

AMENDED IN ASSEMBLY JULY 3, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 9, 2025

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL

No. 692

Introduced by Senator Arreguín
(Principal coauthor: Senator Richardson)
(Principal coauthor: Assembly Member Mark González)
(Coauthor: Assembly Member Nguyen)

February 21, 2025

An act to amend Sections ~~22650, 22661~~, *22661* 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.

Existing law requires a peace officer, or any other authorized employee of a public agency, at least 72 hours prior to removal of a vehicle, to attach a distinctive notice that states the vehicle will be removed by the public agency, except as specified.

This bill would 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. *The bill would additionally exempt abandoned vehicles or parts from those notice provisions if the vehicle or part is inoperable due to the absence of, among other things, a motor or transmission, and the local agency has determined the vehicle or part to be a public nuisance, as specified.*

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 22650 of the Vehicle Code is amended~~
2 ~~to read:~~
3 ~~22650. (a) It is unlawful for a peace officer or an unauthorized~~
4 ~~person to remove an unattended vehicle from a highway to a garage~~
5 ~~or to any other place, except as provided in this code.~~
6 ~~(b) Any removal of a vehicle is a seizure under the Fourth~~
7 ~~Amendment of the Constitution of the United States and Section~~
8 ~~13 of Article I of the California Constitution, and shall be~~
9 ~~reasonable and subject to the limits set forth in Fourth Amendment~~
10 ~~jurisprudence. A removal pursuant to an authority, including, but~~
11 ~~not limited to, as provided in Section 22651, that is based on~~
12 ~~community caretaking, is only reasonable if the removal is~~
13 ~~necessary to achieve the community caretaking need, such as~~
14 ~~ensuring the safe flow of traffic or protecting property from theft~~
15 ~~or vandalism.~~

1 ~~(e) Those law enforcement and other agencies identified in this~~
2 ~~chapter as having the authority to remove vehicles shall also have~~
3 ~~the authority to provide hearings in compliance with the provisions~~
4 ~~of Section 22852. During these hearings the storing agency shall~~
5 ~~have the burden of establishing the authority for, and the validity~~
6 ~~of, the removal.~~

7 ~~(d) This section does not prevent a review or other action as~~
8 ~~may be permitted by the laws of this state by a court of competent~~
9 ~~jurisdiction.~~

10 ~~(e) This article does not prevent a local government from~~
11 ~~performing emergency summary abatement of vehicles that are~~
12 ~~creating imminent health and safety hazards, pursuant to state law~~
13 ~~or local ordinance.~~

14 ~~SEC. 2.~~

15 ~~SECTION 1.~~ Section 22661 of the Vehicle Code is amended
16 to read:

17 22661. Any ordinance establishing procedures for the removal
18 of abandoned or inoperable vehicles shall contain all of the
19 following provisions:

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

25 (b) Making the ordinance inapplicable to (1) a vehicle or part
26 thereof that is completely enclosed within a building in a lawful
27 manner where it is not visible from the street or other public or
28 private property or (2) a vehicle or part thereof that is stored or
29 parked in a lawful manner on private property in connection with
30 the business of a licensed dismantler, licensed vehicle dealer, or
31 a junkyard. This exception shall not, however, authorize the
32 maintenance of a public or private nuisance as defined under
33 provisions of law other than this chapter.

34 (c) (1) The requirement that not less than a 10-day notice of
35 intention to abate and remove the vehicle or part thereof as a public
36 nuisance be issued, unless the property owner and the owner of
37 the vehicle have signed releases authorizing removal and waiving
38 further interest in the vehicle or part thereof.

39 (2) However, prior notice of intention is not required for removal
40 of a vehicle or part thereof that is inoperable due to the absence

1 of a motor, transmission, or wheels and incapable of being towed,
2 and is valued at less than two hundred dollars (\$200) by a person
3 specified in Section 22855, if either of the following criteria is
4 met:

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

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

10 (3) Prior to final disposition pursuant to Section 22662 of a
11 vehicle or part for which evidence of registration was recovered
12 pursuant to subdivision (a), the local agency shall provide notice
13 to the registered and legal owners of intent to dispose of the vehicle
14 or part, and if the vehicle or part is not claimed and removed within
15 12 days after the notice is mailed, from a location specified in
16 Section 22662, or if the owner signs a release waiving the waiting
17 period, final disposition may proceed. A local agency or contractor
18 thereof is not liable for damage caused to a vehicle or part thereof
19 by removal consistent with this section.

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

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

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

26 (d) The 10-day notice of intention to abate and remove a vehicle
27 or part thereof, when required by this section, shall contain a
28 statement of the hearing rights of the owner of the property on
29 which the vehicle is located and of the owner of the vehicle. The
30 statement shall include notice to the property owner that they may
31 appear in person at a hearing or may submit a sworn written
32 statement denying responsibility for the presence of the vehicle
33 on the land, with their reasons for such denial, in lieu of appearing.
34 The notice of intention to abate shall be mailed, by registered or
35 certified mail, to the owner of the land as shown on the last
36 equalized assessment roll and to the last registered and legal owners
37 of record unless the vehicle is in such condition that identification
38 numbers are not available to determine ownership.

39 (e) The requirement that a public hearing be held before the
40 governing body of the city, county, or city and county, or any other

board, commissioner, or official of the city, county, or city and county as designated by the governing body, upon request for such a hearing by the owner of the vehicle or the owner of the land on which the vehicle is located. This request shall be made to the appropriate public body, agency, or officer within 10 days after the mailing of notice of intention to abate and remove the vehicle or at the time of signing a release pursuant to subdivision (c). If the owner of the land on which the vehicle is located submits a sworn written statement denying responsibility for the presence of the vehicle on their land within that time period, this statement shall be construed as a request for hearing that does not require the presence of the owner submitting the request. If the request is not received within that period, the appropriate public body, agency, or officer shall have the authority to remove the vehicle.

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

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

~~SEC. 3.~~

SEC. 2. Section 22851.3 of the Vehicle Code is amended to read:

22851.3. (a) Whenever a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or any other employee of a public agency authorized pursuant to Section 22669, removes, or causes the removal of, a vehicle pursuant to Section 22669 and the public agency or, at the request of the public agency, the lienholder determines the estimated value of the vehicle is five hundred dollars (\$500) or less, the public agency that removed, or caused the removal of,

1 the vehicle shall cause the disposal of the vehicle under this section,
2 subject to all of the following requirements:

3 ~~(1)~~

4 (a) Not less than 72 hours before the vehicle is removed, the
5 peace officer or the authorized public employee has securely
6 attached to the vehicle a distinctive notice which states that the
7 vehicle will be removed by the public agency. This subdivision
8 does not apply to abandoned vehicles removed pursuant to
9 subdivision (d) of Section ~~22669~~ 22669, *or abandoned vehicles*
10 *or parts thereof that are inoperable due to the absence of a motor,*
11 *transmission, or wheels and incapable of being towed, and are*
12 *determined by the local agency to be a public nuisance presenting*
13 *an immediate threat to public health or safety,* which are
14 determined by the public agency to have an estimated value of
15 three hundred dollars (\$300) or less.

16 ~~(2)~~

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

21 ~~(3)~~

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

30 ~~(4)~~

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

~~(A)~~

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

~~(B)~~

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

~~(C)~~

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

~~(D)~~

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

~~(E)~~

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

~~(5)-(A)~~

(e) (1) A requested hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The public agency that removed the vehicle may authorize its own officers to conduct the hearing if the hearing officer is not the same person who directed the storage of the vehicle.

~~(B)~~

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

~~(6)~~

(f) The public agency employing the person, or utilizing the services of a contractor or franchiser pursuant to subdivision (b) of Section 22669, that removed, or caused the removal of, the

1 vehicle and that directed any towing or storage, is responsible for
2 the costs incurred for towing and storage if it is determined in the
3 hearing that reasonable grounds to believe that the vehicle was
4 abandoned are not established.

5 ~~(7)~~

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

10 ~~(8)~~

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

20 ~~(9)~~

21 (i) If the vehicle is claimed by the owner or their agent within
22 15 days of the notice date, the lienholder who is storing the vehicle
23 may collect reasonable fees for services rendered, but may not
24 collect lien sale fees as provided in Section 22851.12.

25 ~~(10)~~

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

34 ~~(11)~~

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

1 The lienholder may request the public agency to issue an
2 authorization for disposal after the lienholder ascertains that the
3 names and addresses of the registered and legal owners of the
4 vehicle are not available from the records of the Department of
5 Motor Vehicles either directly or by use of the California Law
6 Enforcement Telecommunications System.

7 ~~(12)~~

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

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

15 ~~(1) Obtains a release signed by the owner of the vehicle~~
16 ~~assigning their interest in the vehicle to the public agency for~~
17 ~~purposes of disposition.~~

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