

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL

No. 692

Introduced by Senator Arreguín

February 21, 2025

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. ~~Recreational vehicles, trailers, and oversized vehicles.~~ *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. 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.

~~Existing law requires the Department of the California Highway Patrol to regulate the safe operation of specified vehicles including, among others, trucks and trailers, as specified, buses, and a combination of a motor truck and a vehicle or vehicles that exceeds 40 feet in length when coupled together. Existing law prohibits a recreational vehicle, as defined, that is designed to be towed from being manufactured for sale in this state, sold, leased, or rented unless it is equipped with a safety connection, as specified.~~

~~This bill would state the intent of the Legislature to enact legislation relating to vehicles, including, but not limited to, recreational vehicles, trailers, and oversized vehicles.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-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

1 homelessness, including programs such as Homekey, new or
2 existing residential care facilities, funded by the Behavioral Health
3 Continuum Infrastructure Program or the Community Care
4 Expansion Program. Operating subsidies may include operating
5 reserves.

6 (E) Homelessness prevention through rental assistance, rapid
7 rehousing, and other programs, so long as they prioritize
8 households with incomes at or below 30 percent of the area median
9 income, who pay more than 50 percent of their income in housing
10 costs, and who meet criteria for being at highest risk of
11 homelessness through data-informed criteria adopted by the
12 council.

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

16 (G) Services for people in permanent housing, so long as the
17 services are trauma-informed and practice harm reduction, to
18 include intensive case management services, assertive community
19 treatment services, critical time intervention services, other tenancy
20 support services, evidence-based employment services,
21 coordinating mental health, substance use, and primary care
22 treatment, or other evidence-based supportive services to increase
23 housing retention.

24 (H) Capital for permanent housing that serves people
25 experiencing homelessness, including conversion of underutilized
26 buildings or existing interim or transitional housing into permanent
27 housing.

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

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

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

33 (C) Operating expenses in new or existing noncongregate shelter
34 sites and transitional housing for youth.

35 (D) Motel or hotel vouchers.

36 (E) Services provided to people in interim housing, to include
37 trauma-informed and evidence-based intensive case management
38 services, housing navigation, connecting people to substance use
39 or mental health treatment, public benefits advocacy, and other

1 supportive services to promote stability and referral into permanent
2 housing.

3 (F) Capital funding to build new noncongregate shelter sites,
4 including for construction, rehabilitation, and capital improvements
5 to convert existing congregate sites into noncongregate sites.

6 (G) Capital funding for clinically enhanced congregate or
7 noncongregate shelter sites.

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

9 (3) (A) Services for people experiencing unsheltered
10 homelessness, including street outreach, including, but not limited
11 to, persons experiencing homelessness from encampment sites and
12 those transitioning out of encampment sites funded by the program
13 known as the Encampment Resolution Grant consistent with
14 Section 50251 to access permanent housing and services. This
15 includes evidence-based engagement services, intensive case
16 management services, assertive community treatment, housing
17 navigation, harm reduction services, coordination with street-based
18 health care services, and hygiene services for people living in
19 encampments and unsheltered individuals.

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

23 ~~(B)~~

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

27 ~~(C)~~

28 (D) Systems support for activities necessary to create regional
29 partnerships and maintain a homeless services and housing delivery
30 system, particularly for vulnerable populations, including families
31 and homeless youth.

32 ~~(D)~~

33 (E) Improvements to existing emergency shelters to lower
34 barriers and increase privacy.

35 ~~(E)~~

36 (F) Any new interim sheltering funded by round 5 funds must
37 be low-barrier, comply with Housing First as provided in Chapter
38 6.5 (commencing with Section 8255) of Division 8 of the Welfare
39 and Institutions Code, and prioritize interventions other than
40 congregate shelters.

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

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

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

(e) An applicant shall not use more than 7 percent of a round 5 program allocation for administrative costs incurred by the city, county, continuum of care, or tribe to administer its program allocation. For purposes of this subdivision, "administrative costs" does not include staff or other costs directly related to implementing activities funded by the program allocation.

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

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

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

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

(i) For purposes of Section 1090 of the Government Code, a representative of a county serving on a board, committee, or body with the primary purpose of administering funds or making funding recommendations for applications pursuant to this chapter shall

1 have no financial interest in any contract, program, or project voted
2 on by the board, committee, or body on the basis of the receipt of
3 compensation for holding public office or public employment as
4 a representative of the county.

5 *SEC. 2. Section 50243 of the Health and Safety Code is*
6 *amended to read:*

7 50243. (a) The intent of round 6 is to reflect the state's
8 priorities to prevent and expeditiously reduce unsheltered
9 homelessness through homelessness prevention activities,
10 sustaining existing interim housing solutions, and permanent
11 housing solutions, including long-term sustainability of affordable
12 permanent supportive housing.

13 (b) Applicants shall develop data-driven plans that fund the
14 state's priorities.

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

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

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

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

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

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

4 (C) Move-in expenses.

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

12 (E) Supportive services for people in permanent housing, so
13 long as the services are trauma-informed and practice harm
14 reduction, to include intensive case management services, assertive
15 community treatment services, critical time intervention services,
16 other tenancy support services, evidence-based employment
17 services, coordinating mental health, substance use, and primary
18 care treatment, or other evidence-based supportive services to
19 increase housing retention.

20 (F) Capital for permanent housing that serves people
21 experiencing homelessness, including conversion of underutilized
22 buildings or existing interim or transitional housing into permanent
23 housing.

24 (G) Services coordination, which may include access to
25 workforce, education, and training programs, or other services
26 needed to promote housing stability in permanent supportive
27 housing.

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

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

33 (B) Diversion support programs that prevent people at risk of
34 or recently experiencing homelessness from entering unsheltered
35 or sheltered homelessness.

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

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

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

4 (C) Operating expenses in new or existing noncongregate shelter
5 sites and transitional housing for youth.

6 (D) Motel or hotel vouchers.

7 (E) Services provided to people in interim housing, to include
8 trauma-informed and evidence-based intensive case management
9 services, housing navigation, connecting people to substance use
10 or mental health treatment, public benefits advocacy, and other
11 supportive services to promote stability and referral into permanent
12 housing.

13 (F) Capital funding to build new noncongregate shelter sites
14 and transitional housing sites for homeless youth, including for
15 construction, rehabilitation, and capital improvements to convert
16 existing congregate sites into noncongregate sites.

17 (G) Capital funding for clinically enhanced congregate or
18 noncongregate shelter sites.

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

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

22 (J) Any new interim sheltering funded by round 6 funds shall
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 except clinically enhanced congregate shelters
27 as specified in subparagraph (G).

28 (4) Nonhousing solutions, including nonhousing services for
29 people experiencing unsheltered homelessness, including, but not
30 limited to, persons experiencing homelessness from encampment
31 sites and those transitioning out of encampment sites. This includes
32 street outreach, evidence-based engagement services, intensive
33 case management services, assertive community treatment, housing
34 navigation, harm reduction services, coordination with street-based
35 health care services, and hygiene services for people living in
36 encampments and unsheltered individuals.

37 (5) *Vehicle buyback programs for persons experiencing*
38 *vehicular homelessness, if those buyback offers are paired with*
39 *an offer of interim or permanent housing.*

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

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

9 (g) An applicant shall not use more than 7 percent of a round 6
10 program allocation for administrative costs incurred by the city,
11 county, continuum of care, or tribe to administer its program
12 allocation. For purposes of this subdivision, "administrative costs"
13 does not include staff or other costs directly related to
14 implementing activities funded by the program allocation.

15 (h) (1) The department may authorize an applicant to use up
16 to an additional 1 percent for costs related to the Homeless
17 Management Information System. Related costs include Homeless
18 Management Information System licenses, training, system
19 operating costs, and costs associated with carrying out related
20 activities.

21 (2) Upon agreement between the grantee and the Homeless
22 Management Information System lead entity, the grantee shall
23 transfer the authorized amount of funds pursuant to paragraph (1)
24 for related costs to the Homeless Management Information System
25 lead entity. The department shall specify the method and manner
26 for this transfer of funds.

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

30 (j) Notwithstanding Section 27011 of the Government Code,
31 or any other law governing the deposit of funds in the county
32 treasury, a county may accept or deposit into the county treasury
33 funds from any source for the purpose of administering a project,
34 proposal, or program under this article.

35 (k) For purposes of Section 1090 of the Government Code, a
36 representative of a county serving on a board, committee, or body
37 with the primary purpose of administering funds or making funding
38 recommendations for applications pursuant to this article shall
39 have no financial interest in any contract, program, or project voted
40 on by the board, committee, or body on the basis of the receipt of

1 compensation for holding public office or public employment as
2 a representative of the county.

3 (l) A program recipient shall not use funding from the program
4 allocated under this section to supplant Encampment Resolution
5 Funding program grant funds provided under Section 50251.

6 *SEC. 3. Section 22650 of the Vehicle Code is amended to read:*

7 22650. (a) It is unlawful for a peace officer or an unauthorized
8 person to remove an unattended vehicle from a highway to a garage
9 or to any other place, except as provided in this code.

10 (b) Any removal of a vehicle is a seizure under the Fourth
11 Amendment of the Constitution of the United States and Section
12 13 of Article I of the California Constitution, and shall be
13 reasonable and subject to the limits set forth in Fourth Amendment
14 jurisprudence. A removal pursuant to an authority, including, but
15 not limited to, as provided in Section 22651, that is based on
16 community caretaking, is only reasonable if the removal is
17 necessary to achieve the community caretaking need, such as
18 ensuring the safe flow of traffic or protecting property from theft
19 or vandalism.

20 (c) Those law enforcement and other agencies identified in this
21 chapter as having the authority to remove vehicles shall also have
22 the authority to provide hearings in compliance with the provisions
23 of Section 22852. During these hearings the storing agency shall
24 have the burden of establishing the authority for, and the validity
25 of, the removal.

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

29 (e) *This article does not prevent a local government from*
30 *performing emergency summary abatement of vehicles creating*
31 *imminent health and safety hazards, pursuant to state law or local*
32 *ordinance.*

33 *SEC. 4. Section 22660 of the Vehicle Code is amended to read:*

34 22660. Notwithstanding any other provision of law, a city,
35 county, or city and county may adopt an ordinance establishing
36 procedures for the abatement and removal, as public nuisances, of
37 abandoned, wrecked, dismantled, or inoperative ~~vehicles~~ vehicles,
38 *or vehicles formerly used as shelter by persons experiencing*
39 *homelessness*, or parts thereof from private or public property, and
40 for the recovery, pursuant to Section 25845 or 38773.5 of the

1 Government Code, or assumption by the local authority, of costs
2 of administration and the removal.

3 *SEC. 5. Section 22661 of the Vehicle Code is amended to read:*

4 22661. Any ordinance establishing procedures for the removal
5 of abandoned vehicles shall contain all of the following provisions:

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

11 (b) Making the ordinance inapplicable to (1) a vehicle or part
12 thereof that is completely enclosed within a building in a lawful
13 manner where it is not visible from the street or other public or
14 private property or (2) a vehicle or part thereof that is stored or
15 parked in a lawful manner on private property in connection with
16 the business of a licensed dismantler, licensed vehicle dealer, or
17 a junkyard. This exception shall not, however, authorize the
18 maintenance of a public or private nuisance as defined under
19 provisions of law other than this chapter.

20 (c) *Making the ordinance applicable to public agencies*
21 *operating a vehicle buyback program for persons experiencing*
22 *homelessness, utilizing funding from Sections 50232 to 50238,*
23 *inclusive, Sections 50239 to 50244, inclusive, or Sections 50250*
24 *to 50254.5, inclusive, of the Health and Safety Code, and wishing*
25 *to dispose of a vehicle, formerly used as shelter by a person*
26 *experiencing homelessness, from public or private property,*
27 *irrespective of the vehicle's operability, registration status, or*
28 *condition.*

29 (e)

30 (d) (1) The requirement that not less than a 10-day notice of
31 intention to abate and remove the vehicle or part thereof as a public
32 nuisance be issued, unless the property owner and the owner of
33 the vehicle have signed releases authorizing removal and waiving
34 further interest in the vehicle or part thereof. ~~However, the~~

35 (2) ~~However, prior~~ notice of intention is not required for removal
36 of a vehicle or part thereof that is inoperable due to the absence
37 of a motor, transmission, or wheels and incapable of being towed,
38 ~~and is valued at less than two hundred dollars (\$200) by a person~~
39 ~~specified in Section 22855, and is determined by the local agency~~
40 ~~to be a public nuisance presenting an immediate threat to public~~

1 health or safety, provided that the property owner has signed a
2 release authorizing removal and waiving further interest in the
3 vehicle or part thereof. Prior to final disposition under Section
4 22662 of such a low-valued vehicle or part for which evidence of
5 registration was recovered pursuant to subdivision (a), the local
6 agency shall provide notice to the registered and legal owners of
7 intent to dispose of the vehicle or part, and if the vehicle or part
8 is not claimed and removed within 12 days after the notice is
9 mailed, from a location specified in Section 22662, final disposition
10 may proceed. No local agency or contractor thereof shall be liable
11 for damage caused to a vehicle or part thereof by removal pursuant
12 to this section, if either of the following criteria is met:

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

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

18 (3) Prior to final disposition pursuant to Section 22662 of a
19 vehicle or part for which evidence of registration was recovered
20 pursuant to subdivision (a), the local agency shall provide notice
21 to the registered and legal owners of intent to dispose of the vehicle
22 or part, and if the vehicle or part is not claimed and removed
23 within 12 days after the notice is mailed, from a location specified
24 in Section 22662, or if the owner signs a release waiving the
25 waiting period, final disposition may proceed. A local agency or
26 contractor thereof is not liable for damage caused to a vehicle or
27 part thereof by removal pursuant to this section.

28 This subdivision

29 (4) Paragraph (2) applies only to inoperable vehicles located
30 upon a parcel that is (1) zoned for agricultural use or (2) not
31 improved with a residential structure containing one or more
32 dwelling units, as follows:

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

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

38 (d)

39 (e) The 10-day notice of intention to abate and remove a vehicle
40 or part thereof, when required by this section, shall contain a

1 statement of the hearing rights of the owner of the property on
2 which the vehicle is located and of the owner of the vehicle. The
3 statement shall include notice to the property owner that ~~he or she~~
4 *they* may appear in person at a hearing or may submit a sworn
5 written statement denying responsibility for the presence of the
6 vehicle on the land, with ~~his or her~~ *their* reasons for such denial,
7 in lieu of appearing. The notice of intention to abate shall be
8 mailed, by registered or certified mail, to the owner of the land as
9 shown on the last equalized assessment roll and to the last
10 registered and legal owners of record unless the vehicle is in such
11 condition that identification numbers are not available to determine
12 ownership.

13 ~~(e)~~

14 *(f)* The requirement that a public hearing be held before the
15 governing body of the city, county, or city and county, or any other
16 board, commissioner, or official of the city, county, or city and
17 county as designated by the governing body, upon request for such
18 a hearing by the owner of the vehicle or the owner of the land on
19 which the vehicle is located. This request shall be made to the
20 appropriate public body, agency, or officer within 10 days after
21 the mailing of notice of intention to abate and remove the vehicle
22 or at the time of signing a release pursuant to subdivision ~~(e)~~: *(d)*.
23 If the owner of the land on which the vehicle is located submits a
24 sworn written statement denying responsibility for the presence
25 of the vehicle on ~~his or her~~ *their* land within that time period, this
26 statement shall be construed as a request for hearing that does not
27 require the presence of the owner submitting the request. If the
28 request is not received within that period, the appropriate public
29 body, agency, or officer shall have the authority to remove the
30 vehicle.

31 ~~(f)~~

32 *(g)* The requirement that after a vehicle has been removed, it
33 shall not be reconstructed or made operable, unless it is a vehicle
34 that qualifies for either horseless carriage license plates or historical
35 vehicle license plates, pursuant to Section 5004, in which case the
36 vehicle may be reconstructed or made operable.

37 ~~(g)~~

38 *(h)* A provision authorizing the owner of the land on which the
39 vehicle is located to appear in person at the hearing or present a
40 sworn written statement denying responsibility for the presence

1 of the vehicle on the land, with ~~his or her~~ *their* reasons for the
2 denial. If it is determined at the hearing that the vehicle was placed
3 on the land without the consent of the landowner and that ~~he or~~
4 ~~she has~~ *they have* not subsequently acquiesced to its presence, then
5 the local authority shall not assess costs of administration or
6 removal of the vehicle against the property upon which the vehicle
7 is located or otherwise attempt to collect those costs from the
8 owner.

9 *(i) A provision specifying that, notwithstanding any other*
10 *provision of law, emergency summary abatement of vehicles*
11 *creating imminent health and safety hazards shall be permissible*
12 *pursuant to procedures specified in all applicable state laws or*
13 *local ordinances.*

14 *SEC. 6. Section 22662 of the Vehicle Code is amended to read:*

15 22662. (a) Vehicles or parts thereof may be disposed of by
16 removal to a scrapyard, automobile dismantler's yard, or any
17 suitable site operated by a local authority for processing as scrap,
18 or other final disposition consistent with subdivision (e) of Section
19 22661. ~~A~~

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

28 *SEC. 7. Section 22851.3 of the Vehicle Code is amended to*
29 *read:*

30 22851.3. (a) Whenever a peace officer, as defined in Chapter
31 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal
32 Code, or any other employee of a public agency authorized
33 pursuant to Section 22669, removes, or causes the removal of, a
34 vehicle pursuant to Section 22669 and the public agency or, at the
35 request of the public agency, the lienholder determines the
36 estimated value of the vehicle is five hundred dollars (\$500) or
37 less, the public agency that removed, or caused the removal of,
38 the vehicle shall cause the disposal of the vehicle under this section,
39 subject to all of the following requirements:

40 ~~(a)~~

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

~~(b)~~

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

~~(c)~~

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

~~(d)~~

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

~~(1)~~

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

~~(2)~~

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 ~~(3)~~

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

6 ~~(4)~~

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

9 ~~(5)~~

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

22 ~~(e)-(1)~~

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

28 ~~(2)~~

29 (B) Failure of either the registered or legal owner or interested
30 person, or ~~his or her~~ *their* agent, to request or to attend a scheduled
31 hearing shall satisfy the poststorage validity hearing requirement
32 of this section.

33 ~~(f)~~

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

1 ~~(g)~~

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

6 ~~(h)~~

7 (8) If, after 15 days from the notification date, the vehicle
8 remains unclaimed and the towing and storage fees have not been
9 paid, and if no request for a poststorage hearing was requested or
10 a poststorage hearing was not attended, the public agency that
11 removed, or caused the removal of, the vehicle shall provide to
12 the lienholder who is storing the vehicle, on a form approved by
13 the Department of Motor Vehicles, authorization to dispose of the
14 vehicle. The lienholder may request the public agency to provide
15 the authorization to dispose of the vehicle.

16 ~~(i)~~

17 (9) If the vehicle is claimed by the owner or ~~his or her~~ *their*
18 agent within 15 days of the notice date, the lienholder who is
19 storing the vehicle may collect reasonable fees for services
20 rendered, but may not collect lien sale fees as provided in Section
21 22851.12.

22 ~~(j)~~

23 (10) Disposal of the vehicle by the lienholder who is storing the
24 vehicle may only be to a licensed dismantler or scrap iron
25 processor. A copy of the public agency's authorization for disposal
26 shall be forwarded to the licensed dismantler within five days of
27 disposal to a licensed dismantler. A copy of the public agency's
28 authorization for disposal shall be retained by the lienholder who
29 stored the vehicle for a period of 90 days if the vehicle is disposed
30 of to a scrap iron processor.

31 ~~(k)~~

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

38 The lienholder may request the public agency to issue an
39 authorization for disposal after the lienholder ascertains that the
40 names and addresses of the registered and legal owners of the

1 vehicle are not available from the records of the Department of
2 Motor Vehicles either directly or by use of the California Law
3 Enforcement Telecommunications System.

4 ~~(f)~~

5 (12) A vehicle disposed of pursuant to this section may not be
6 reconstructed or made operable, unless it is a vehicle that qualifies
7 for either horseless carriage license plates or historical vehicle
8 license plates, pursuant to Section 5004, in which case the vehicle
9 may be reconstructed or made operable.

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

12 (1) *Obtains a release signed by the owner of the vehicle*
13 *assigning their interest in the vehicle to the public agency for*
14 *purposes of disposition.*

15 (2) *Determines that the vehicle poses a public nuisance, has*
16 *posted a 15-day public notice to the vehicle specifying that the*
17 *vehicle is subject to disposal if not removed, and allows for a*
18 *hearing pursuant to paragraphs (5) to (8), inclusive, of subdivision*
19 *(a).*

20 ~~SECTION 1. It is the intent of the Legislature to enact~~
21 ~~legislation relating to vehicles, including, but not limited to,~~
22 ~~recreational vehicles, trailers, and oversized vehicles.~~