
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 630 (Mark González) - Abandoned recreational vehicles

Version: June 25, 2025

Urgency: No

Hearing Date: July 7, 2025

Policy Vote: PUB. S. 6 - 0

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: AB 630 allows a public agency to dispose of a recreational vehicle, if the estimated value is \$4,000 or less, whenever a peace officer or public agency employee has reasonable grounds to believe that the recreational vehicle has been abandoned, as specified.

Fiscal Impact:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate petition for a writ of mandates challenging agency decisions to dispose of recreational vehicles under this bill. As a result of making it easier to tow and dispose of recreational vehicles, subject to judicial review, this bill may lead to additional case filings that otherwise would not have been commenced with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of petitions filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- Costs pressures (General Funds, local funds) to state and local law enforcement agencies, including the California Highway Patrol, sheriffs, police, University of California Police Department, and more associated with potentially increased appraisals of the value of recreational vehicles for purposes of this bill. In addition, to the extent that this bill results in increased vehicle tows and impounds, the impounding agency is responsible for any costs of impounding a vehicle if the associated case is dismissed, not filed or the court orders the release of the vehicle at the expense of the impounding agency. This bill could result in potential workload cost pressures to the California Highway Patrol (CHP) (Motor Vehicle Account) to the extent an uptick of recreational vehicles are removed, which requires the removing agency to provide a written report identifying the vehicle and its location to the office CHP. This bill could also result in potential workload costs pressures to the Department of Justice (DOJ) (General Fund) due to increased notifications by public agencies, the to the Stolen Vehicle System within the DOJ.
- Unknown, potential workload cost pressures to the Department of Motor Vehicles (DMV) to the extent additional lienholders are required to obtain copies of the names and addresses of all persons having an interest in the recreational vehicles from the

DMV.

Background: The Fourth Amendment to the U.S. Constitution protects from our property from seizure by the government without a warrant. It is undisputed that seizures occur when cars are impounded. (*Miranda v. City of Cornelius* (9th Cir. 2005) 429 F.3d 858, 862.) A seizure conducted without a warrant is per se unreasonable under the Fourth Amendment—subject only to a few specifically established and well delineated exceptions. (*Ibid*; see also *City of Los Angeles v. Patel* (2015) 576 U.S. 409, 419.) Thus, officials may remove a vehicle without a warrant in limited situations. But, even when authorized by state law, removal must be reasonable under the Fourth Amendment. (*Ibid*.)

The pertinent exception to the warrant requirement for vehicle impoundments is the Vehicular Community Caretaker Doctrine. The United States Supreme Court in *Cady v. Dombrowski* (1973) 413 U.S. 433, 441, first articulated the vehicular community caretaking exception, which allows police to seize and remove from the streets “vehicles impeding traffic or threatening public safety and convenience”. (*Ibid*.) The exception allows for the impoundment of cars actively posing a problem to the community’s welfare due to their location. The exception does not justify impoundments that do not address a present need under the vehicular community caretaking exception; courts have consistently emphasized the immediate public needs served thereby. (*Miranda, supra*; *South Dakota v. Opperman* (1976) 428 U.S. 364, 368-369) [“The authority of police to seize and remove from the streets vehicles impeding traffic or threatening public safety and convenience is beyond challenge.”]; *Coal. on Homelessness v. City & Cnty. of San Francisco* (2023) 93 Cal.App.5th 928 [discussing the vehicular community caretaking exception as covering “cars that are illegally parked, create a hazard to other drivers or an obstacle to the flow of traffic, or are a target for vandalism or theft,” but concluding “tows of legally parked cars based on unpaid tickets are not within the vehicular community caretaking exception.”)].

Ultimately, the decision to impound a vehicle must be reasonable and in furtherance of public benefit and public safety. This rule has been codified in California law; Vehicle Code section 22650 provides: “A removal [...] is only reasonable if the removal is necessary to achieve the community caretaking need, such as ensuring the safe flow of traffic or protecting property from theft or vandalism.” (Veh. Code, § 22650, subd. (b); see also *S. Dakota v. Opperman* (1976) 428 U.S. 364, 369, [noting police will impound automobiles that jeopardize both the public safety and the efficient movement of vehicular traffic]; see also *People v. Williams* (2006) 145 Cal.App.4th 756, 762–763 [tow served no community caretaking function where the car was legally parked, there was no particular possibility that the vehicle would be stolen, broken into, or vandalized, and the car did not pose hazard or impediment to other traffic]; *Miranda*, at p. 866 [an officer cannot reasonably order an impoundment in situations where the location of the vehicle does not create any need for the police to protect the vehicle or to avoid a hazard to other drivers].) AB 2876 (Jones-Sawyer), Ch. 592, Statutes of 2018, codified the case law holding that warrantless removal of vehicles must be reasonable under the Fourth Amendment. Otherwise put, even if removal is authorized by statute, it must also be reasonable. AB 2876 specified that a removal under any authority based on the community caretaker exception is only reasonable if it was necessary to achieve a

community caretaking need, such as ensuring the safe flow of traffic or protecting property from theft or vandalism.

Current law outlines specific grounds allowing an officer to remove a vehicle. (Veh. Code, § 22650 et seq.) Current law authorizes local governments to adopt an ordinance to address abandoned, wrecked, inoperative, or dismantled vehicles, and requires strict notification and timelines. (Veh. Code, § 22660 et seq.) Veh. Code § 22669) Any peace officer, or any other employee of the state, county, or city who has reasonable grounds to believe that the vehicle has been abandoned, may remove the vehicle from a highway or from public or private property. A state, county, or city employee, other than a peace officer or employee of a sheriff's department or a city police department, designated to remove vehicles may do so only after they mail or personally deliver a written report identifying the vehicle and its location to the office of the CHP located nearest to the vehicle. Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city. Whenever a peace officer or any other employee of a public agency removes a vehicle and the lienholder determines the estimated value of the vehicle is \$500 or less, the vehicle can be disposed of, subject to all specified requirements.

It is critical to recognize that vehicle tows are a significant intrusion on property rights that may seriously impact the lives of the owners. (*S. Clement v. City of Glendale* (9th Cir. 2008) 518 F.3d 1090, 1094 [“Normally, of course, removal of an automobile is a big deal, as the absence of one’s vehicle can cause serious disruption of life in twenty-first century America.”]; *Stypmann v. City & Cnty. of San Francisco* (9th Cir. 1977) 557 F.2d 1338, 1342–1343 [“The private interest in the uninterrupted use of an automobile is substantial. A person’s ability to make a living and his access to both the necessities and amenities of life may depend upon the availability of an automobile when needed.”].) In addition, tows allow peace officers to conduct warrantless vehicle searches, including searches of locked portions of the vehicle, like the trunk. (*People v. Benites* (1992) Cal.App.5th Dist. 1992 [the inevitable inventory search following impoundment is also proper].) This affects the guarantees Fourth Amendment, as it allows for warrantless searches and seizures of not only the automobile, but of the property therein. As the court has cautioned “we should not ignore that purported caretaking tows may also conceal a criminal law “investigatory motive.” (*People v. Torres* (2010) 188 Cal.App.4th 775, 790.)

These concerns are especially notable in the context of recreational vehicles. As explained in Senate Public Safety Committee analysis, the Author of this bills states that “The Los Angeles Homeless Services Authority (LAHSA) estimates that nearly 6,500 individuals experiencing homelessness in the City of Los Angeles live in approximately 4,000 RVs. This number has increased by 40% since 2018, comprising 22% of the City’s unsheltered homeless population.” This bill would allow cities to dispose of these RVs, without accounting for where these individuals will be sheltered.

Proposed Law: Allows a public agency to dispose of a recreational vehicle, if the estimated value is \$4,000 or less, whenever a peace officer or public agency employee

has reasonable grounds to believe that the vehicle has been abandoned, if all of the requirements are met:

- Not less than 72 hours before the recreation vehicle is removed, the peace officer or public employee must securely attached to the recreational vehicle a distinctive notice which states it will be removed by the public agency.
- The notice shall include a notification that, if the recreational vehicle is towed, it can be recovered for at least 30 days after the public agency notifies the registered owner.
- The notice shall include contact information for an individual to learn where their recreational vehicle and other possessions may be recovered.
- Immediately after removal of the recreational vehicle, the public agency that caused the removal of the recreational vehicle shall notify the Stolen Vehicle System of the DOJ.
- 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 recreational vehicle, if any, from the DMV.
- Within 48 hours, excluding weekends and holidays, the lienholder shall send a notice to the registered and legal owners and to any other person known to have an interest in the recreational vehicle. The notice shall include all of the following information:
 - The name, address, and telephone number of the public agency;
 - The location of the place of storage;
 - A description of the recreational vehicle including, if available, the make, license plate number, vehicle identification number, and mileage;
 - The authority and purpose for the removal of the recreational vehicle;
 - A statement that the recreational vehicle may be disposed of;
 - A statement that the owners and interested persons have the opportunity for a poststorage hearing before the public agency that caused the removal of the recreational vehicle;
 - A statement that that if the owner or interested person disagrees with the decision of the public agency, the decision may be reviewed by a court by filing a petition for writ of mandate; and,
 - A statement that that during the time of the initial hearing, or during the time the decision is being reviewed by the court, the recreational vehicle may not be disposed of.

- If, at the time of removal, the agency is unable to collect the information necessary to identify the registered and legal owner of the recreational vehicle, including, but not limited to, the vehicle identification number, the agency shall place and affix at least two copies of the notice within close geographic proximity to the removal location.
- A requested hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The public agency that removed the recreational 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 recreation vehicle. Failure of either the registered or legal owner or interested person to request or to attend a scheduled hearing shall satisfy the poststorage validity hearing requirement.
- The public agency that caused the removal of the recreational vehicle and that directed any towing or storage is responsible for the costs incurred for towing and storage if it is determined in the hearing that reasonable grounds to believe that the vehicle was abandoned are not established.
- The public agency that caused the removal of the recreational vehicle and that directed any towing and storage is responsible for the costs incurred for towing and storage if it is determined in the hearing that the recreational vehicle was not inoperable or was not a hazard to public health, safety, and welfare.
- An authorization for disposal may not be issued by the public agency that caused the removal of the recreational vehicle to a lienholder who is storing the vehicle prior to the conclusion of a requested poststorage hearing or any judicial review of that hearing.
- If, after 30 days from the notification date, the recreational vehicle remains unclaimed and the towing and storage fees have not been paid, and if no poststorage hearing was requested or a poststorage hearing was not attended, the public agency that caused the removal of the recreational vehicle shall provide to the lienholder who is storing the recreational vehicle, on a form approved by the DMV, authorization to dispose of the recreational vehicle.
- The authorization to dispose of the recreational vehicle shall include a verification that the recreational vehicle is inoperable. The lienholder may request the public agency to provide the authorization to dispose of the recreational vehicle.
- If the recreational vehicle is operable, the public agency may authorize the disposal of the recreational vehicle only if it was towed due to it posing an environmental or public safety hazard.
- Disposal of the recreational vehicle by the lienholder who is storing the vehicle may only be to a licensed dismantler or scrap iron processor.
- If the recreational vehicle is claimed by the owner within 30 days of the notice date, the lienholder who is storing the vehicle may collect reasonable fees for

services rendered, but may not collect lien sale fees.

- If the names and addresses of the registered and legal owners of the recreational vehicle are not available from the records of the DMV, the public agency may issue to the lienholder who stored the recreational vehicle an authorization for disposal at any time after the removal.
- The lienholder may request the public agency to issue an authorization for disposal after the lienholder ascertains that the names and addresses of the registered and legal owners of the recreational vehicle are not available from the records of the DMV.
- A recreational vehicle disposed of pursuant to these provisions may not be reconstructed or made operable, unless it is a vehicle that qualifies for either horseless carriage license plates or historical vehicle license plates, in which case the vehicle may be reconstructed or made operable.
- A recreational vehicle is “inoperable” if it can only be moved by a tow truck.
- Each agency that is authorized to remove vehicles shall report to their governing body, on an annual basis for each notice posted in the preceding year, all of the following:
 - The number of recreational vehicles removed;
 - The number of people found in the recreational vehicle prior to removal;
 - The number of recreational vehicles that were operable; and,
 - The number of recreational vehicles that were inoperable.

Related Legislation:

- SB 692 (Arreguin) streamlines summary abatement and dismantling of vehicles. SB 692 is pending in the Assembly Public Safety Committee.
- SB 748 (Richardson) expands the purposes of the Encampment Resolution Funding (ERF) program to include assisting local jurisdictions in urban communities that offer temporary shelters and safe parking sites for the removal and storage of cars and recreational vehicles while locating temporary shelter for people experiencing homelessness in encampments. SB 748 is pending hearing in the Assembly Human Services Committee.

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