

AMENDED IN ASSEMBLY JULY 16, 2025

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 22661 and 22851.3~~ *Section 22661* 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 22661 of the Vehicle Code is amended
- 2 to read:
- 3 22661. Any ordinance establishing procedures for the removal
- 4 of abandoned or inoperable vehicles shall contain all of the
- 5 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

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

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

11 (2) However, prior notice of intention is not required for removal
12 of a vehicle or part thereof that is inoperable due to the absence
13 of a motor, transmission, or ~~wheels and incapable of being towed;~~
14 ~~wheels~~, and is valued at less than two hundred dollars (\$200) by
15 a person specified in Section 22855, if either of the following
16 criteria is met:

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

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

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

32 (4) Paragraph (2) applies only 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) The 10-day notice of intention to abate and remove a vehicle
39 or part thereof, when required by this section, shall contain a
40 statement of the hearing rights of the owner of the property on

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

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

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

32 (g) A provision authorizing the owner of the land on which the
33 vehicle is located to appear in person at the hearing or present a
34 sworn written statement denying responsibility for the presence
35 of the vehicle on the land, with their reasons for the denial. If it is
36 determined at the hearing that the vehicle was placed on the land
37 without the consent of the landowner and that they have not
38 subsequently acquiesced to its presence, then the local authority
39 shall not assess costs of administration or removal of the vehicle

1 against the property upon which the vehicle is located or otherwise
2 attempt to collect those costs from the owner.

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

5 ~~22851.3. Whenever a peace officer, as defined in Chapter 4.5~~
6 ~~(commencing with Section 830) of Title 3 of Part 2 of the Penal~~
7 ~~Code, or any other employee of a public agency authorized~~
8 ~~pursuant to Section 22669, removes, or causes the removal of, a~~
9 ~~vehicle pursuant to Section 22669 and the public agency or, at the~~
10 ~~request of the public agency, the lienholder determines the~~
11 ~~estimated value of the vehicle is five hundred dollars (\$500) or~~
12 ~~less, the public agency that removed, or caused the removal of,~~
13 ~~the vehicle shall cause the disposal of the vehicle under this section,~~
14 ~~subject to all of the following requirements:~~

15 ~~(a) Not less than 72 hours before the vehicle is removed, the~~
16 ~~peace officer or the authorized public employee has securely~~
17 ~~attached to the vehicle a distinctive notice which states that the~~
18 ~~vehicle will be removed by the public agency. This subdivision~~
19 ~~does not apply to abandoned vehicles removed pursuant to~~
20 ~~subdivision (d) of Section 22669, or abandoned vehicles or parts~~
21 ~~thereof that are inoperable due to the absence of a motor,~~
22 ~~transmission, or wheels and incapable of being towed, and are~~
23 ~~determined by the local agency to be a public nuisance presenting~~
24 ~~an immediate threat to public health or safety, which are~~
25 ~~determined by the public agency to have an estimated value of~~
26 ~~three hundred dollars (\$300) or less.~~

27 ~~(b) Immediately after removal of the vehicle, the public agency~~
28 ~~which removed, or caused the removal of, the vehicle shall notify~~
29 ~~the Stolen Vehicle System of the Department of Justice in~~
30 ~~Sacramento of the removal.~~

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

39 ~~(d) Within 48 hours of the removal, excluding weekends and~~
40 ~~holidays, the public agency that removed, or caused the removal~~

1 of, the vehicle or, at the request of the public agency, the lienholder
2 shall send a notice to the registered and legal owners at their
3 addresses of record with the Department of Motor Vehicles, and
4 to any other person known to have an interest in the vehicle. A
5 notice sent by the public agency shall be sent by certified or
6 first-class mail, and a notice sent by the lienholder shall be sent
7 by certified mail. The notice shall include all of the following
8 information:

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

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

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

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

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

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

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

38 (f) The public agency employing the person, or utilizing the
39 services of a contractor or franchiser pursuant to subdivision (b)
40 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 (g) ~~An authorization for disposal may not be issued by the public~~
6 ~~agency that removed, or caused the removal of, the vehicle to a~~
7 ~~lienholder who is storing the vehicle prior to the conclusion of a~~
8 ~~requested poststorage hearing or any judicial review of that hearing.~~

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

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

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

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

36 ~~The lienholder may request the public agency to issue an~~
37 ~~authorization for disposal after the lienholder ascertains that the~~
38 ~~names and addresses of the registered and legal owners of the~~
39 ~~vehicle are not available from the records of the Department of~~

1 ~~Motor Vehicles either directly or by use of the California Law~~
2 ~~Enforcement Telecommunications System.~~
3 ~~(l) A vehicle disposed of pursuant to this section may not be~~
4 ~~reconstructed or made operable, unless it is a vehicle that qualifies~~
5 ~~for either horseless carriage license plates or historical vehicle~~
6 ~~license plates, pursuant to Section 5004, in which case the vehicle~~
7 ~~may be reconstructed or made operable.~~

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