
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

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Author: Caloza
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Subject: *Rental vehicles: law enforcement*

HISTORY

Source: Author

Prior Legislation: SB 805 (Perez), Ch. 126, Stats. of 2025
SB 627 (Wiener), Ch. 125, Stats. of 2025
AB 798 (Ramos), Ch. 282, Stats. of 2021
SB 54 (De Leon), Ch. 495, Stats. of 2017
AB 1654 (Conway), not heard in Assembly Education, 2009

Support: California Community Foundation; California Faculty Association; California School Employees Association; Central American Resource Center of California; Coalition for Humane Immigrant Rights; Initiate Justice; SEIU California; United Domestic Workers/AFSCME Local 3930

Opposition: California State Sheriffs Association; Peace Officers Research Association of California

Assembly Floor Vote: 59 - 20

PURPOSE

The purpose of this bill is to require any privately owned vehicle rented by, or furnished to, any federal, state, or local law enforcement agency for the use of detaining, arresting, or transporting persons who have violated or are suspected of violating any law, to display a temporary decal displaying the agency name and logo.

Existing law requires uniformed peace officers to wear a badge, nameplate, or other device that bears clearly on its face the identification number or name of the officer. (Pen. Code, § 830.10.)

Existing law requires a non-uniformed peace officer or federal law enforcement officer operating in California, as specified, to visibly display identification that includes their agency and either a name or badge number or both name and badge number when performing their enforcement duties, subject to specified exemptions, including for an officer engaged in active undercover operations or investigative activities. (Pen. Code, § 13654, subd. (a).)

Existing law requires a law enforcement agency operating in California, including any federal law enforcement agency, to maintain and publicly post a written policy on the visible

identification of sworn personnel that must include specified exemptions, such as for officers engaged in active undercover operations or investigative activities. (Gov. Code, § 7288, subd. (a).)

Existing law makes it a misdemeanor to operate a motor vehicle and willfully flee or elude a pursuing peace officer's motor vehicle only if the peace officer's vehicle exhibits at least one lighted red lamp, is sounding a siren as may be reasonably necessary, is distinctively marked, and the peace officer is wearing a distinctive uniform. (Veh. Code, § 2800.1, subd. (a).)

Existing law defines an authorized emergency vehicle to include, among other things, any publicly owned vehicle operated by any federal, state, or local agency, department, or district employing peace officers as defined, for use by those officers in the performance of their duties, as well as any vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work. (Veh. Code, § 165, subds. (b)(1) & (f).)

Existing law provides, as a matter of legislative policy, that red lights and sirens on vehicles should be restricted to authorized emergency vehicles engaged in police, fire, and lifesaving services; and that other types of vehicles which are engaged in activities which create special hazards upon the highways should be equipped with flashing amber warning lamps. (Veh. Code, § 30.)

Existing law requires that every authorized emergency vehicle be equipped with at least one steady burning red warning lamp visible from at least 1,000 feet to the front of the vehicle, as specified, and provides that emergency vehicles may display revolving, flashing, or steady red warning lights to the front, sides, or rear of the vehicles. (Veh. Code, § 25252.)

Existing law authorizes an authorized emergency vehicle to be equipped with a system that flashes the upper-beam headlamps of the vehicle, with the flashes occurring alternately from the front headlamp on one side of the vehicle to the front headlamp on the other side of the vehicle, as specified. (Veh. Code, § 25252.5, subd. (a).)

Existing law authorizes an authorized emergency vehicle, where the vehicle is being driven in response to an emergency call, as specified, and the driver sounds a siren and displays a lighted red lamp, to display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals. (Veh. Code, § 25258, subd. (a).)

Existing law authorizes an authorized emergency vehicle used by a specified peace officer or probation officer, in the performance of the peace officer's duties, to additionally display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle. (Veh. Code, § 25258, subd. (b)(1).)

Existing law authorizes an authorized emergency vehicle to display flashing amber warning lights to the front, sides, or rear, and authorizes a vehicle operated by a police or traffic officer while in the actual performance of their duties to display steady burning or flashing white lights to either side mounted above the roofline of the vehicle. (Veh. Code, § 25259, subds. (a)-(b).)

Existing law states that the driver of an authorized emergency vehicle is exempt from a variety of specified Vehicle Code requirements, including specified traffic laws, under all of the following conditions:

- If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.
- If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians. (Veh. Code, § 21055.)
- This exemption does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, as specified. (Veh. Code, § 21056.)

Existing law exempts an authorized emergency vehicle from any requirement to pay a toll, as specified, if the vehicle is properly displaying an exempt California license plate and is properly identified or marked as an authorized emergency vehicle, as specified, is being driven while responding to or returning from an emergency call, and the driver determines the use of the toll facility improves the availability or response and arrival time of the vehicle. (Veh. Code, § 23301.5, subd. (a).)

Existing law provides that a public employee is not liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call. (Veh. Code, § 17004.)

Existing law authorizes the Department of Motor Vehicles (DMV) to issue license plates for vehicles exempt from registration fees in the same series as plates issued for nonexempt vehicles, where the plates may be issued for a one-year period and only upon the certification of the DMV that the issuance of the plates has been requested by the head of a criminal justice or a law enforcement agency of a city, county, or state or federal department, that the vehicle is assigned to persons responsible for investigating actual or suspected violations of the law or for supervisor, as specified, and is intended for use in the line of duty. (Veh. Code, § 5001.)

Existing law requires the DMV to maintain a record of the registration of exempt vehicles with regular series plates, which record shall not be open to public inspection, except as specified. (Veh. Code, § 5003.)

This bill provides that any privately owned vehicle rented by, or furnished to, any federal, state, or local law enforcement agency for the use of detaining, arresting, or transporting persons who have violated, or are suspected of having violated, any law, shall be required to have a temporary decal displaying the agency name and logo.

This bill provides that the indicia or name of the governmental entity operating the vehicle shall be displayed in sharp contrast to the background on the front door panels and shall be of such size, shape, and color as to be readily legible during daylight hours from a distance of 50 feet, and that the governmental entity shall create and affix the temporary decal to the vehicle.

This bill provides that the requirements above do not apply to privately owned vehicles rented or otherwise furnished or loaned to any federal, state, or local law enforcement agency for any of the following purposes:

- An officer engaged in plainclothes operations who is employed by the Business, Consumer Services, and Housing Agency, the Office of Law Enforcement Support, the California Health and Human Services Agency, the Labor and Workforce Development Agency, the Natural Resources Agency, the Department of Corrections and Rehabilitation, the Transportation Agency, the California Environmental Protection Agency, the Government Operations Agency, or by any department, board, commission, or other entity within those agencies or the federal equivalent of these state agencies.
- Exigent circumstances involving an imminent danger to persons or property, the escape of a perpetrator, or the destruction of evidence, including if the officer is responding to one of these circumstances while off duty.
- Privately owned vehicles rented to, or otherwise furnished or loaned to a Special Weapons and Tactics or tactical team unit that is actively performing their tactical team responsibilities.
- Privately owned vehicles rented to, or otherwise furnished or loaned to, an officer engaged in protective operations involving elected officials, judicial officers, or other designated dignitaries if the display of identification would compromise the safety, anonymity, or tactical effectiveness of the protection detail.
- An officer engaged in active undercover operations or investigative activities.
- When the vehicle is used solely for the transport of a person who is already in lawful custodial status following arrest pursuant to a judicial warrant issued by a court of competent jurisdiction, or pursuant to a judicially issued extradition order, and is being transported to or from a custodial facility or transportation hub.
 - This exemption only applies where the officer reasonably determines that the display of a decal would compromise officer safety, public safety, or the security of the person being transported, and does not apply to the initial detention or arrest of an individual in the field.
 - For the purposes of this exemption, “judicial warrant” or “judicially issued extradition order” does not include any civil, administrative, or executive warrant, detainer, or order not issued by a court of competent jurisdiction.

This bill specifies that failure to display a decal in accordance with this section shall subject the entity renting the vehicle from the private owner to liability that shall be enforced by a civil action, brought in the name of the people of California by the Attorney General, a district attorney, county counsel, or a city attorney, who may seek injunctive or declaratory relief.

This bill provides that a prevailing plaintiff shall be entitled to reasonable attorney’s fees and costs.

This bill specifies that the terms and conditions of the rental car contract shall specify that compliance with state law is mandatory, and the contract may include a term requiring the law enforcement agency to indemnify the owner of the vehicle.

This bill specifies that the above provision and the temporary decal requirement do not apply to any rental car contract entered into prior to January 1, 2027.

COMMENTS

1. Need for This Bill

According to the author:

Since the summer of 2025, enforcement activities by ICE have intensified across our state. From Sacramento and San Francisco to Los Angeles and San Diego, we have seen growing concern on the use of unmarked rental vehicles in enforcement operations that have involved arrest, detention, and transport of members of our community. When vehicles used by government agencies lack proper identification, it becomes difficult for the public to distinguish between legitimate law enforcement and bad actors. These practices create not just confusion, but fear—fear for the public and fear for those who are being illegally faced with governmental force and violence.

AB 1650 delivers a necessary and urgent step to safeguard our communities. It is not about restriction—it’s about restoring trust, enforcing accountability, and ensuring that every act of law enforcement is grounded in the protection of basic human rights. No one should have to fear that a vehicle simply approaching them could put their safety at risk and cause them CBP harm. This uncertainty has no place in California nor our government, entrusted to leaders who have sworn to protect and serve the people.

2. Recent Federal Immigration Actions

From the outset of President Trump’s second term, his Administration has expanded immigration enforcement and altered the immigration system at an unprecedented scale. Through various executive actions, President Trump has declared a national emergency at the southern border to limit lawful entries, halted refugee admission, expanded who immigration enforcement officers can prioritize for deportation, expanded expedited removal, increased the hiring of immigration officers, expanded immigration detention, and attempted to significantly curtail the availability of various immigration visas and statuses.¹ On January 25, 2025, Immigration and Customs Enforcement (ICE) field offices were told that each office must detain at least 75 noncitizens every day, or more than 1,800 per day nationwide.² To hold more detainees, the Trump Administration opened Guantanamo Bay and sent detained individuals there in February, and has also started sending detained individuals to a mega-prison in El Salvador, in many cases before their due process rights can be vindicated.³

¹ Proclamation 10888. 20 January 2025. 90 Fed. Register 8333-8336; U.S. Const. Art. IV, Section 4. Executive Order 14159. 20 January 2025. 90 Fed. Register 8443. <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>

² Washington Post, *Trump Officials Issue Quotas to ICE Officers to Ramp up Arrests*, January 26, 2025, <https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota>

³ M. Lee, AP News, *Immigration Officials Defend Authority to Hold Migrants at Guantanamo Bay*, March 10, 2025, <https://apnews.com/article/us-immigration-detention-guantanamo-bay-d4fe8f0d051e0cd7e3f04ce02c8e7564>; M. Aleman, AP News, *Venezuelan Migrants Deported by the US Ended up in a Salvadoran Prison. This is Their Legal Status*, March 25, 2025, <https://apnews.com/article/el-salvador-trump-tren-de-aragua-venezuela-dde4259e5dcd502101b7b8fbd3c03659>

The Trump Administration’s ramp-up of immigration enforcement has been accompanied by aggressive recruitment efforts, including attempts by federal immigration agencies to lure state peace officers.⁴ ICE has taken steps to significantly expand hiring, such as giving out \$50,000 signing bonuses, offering student loan forgiveness, lowering the age limit for recruits from 21 to 18, and waiving the 37-year-old hiring cap, among others.⁵ But amid this hiring surge, evidence has surfaced that ICE had misrepresented the rigor of its training for new officers, including legal training over whether they are permitted to use deadly force. According to a recent whistleblower account, training for new officers has been pared down to the point where it is “deficient, defective and broken.”⁶ Moreover, a recent review by the Associated Press found that at least two dozen ICE employees and contractors have been charged with crimes since 2020, including 9 such instances in 2025 alone.⁷ According to the report, while most cases happened before the passage of the OBB Act, “experts say such crimes could accelerate given the volume of new employees and their empowerment to use aggressive tactics to deport people.”⁸

Indeed, aggressive tactics have been one of the hallmarks of federal immigration enforcement during President Trump’s second term, especially here in California. Hundreds of federal agents conducted raids and immigration sweeps across Los Angeles, detaining and arresting individuals through “at large” arrests on the street, and often through blatant racial profiling.⁹ Federal agents often conducted raids in civilian clothing or military uniforms, and often while masked, heavily armed, and without providing identification.¹⁰ There have also been numerous reports of federal agents using excessive force and causing injury and property damage while conducting these raids, as well as reports that agents have denied those detained access to legal counsel.¹¹ Such tactics were also on full display during Operation Metro Surge, a joint operation of ICE and Customs and Border Patrol (CBP) that took place throughout Minnesota (though primarily in the Twin Cities area) beginning in December 2025 and concluding early February 2026. During this operation, federal immigration officials employed harsh, confrontational, and arguably illegal tactics to make arrests, serve warrants, conduct raids and contain protesters.¹² Operation Metro Surge also resulted in the shooting of three civilians by federal immigration agents, two of which were fatal: the killings of Alex Pretti and Renee Good.¹³

⁴ “ICE offers big bucks – but California police officers prove tough to poach.” *Los Angeles Times* 22 September 2025, available at: <https://www.latimes.com/california/story/2025-09-22/ice-poaching-cops>

⁵ Ray and Sanchez, “ICE expansion has outpaced accountability. What are the remedies?” *Brookings* 26 January 2026. Available at: <https://www.brookings.edu/articles/ice-expansion-has-outpaced-accountability-what-are-the-remedies/>

⁶ “ICE whistleblower accuses agency of ‘deficient, defective and broken’ training amid hiring surge.” *The Hill*. 23 February 2026. <https://thehill.com/homenews/administration/5751455-ice-officer-training-whistleblower/>

⁷ “Takeaways from AP’s review of recent criminal cases against ICE employees and contractors.” *Associated Press*. 10 February 2026. <https://apnews.com/article/ice-agents-arrested-misconduct-abuse-corruption-charged-d3aeb8c20191fa357f87078fc169cc17>

⁸ *Ibid.*

⁹ “Trump’s immigration crackdown upended life in California. It continues as the new year begins,” *Cal Matters*, 29 December 2025. <https://calmatters.org/justice/2025/12/immigration-2025-year-in-review/>.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² “Minneapolis, MN: Operation Metro Surge. Sanctuary Information, December 2025.” *Immigrant Legal Resource Center*. <https://www.ilrc.org/immigration-enforcement/federal-tracking/large-scale-raids/minneapolis-mn-operation-metro-surge> ; “Judge Partially Blocks Operation Metro Surge Tactics Against Protesters in Minnesota.” *JURIST News*. 17 January 2024, <https://www.jurist.org/news/2026/01/judge-partially-blocks-operation-metro-surge-tactics-against-protesters-in-minnesota/>

¹³ “Minneapolis ICE shooting: A minute-by-minute timeline of how Renee Nicole Good died.”

The Trump Administration ramp-up of immigration enforcement has also been associated with an increased use of unmarked and unidentified rental vehicles by federal immigration authorities. Last year, CBP agents conducting an immigration raid outside Home Depot in Los Angeles utilized an unmarked Penske rental truck to arrest more than a dozen people.¹⁴ In Illinois, during Operation Midway Blitz, there were reports of public complaints of immigration agents switching license plates on rented vehicles in order to evade detection by the public.¹⁵ Not only was this unlawful, but it made it difficult for the rental companies to track their vehicles. This conduct ultimately led the Illinois Secretary of State's office to issue letters to at least 19 car rental companies about this unlawful practice.¹⁶

3. Effect of This Bill

This bill is of a piece with other recent legislation aimed at curbing perceived excesses by both federal immigration officers and California peace officers. Last year, the Legislature passed SB 627 (Wiener) Chapter 125, Statutes of 2025 and SB 805 (Perez) Chapter 126, Statutes of 2025. SB 627 sought to prohibit law enforcement officers, including federal officers, from wearing a facial covering, as defined, in the course of their duties, and required law enforcement agencies to develop a corresponding facial covering policy.¹⁷ Relatedly, SB 805 required both California peace officers and federal law enforcement officers that are not uniformed to visibly display identification, as specified, while performing their enforcement duties. Like SB 627, SB 805 required agencies to develop and publicly post a written policy on the visible identification of sworn personnel.¹⁸ Both SB 627 and SB 805 included exemptions from their central prohibitions for a range of law enforcement activities, including undercover operations, plainclothes officers from specified state agencies, when officer health or safety requires protective equipment that prevents compliance, exigent circumstances, SWAT or tactical operations, and various others.¹⁹

This bill requires any vehicle rented by or furnished to any federal, state or local law enforcement agency for the use of detaining, arresting or transporting individuals who have violated or are suspected of violating the law to have a temporary decal placed on the vehicle displaying the agency name and logo. The bill specifies that the name of the agency must be displayed on the front door panels and be readily legible during daylight hours from 50 feet away. Like SB 627 and SB 805, the bill includes exemptions for plainclothes operations by specified state agencies or their federal equivalents, exigent circumstances, SWAT and tactical operations, specified protection details, undercover operations, and instances when the vehicle is used for the transport of a person in lawful custodial status following arrest pursuant to judicial warrant.²⁰ The requirements of this bill may be enforced via a civil action brought by the

ABC News. 9 January 2026 <https://abcnews.com/US/minneapolis-ice-shooting-minute-minute-timeline-renee-nicole/story?id=129021809> ; "A minute-by-minute timeline of the fatal shooting of Alex Pretti involving federal agents." *ABC News* 26 January 2026, <https://abcnews.com/Politics/minute-minute-timeline-fatal-shooting-alex-pretti-federal/story?id=129547199>

¹⁴ "Border patrol agents jump out of rental truck and ambush people at LA Home Depot." *The Guardian*. 6 August 2025, <https://www.theguardian.com/us-news/2025/aug/06/ice-border-patrol-home-depot-los-angeles>

¹⁵ "Illinois officials warn rental car companies that it is illegal for immigration agents to swap license plates." 2 December 2025, <https://www.nbcnews.com/news/us-news/illinois-rental-car-license-plates-immigration-agents-illegal-rcna246115>

¹⁶ *Ibid.*

¹⁷ Gov. Code, § 7289; Pen. Code, § 185.5.

¹⁸ Gov. Code, § 7288; Pen. Code, §§ 13653, 13654.

¹⁹ See Pen. Code, §§ 13654, subd. (b), § 185.5, subd. (b)(2); Gov. Code, § 7289, subd. (b)(3).

²⁰ This last exemption only applies if the officer determines that the display of the decal would compromise officer or public safety, or the security of the person being transported.

Attorney General, a district attorney, county counsel, or a city attorney, who may seek injunctive or declaratory relief.

4. Constitutional Considerations

State laws that conflict with federal laws or attempt to regulate the federal government may be invalidated for several reasons. The Supremacy Clause of the U.S. Constitution provides that federal law “shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”²¹ The doctrine of intergovernmental immunity is derived from the Supremacy Clause of the Constitution, and demands that “the activities of the Federal Government are free from regulation by any state.”²² This makes a state regulation invalid if it “regulates the United States directly or discriminates against the Federal Government or those with whom it deals.”²³ Whether a state law “directly regulates” the federal government demands a functional inquiry into whether the regulations at issue “interfere with or control the operations of the federal government.”²⁴ Moreover, “a state or local law discriminates against the federal government if it treats a state entity more favorably than it treats a comparable federal entity.”²⁵ There is no de minimis exception to a discriminatory burden – *any* such burden is impermissible.²⁶ However, it is well settled that generally applicable state laws can apply to federal entities.²⁷ It should be noted that “the scope of a federal contractor’s protection from state law under the Supremacy Clause is substantially narrower than that of a federal employee or other federal instrumentality.”²⁸

Crucially, the Ninth Circuit Court of Appeals’ recently issued a ruling with regard to SB 805 (Perez), Chapter 126, Statutes of 2025, reversing a prior decision by the United States District Court for the Central District of California in the case of *United States v. California*. In that case, the court enjoined enforcement of SB 627 (Wiener), Chapter 125, Statutes of 2025, because it unlawfully discriminated against the federal government in violation of the intergovernmental immunity doctrine, but upheld SB 805.²⁹ The district court also found that the United States was unlikely to succeed on its claim that the two bills unlawfully directly regulated the federal government, and the United States therefore appealed the ruling to the Ninth Circuit, seeking to enjoin SB 805’s requirements on federal law enforcement.³⁰

On April 22, 2026, the Ninth Circuit granted the federal government’s injunction, finding that the United States was likely to succeed on its claim that SB 805’s requirement that federal officers visibly display identification when performing their duties was an unlawful direct

²¹ U.S. Const., art. VI, Cl 2.

²² *United States v. California* (9th Cir. 2019) 921 F.3d 865, 879.

²³ *N.D. v. United States* (1990) 495 U.S. 423, 435; *Boeing Co. v. Movassaghi* (9th Cir. 2014) 768 F.3d 832, 839.

²⁴ *United States v. Washington*, (2022) 596 U.S. 832, 838.

²⁵ *Boeing, supra*, 768 F.3d at p. 842, quoting *United States v. City of Arcata* (9th Cir. 2010) 629 F.3d 986, 991.

²⁶ *United States v. California, supra*, 921 F.3d at 880.

²⁷ See *United States ex rel. Drury v. Lewis*, 200 U.S. 1, 7-8 (1906); *Johnson v. Maryland*, 254 U.S. 51, 56 (1920).

²⁸ *Geo Grp., Inc. v. Newsom* (2022) 50 F.4th 745, 755.

²⁹ *United States v. California* (C.D.Cal. 2026) 819 F.Supp. 3d 1109; SB 805 (Pérez), which was substantially similar to SB 627 in its application to the federal government but did not contain such an exemption for state law enforcement officers, was not challenged by the Trump Administration as unlawful discrimination against the federal government, see p. 35, fn. 9.

³⁰ *United States v. California, supra*, 819 F.Supp.3d at p. 35; *United States v. California* (9th Cir. 2026) 173 F.4th 1060, 7-8, fn. 4.

regulation of the federal government in violation of the intergovernmental immunity doctrine.³¹ The Ninth Circuit's discussion of what constitutes a direct regulation under intergovernmental immunity is instructive here. Specifically, the Ninth Circuit rejected the district court's reasoning that direct regulation of the federal government demands a functional inquiry into whether the regulation interferes with or controls the operation of the federal government, stating that this particular standard pertains to the regulation of federal contractors and third-party employers, but is not the standard that governs direct regulation of United States governmental activities.³² Instead, the Ninth Circuit articulated a far more stringent standard for what constitutes a direct regulation under intergovernmental immunity, stating that intergovernmental immunity "forbids States from regulating the federal government *qua* government and from controlling federal governmental functions in any manner and to any degree." (*Id.* at pp. 13-14) As the panel reasoned:

A direct regulation is one that "lays hold of" federal officers "in their specific attempt to obey orders and requires qualifications in addition to those that the [federal] Government has pronounced sufficient." It imposes conditions upon "a function of government," and regulates "the right to carry on the business" of the federal government. [...] [I]f a state law directly regulates the conduct of the United States, it is void irrespective of whether the regulated activities are essential to federal functions or operations, and irrespective of the degree to which the state law interferes with federal functions or operations.³³

In the instant case, the bill's primary requirement regarding the display of temporary agency decals on cars rented by or furnished to a law enforcement agency expressly places an affirmative duty on federal agencies that rent vehicles in California. Although the bill's application to federal, state *and* local agencies may cut against the argument that the bill discriminates against the federal government, the bill's explicit inclusion of federal agencies in the decal requirement seems to fall squarely within the Ninth Circuit's exacting definition of what constitutes a "direct regulation" of the federal government. Given this potential vulnerability to a constitutional challenge, the author and Committee may wish to consider inserting a severability clause in the bill to preserve its application to state and local agencies in the event that application to federal agencies is enjoined by a court.

5. Argument in Support

According to the Coalition for Humane Immigrant Rights:

AB 1650 balances the rights of rental car companies to conduct business in California while ensuring that rented vehicles that are used to arrest, detain, or transport persons contain specific identification characteristics. CHIRLA is a statewide membership-based organization that seeks to advance the human, civil, and labor rights of immigrants in California by advocating for immigrant communities at all levels of government. Since the summer of 2025, ICE agents have been raiding the streets, targeting immigrant communities, families, and innocent civilians. Starting with the raids in Los Angeles, suspect ICE enforcement activities have spread throughout California, including in San Diego,

³¹ *Id.* at pp. 3, 16.

³² *Id.* at pp. 11-12.

³³ *Id.* at pp. 10, 12.

Sacramento, San Francisco, and other cities. Advocacy campaigns and public debates have exposed that rental companies provide vehicles for ICE operations, prompting protests and calls for corporate accountability.

CHIRLA supports AB 1650 (Caloza) because it increases transparency and accountability when law enforcement, including ICE, uses rental vehicles in our communities. By requiring clear identification, this bill helps prevent confusion, fear and potential abuse, ensuring community members can recognize legitimate authority and stay safe. At a time when concerns about the intersection of private industry and federal enforcement activities are growing nationwide, California has an opportunity to lead with a policy that prioritizes safety, clarity, and respect for community trust. AB 1650 is a reasonable, targeted response that helps ensure enforcement activities are conducted in a manner consistent with these values.

6. Argument in Opposition

According to the Peace Officers Research Association of California:

While PORAC supports transparency and public trust in law enforcement, this measure raises significant concerns related to safety, operational effectiveness, and unintended consequences.

First, the bill requires certain privately owned vehicles rented or furnished to law enforcement agencies to display identifying decals when used for detention, arrest, or certain transportation activities, except in limited circumstances. While intended to promote transparency, these requirements could limit the ability of officers to effectively conduct certain operations, including investigative, surveillance, and enforcement activities that rely on discretion. Even with exemptions, the scope of the bill introduces uncertainty and may hinder timely and appropriate responses in dynamic situations.

Second, law enforcement agencies frequently rely on temporary or rented vehicles for specialized operations, task force activities, emergency deployments, and other public safety needs. The bill's requirements may reduce operational flexibility and create uncertainty regarding when and how those vehicles may be used, particularly in rapidly evolving situations.

While recent amendments create a limited exemption for the transportation of individuals already in lawful custody pursuant to a judicial warrant or extradition order, the exemption does not apply to many field operations, detentions, or arrests where officer safety and operational considerations remain equally important. For example, narcotics investigators often utilize temporary or rented vehicles during controlled-buy operations and other enforcement activities where maintaining a low-profile presence is critical to officer safety and the success of the investigation. Requiring agency-identifying decals on those vehicles increases the likelihood that suspects or associates will identify law enforcement involvement before an operation is completed.

Similarly, law enforcement agencies may utilize rented vehicles to transport high-risk offenders, including gang members or individuals with a history of violence, when agency transport vehicles are unavailable or operational circumstances require flexibility. In these situations, maintaining a low-profile vehicle can be an important component of ensuring the safety of officers, the public, and the individual being transported.

Finally, the bill authorizes civil enforcement actions for noncompliance, creating additional legal and administrative burdens for both law enforcement agencies and vehicle providers. These provisions may have the unintended effect of discouraging participation by vehicle providers and reducing flexibility for agencies that rely on temporary vehicles for specialized operations, emergency responses, or other public safety needs.

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