant has~~  
30 ~~demonstrated that state priorities are adequately resourced, and~~  
31 ~~the applicant has exhausted all means to accomplish these priorities.~~

32 ~~(g) An applicant shall not use more than 7 percent of a round 6~~  
33 ~~program allocation for administrative costs incurred by the city,~~  
34 ~~county, continuum of care, or tribe to administer its program~~  
35 ~~allocation. For purposes of this subdivision, "administrative costs"~~  
36 ~~does not include staff or other costs directly related to~~  
37 ~~implementing activities funded by the program allocation.~~

38 ~~(h) (1) The department may authorize an applicant to use up~~  
39 ~~to an additional 1 percent for costs related to the Homeless~~  
40 ~~Management Information System. Related costs include Homeless~~

1 ~~Management Information System licenses, training, system~~  
2 ~~operating costs, and costs associated with carrying out related~~  
3 ~~activities.~~

4 ~~(2) Upon agreement between the grantee and the Homeless~~  
5 ~~Management Information System lead entity, the grantee shall~~  
6 ~~transfer the authorized amount of funds pursuant to paragraph (1)~~  
7 ~~for related costs to the Homeless Management Information System~~  
8 ~~lead entity. The department shall specify the method and manner~~  
9 ~~for this transfer of funds.~~

10 ~~(i) A recipient of a round 6 program allocation shall comply~~  
11 ~~with Housing First as provided in Chapter 6.5 (commencing with~~  
12 ~~Section 8255) of Division 8 of the Welfare and Institutions Code.~~

13 ~~(j) Notwithstanding Section 27011 of the Government Code,~~  
14 ~~or any other law governing the deposit of funds in the county~~  
15 ~~treasury, a county may accept or deposit into the county treasury~~  
16 ~~funds from any source for the purpose of administering a project,~~  
17 ~~proposal, or program under this article.~~

18 ~~(k) For purposes of Section 1090 of the Government Code, a~~  
19 ~~representative of a county serving on a board, committee, or body~~  
20 ~~with the primary purpose of administering funds or making funding~~  
21 ~~recommendations for applications pursuant to this article shall~~  
22 ~~have no financial interest in any contract, program, or project voted~~  
23 ~~on by the board, committee, or body on the basis of the receipt of~~  
24 ~~compensation for holding public office or public employment as~~  
25 ~~a representative of the county.~~

26 ~~(l) A program recipient shall not use funding from the program~~  
27 ~~allocated under this section to supplant Encampment Resolution~~  
28 ~~Funding program grant funds provided under Section 50251.~~

29 ~~SEC. 3.~~

30 *SECTION 1.* ~~Section 22650 of the Vehicle Code is amended~~  
31 ~~to read:~~

32 22650. (a) It is unlawful for a peace officer or an unauthorized  
33 person to remove an unattended vehicle from a highway to a garage  
34 or to any other place, except as provided in this code.

35 (b) Any removal of a vehicle is a seizure under the Fourth  
36 Amendment of the Constitution of the United States and Section  
37 13 of Article I of the California Constitution, and shall be  
38 reasonable and subject to the limits set forth in Fourth Amendment  
39 jurisprudence. A removal pursuant to an authority, including, but  
40 not limited to, as provided in Section 22651, that is based on

1 community caretaking, is only reasonable if the removal is  
2 necessary to achieve the community caretaking need, such as  
3 ensuring the safe flow of traffic or protecting property from theft  
4 or vandalism.

5 (c) Those law enforcement and other agencies identified in this  
6 chapter as having the authority to remove vehicles shall also have  
7 the authority to provide hearings in compliance with the provisions  
8 of Section 22852. During these hearings the storing agency shall  
9 have the burden of establishing the authority for, and the validity  
10 of, the removal.

11 (d) This section does not prevent a review or other action as  
12 may be permitted by the laws of this state by a court of competent  
13 jurisdiction.

14 (e) This article does not prevent a local government from  
15 performing emergency summary abatement of ~~vehicles~~ *vehicles*,  
16 *as defined in Section 670, that are* creating imminent health and  
17 safety hazards, pursuant to state law or local ordinance.

18 ~~SEC. 4.~~

19 *SEC. 2.* Section 22660 of the Vehicle Code is amended to read:

20 22660. Notwithstanding any other provision of law, a city,  
21 county, or city and county may adopt an ordinance establishing  
22 procedures for the abatement and removal, as public nuisances, of  
23 abandoned, wrecked, dismantled, or inoperative vehicles, or  
24 ~~vehicles formerly used as shelter by persons experiencing~~  
25 ~~homelessness~~, *vehicles, as defined in Section 670*, or parts thereof  
26 from private or public property, and for the recovery, pursuant to  
27 Section 25845 or 38773.5 of the Government Code, or assumption  
28 by the local authority, of costs of administration and the removal.

29 ~~SEC. 5.~~

30 *SEC. 3.* Section 22661 of the Vehicle Code is amended to read:

31 22661. Any ordinance establishing procedures for the removal  
32 of abandoned vehicles shall contain all of the following provisions:

33 (a) The requirement that notice be given to the Department of  
34 Motor Vehicles within five days after the date of removal,  
35 identifying the vehicle or part thereof and any evidence of  
36 registration available, including, but not limited to, the registration  
37 card, certificates of ownership, or license plates.

38 (b) Making the ordinance inapplicable to (1) a vehicle or part  
39 thereof that is completely enclosed within a building in a lawful  
40 manner where it is not visible from the street or other public or

1 private property or (2) a vehicle or part thereof that is stored or  
2 parked in a lawful manner on private property in connection with  
3 the business of a licensed dismantler, licensed vehicle dealer, or  
4 a junkyard. This exception shall not, however, authorize the  
5 maintenance of a public or private nuisance as defined under  
6 provisions of law other than this chapter.

7 (c) Making the ordinance applicable to public agencies operating  
8 a vehicle buyback program for ~~persons experiencing homelessness,~~  
9 ~~utilizing funding from Sections 50232 to 50238, inclusive, Sections~~  
10 ~~50239 to 50244, inclusive, or Sections 50250 to 50254.5, inclusive,~~  
11 ~~of the Health and Safety Code, and wishing to dispose of a vehicle,~~  
12 ~~formerly used as shelter by a person experiencing homelessness,~~  
13 *the removal of vehicles, as defined in Section 670, including, but*  
14 *not limited to, vehicles that are being used, or have been used, as*  
15 *shelter, and wishing to dispose of those vehicles* from public or  
16 private property, irrespective of the vehicle's operability,  
17 registration status, or condition.

18 (d) (1) The requirement that not less than a 10-day notice of  
19 intention to abate and remove the vehicle or part thereof as a public  
20 nuisance be issued, unless the property owner and the owner of  
21 the vehicle have signed releases authorizing removal and waiving  
22 further interest in the vehicle or part thereof.

23 (2) However, prior notice of intention is not required for removal  
24 of a vehicle or part thereof that is inoperable due to the absence  
25 of a motor, transmission, or wheels and incapable of being towed,  
26 and is valued at less than two hundred dollars (\$200) by a person  
27 specified in Section 22855, if either of the following criteria is  
28 met:

29 (A) The property owner has signed a release authorizing removal  
30 and waiving their interest in the vehicle or part thereof.

31 (B) The vehicle or part is determined by the local agency to be  
32 a public nuisance presenting an imminent threat to public health  
33 or safety.

34 (3) Prior to final disposition pursuant to Section 22662 of a  
35 vehicle or part for which evidence of registration was recovered  
36 pursuant to subdivision (a), the local agency shall provide notice  
37 to the registered and legal owners of intent to dispose of the vehicle  
38 or part, and if the vehicle or part is not claimed and removed within  
39 12 days after the notice is mailed, from a location specified in  
40 Section 22662, or if the owner signs a release waiving the waiting

1 period, final disposition may proceed. A local agency or contractor  
2 thereof is not liable for damage caused to a vehicle or part thereof  
3 by removal pursuant to this section.

4 (4) Paragraph (2) applies only as follows:

5 (A) To inoperable vehicles located upon a parcel that is zoned  
6 for agricultural use.

7 (B) To inoperable vehicles located upon a parcel that is not  
8 improved with a residential structure containing one or more  
9 dwelling units.

10 (e) The 10-day notice of intention to abate and remove a vehicle  
11 or part thereof, when required by this section, shall contain a  
12 statement of the hearing rights of the owner of the property on  
13 which the vehicle is located and of the owner of the vehicle. The  
14 statement shall include notice to the property owner that they may  
15 appear in person at a hearing or may submit a sworn written  
16 statement denying responsibility for the presence of the vehicle  
17 on the land, with their reasons for such denial, in lieu of appearing.  
18 The notice of intention to abate shall be mailed, by registered or  
19 certified mail, to the owner of the land as shown on the last  
20 equalized assessment roll and to the last registered and legal owners  
21 of record unless the vehicle is in such condition that identification  
22 numbers are not available to determine ownership.

23 (f) The requirement that a public hearing be held before the  
24 governing body of the city, county, or city and county, or any other  
25 board, commissioner, or official of the city, county, or city and  
26 county as designated by the governing body, upon request for such  
27 a hearing by the owner of the vehicle or the owner of the land on  
28 which the vehicle is located. This request shall be made to the  
29 appropriate public body, agency, or officer within 10 days after  
30 the mailing of notice of intention to abate and remove the vehicle  
31 or at the time of signing a release pursuant to subdivision (d). If  
32 the owner of the land on which the vehicle is located submits a  
33 sworn written statement denying responsibility for the presence  
34 of the vehicle on their land within that time period, this statement  
35 shall be construed as a request for hearing that does not require  
36 the presence of the owner submitting the request. If the request is  
37 not received within that period, the appropriate public body,  
38 agency, or officer shall have the authority to remove the vehicle.

39 (g) The requirement that after a vehicle has been removed, it  
40 shall not be reconstructed or made operable, unless it is a vehicle

1 that qualifies for either horseless carriage license plates or historical  
2 vehicle license plates, pursuant to Section 5004, in which case the  
3 vehicle may be reconstructed or made operable.

4 (h) A provision authorizing the owner of the land on which the  
5 vehicle is located to appear in person at the hearing or present a  
6 sworn written statement denying responsibility for the presence  
7 of the vehicle on the land, with their reasons for the denial. If it is  
8 determined at the hearing that the vehicle was placed on the land  
9 without the consent of the landowner and that they have not  
10 subsequently acquiesced to its presence, then the local authority  
11 shall not assess costs of administration or removal of the vehicle  
12 against the property upon which the vehicle is located or otherwise  
13 attempt to collect those costs from the owner.

14 (i) A provision specifying that, notwithstanding any other  
15 provision of law, emergency summary abatement of vehicles  
16 creating imminent health and safety hazards shall be permissible  
17 pursuant to procedures specified in all applicable state laws or  
18 local ordinances.

19 ~~SEC. 6.~~

20 *SEC. 4.* Section 22662 of the Vehicle Code is amended to read:

21 22662. (a) Vehicles or parts thereof may be disposed of by  
22 removal to a scrapyard, automobile dismantler's yard, or any  
23 suitable site operated by a local authority for processing as scrap,  
24 or other final disposition consistent with subdivision (e) of Section  
25 22661.

26 (b) A local authority may operate such a disposal site when its  
27 governing body determines that commercial channels of disposition  
28 are not available or are inadequate, and it may make final  
29 disposition of such vehicles or parts, or the local agency may  
30 transfer such vehicle or parts to another, provided such disposal  
31 shall be only as scrap. Vehicles described in subdivision (c) of  
32 Section 22661 may be scrapped and dismantled in place and  
33 disposed of at a suitable site operated by a local authority.

34 ~~SEC. 7.~~

35 *SEC. 5.* Section 22851.3 of the Vehicle Code is amended to  
36 read:

37 22851.3. (a) Whenever a peace officer, as defined in Chapter  
38 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
39 Code, or any other employee of a public agency authorized  
40 pursuant to Section 22669, removes, or causes the removal of, a

1 vehicle pursuant to Section 22669 and the public agency or, at the  
2 request of the public agency, the lienholder determines the  
3 estimated value of the vehicle is five hundred dollars (\$500) or  
4 less, the public agency that removed, or caused the removal of,  
5 the vehicle shall cause the disposal of the vehicle under this section,  
6 subject to all of the following requirements:

7 (1) Not less than 72 hours before the vehicle is removed, the  
8 peace officer or the authorized public employee has securely  
9 attached to the vehicle a distinctive notice which states that the  
10 vehicle will be removed by the public agency. This subdivision  
11 does not apply to abandoned vehicles removed pursuant to  
12 subdivision (d) of Section 22669 which are determined by the  
13 public agency to have an estimated value of three hundred dollars  
14 (\$300) or less.

15 (2) Immediately after removal of the vehicle, the public agency  
16 which removed, or caused the removal of, the vehicle shall notify  
17 the Stolen Vehicle System of the Department of Justice in  
18 Sacramento of the removal.

19 (3) The public agency that removed, or caused the removal of,  
20 the vehicle or, at the request of the public agency, the lienholder  
21 shall obtain a copy of the names and addresses of all persons having  
22 an interest in the vehicle, if any, from the Department of Motor  
23 Vehicles either directly or by use of the California Law  
24 Enforcement Telecommunications System. This paragraph does  
25 not require the public agency or lienholder to obtain a copy of the  
26 actual record on file at the Department of Motor Vehicles.

27 (4) Within 48 hours of the removal, excluding weekends and  
28 holidays, the public agency that removed, or caused the removal  
29 of, the vehicle or, at the request of the public agency, the lienholder  
30 shall send a notice to the registered and legal owners at their  
31 addresses of record with the Department of Motor Vehicles, and  
32 to any other person known to have an interest in the vehicle. A  
33 notice sent by the public agency shall be sent by certified or  
34 first-class mail, and a notice sent by the lienholder shall be sent  
35 by certified mail. The notice shall include all of the following  
36 information:

37 (A) The name, address, and telephone number of the public  
38 agency providing the notice.

1 (B) The location of the place of storage and description of the  
2 vehicle which shall include, if available, the vehicle make, license  
3 plate number, vehicle identification number, and mileage.

4 (C) The authority and purpose for the removal of the vehicle.

5 (D) A statement that the vehicle may be disposed of 15 days  
6 from the date of the notice.

7 (E) A statement that the owners and interested persons, or their  
8 agents, have the opportunity for a poststorage hearing before the  
9 public agency that removed, or caused the removal of, the vehicle  
10 to determine the validity of the storage if a request for a hearing  
11 is made in person, in writing, or by telephone within 10 days from  
12 the date of notice; that, if the owner or interested person, or their  
13 agent, disagrees with the decision of the public agency, the decision  
14 may be reviewed pursuant to Section 11523 of the Government  
15 Code; and that during the time of the initial hearing, or during the  
16 time the decision is being reviewed pursuant to Section 11523 of  
17 the Government Code, the vehicle in question may not be disposed  
18 of.

19 (5) (A) A requested hearing shall be conducted within 48 hours  
20 of the request, excluding weekends and holidays. The public  
21 agency that removed the vehicle may authorize its own officers to  
22 conduct the hearing if the hearing officer is not the same person  
23 who directed the storage of the vehicle.

24 (B) Failure of either the registered or legal owner or interested  
25 person, or their agent, to request or to attend a scheduled hearing  
26 shall satisfy the poststorage validity hearing requirement of this  
27 section.

28 (6) The public agency employing the person, or utilizing the  
29 services of a contractor or franchiser pursuant to subdivision (b)  
30 of Section 22669, that removed, or caused the removal of, the  
31 vehicle and that directed any towing or storage, is responsible for  
32 the costs incurred for towing and storage if it is determined in the  
33 hearing that reasonable grounds to believe that the vehicle was  
34 abandoned are not established.

35 (7) An authorization for disposal may not be issued by the public  
36 agency that removed, or caused the removal of, the vehicle to a  
37 lienholder who is storing the vehicle prior to the conclusion of a  
38 requested poststorage hearing or any judicial review of that hearing.

39 (8) If, after 15 days from the notification date, the vehicle  
40 remains unclaimed and the towing and storage fees have not been



1 paid, and if no request for a poststorage hearing was requested or  
2 a poststorage hearing was not attended, the public agency that  
3 removed, or caused the removal of, the vehicle shall provide to  
4 the lienholder who is storing the vehicle, on a form approved by  
5 the Department of Motor Vehicles, authorization to dispose of the  
6 vehicle. The lienholder may request the public agency to provide  
7 the authorization to dispose of the vehicle.

8 (9) If the vehicle is claimed by the owner or their agent within  
9 15 days of the notice date, the lienholder who is storing the vehicle  
10 may collect reasonable fees for services rendered, but may not  
11 collect lien sale fees as provided in Section 22851.12.

12 (10) Disposal of the vehicle by the lienholder who is storing the  
13 vehicle may only be to a licensed dismantler or scrap iron  
14 processor. A copy of the public agency's authorization for disposal  
15 shall be forwarded to the licensed dismantler within five days of  
16 disposal to a licensed dismantler. A copy of the public agency's  
17 authorization for disposal shall be retained by the lienholder who  
18 stored the vehicle for a period of 90 days if the vehicle is disposed  
19 of to a scrap iron processor.

20 (11) If the names and addresses of the registered and legal  
21 owners of the vehicle are not available from the records of the  
22 Department of Motor Vehicles, either directly or by use of the  
23 California Law Enforcement Telecommunications System, the  
24 public agency may issue to the lienholder who stored the vehicle  
25 an authorization for disposal at any time after the removal.

26 The lienholder may request the public agency to issue an  
27 authorization for disposal after the lienholder ascertains that the  
28 names and addresses of the registered and legal owners of the  
29 vehicle are not available from the records of the Department of  
30 Motor Vehicles either directly or by use of the California Law  
31 Enforcement Telecommunications System.

32 (12) A vehicle disposed of pursuant to this section may not be  
33 reconstructed or made operable, unless it is a vehicle that qualifies  
34 for either horseless carriage license plates or historical vehicle  
35 license plates, pursuant to Section 5004, in which case the vehicle  
36 may be reconstructed or made operable.

37 (b) The requirements in subdivision (a) shall be waived if the  
38 public agency meets either of the following conditions:

- 1 (1) Obtains a release signed by the owner of the vehicle
- 2 assigning their interest in the vehicle to the public agency for
- 3 purposes of disposition.
- 4 (2) Determines that the vehicle poses a public nuisance, has
- 5 posted a 15-day public notice to the vehicle specifying that the
- 6 vehicle is subject to disposal if not removed, and allows for a
- 7 hearing pursuant to paragraphs (5) to (8), inclusive, of subdivision
- 8 (a).