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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair  
2025 - 2026 Regular Session

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### AB 647 (Mark González) - Abandoned recreational vehicles

**Version:** January 5, 2026

**Urgency:** No

**Hearing Date:** June 22, 2026

**Policy Vote:** PUB. S. 6 - 0

**Mandate:** No

**Consultant:** Bob Franzoia

**Bill Summary:** AB 647 allows a state agency or an Alameda or Los Angeles County 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.

#### Fiscal Impact:

- Unknown, potentially significant costs to the courts to adjudicate petitions for a writ of mandate challenging agency decisions to dispose of recreational vehicles. As a result of likely increased towing and disposal of recreational vehicles this bill may lead to additional case filings that otherwise would not have commenced with attendant workload and resource costs to the court. The fiscal impact will depend on the number of petitions filed and the factors unique to each case. One hour of court time is estimated at \$1,300. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and cost pressure to fund additional staff and resources. The FY 2026-07 Budget Act provides \$70 million for that purpose (Trial Court Trust Fund, General Fund).
- Minor costs to the California Highway Patrol (CHP) to the extent recreational vehicles are removed, which requires the removing agency to provide a written report identifying the vehicle and its location to the CHP (Motor Vehicle Account).
- Unknown, likely minor cost pressure to the Department of Justice (DOJ) due to increased notifications by public agencies to the Stolen Vehicle System, a secured statewide database, within the DOJ (General Fund).
- Unknown, likely minor cost pressure 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 (Motor Vehicle Account).

**Background:** When AB 630 (M Gonzalez), Chapter 299/2025 was heard in this committee, the analysis noted the Fourth Amendment to the U.S. Constitution protects 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 & County 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.)

**Related Legislation:** AB 630 (M Gonzalez), Chapter 699/2025 authorized the counties of Alameda and Los Angeles, until 1/1/2030, to implement a program to within their respective jurisdictions to remove and dispose of abandoned RVs. AB 647 would extend the authorization until 1/1/2032.

**Staff Comments:** In December 2025, the Los Angeles City Council, acting on authority it thought AB 630 provided, voted to establish a program of RV disposal. The city ordinance was challenged in court, with plaintiffs contending state law authorized only the counties of Alameda and Los Angeles to implement expanded RV towing programs, not other governmental entities within those counties. The author of this bill, and of AB 630, asserts his intention was to authorize governmental entities within those counties, and the counties themselves, to implement expanded RV towing pilot programs. The author describes this bill as correcting a “drafting error” in AB 630 and as “clarifying,” so that “local governments within Los Angeles County and Alameda County are allowed to implement this pilot program.”

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.