

SENATE THIRD READING

SB 1218 (Arreguín)

As Amended July 01, 2026

Majority vote

SUMMARY

Authorizes a peace officer or code enforcement officer to immobilize ("boot") a vehicle for which the registered owner has five or more unpaid citations, or failure to appear notices for illegal dumping, or two or more unpaid citations for illegal dumping in commercial quantities, as specified.

Major Provisions

- 1) Allow the vehicle to be immobilized until the owner or person in control of the vehicle presents the law enforcement agency with specified information, including evidence that all outstanding illegal dumping penalties have been paid.
- 2) Only permits a peace officer or a code enforcement officer to immobilize a vehicle for these purposes.

COMMENTS

According to the Judicial Council of California's *Report on Statewide Collection of Court-Ordered Debt for Fiscal Year 2024–25*, the total outstanding delinquent court-ordered debt balance in California was \$5.4 billion at the end of FY 2024–25.

This balance reflects a 2% increase from the previous fiscal year's ending balance (\$5.3 billion), which the Judicial Council attributed to a 49% drop in the amount of uncollectible debt discharged from accountability. Despite this incremental rise, the current balance remains roughly 49% lower than its historic peak of \$10.6 billion in FY 2018–19—a long-term decline driven largely by legislative changes, statutory fee eliminations, and the expansion of non-cash debt resolutions like the statewide *MyCitations* ability-to-pay program.

When a citation becomes delinquent (usually 90 days past due), local court and county collections programs rely on a mix of in-house personnel and private, state-approved collection agencies to initiate contact:

- 1) **Civil Judgments:** Under Penal Code Section 1214, once a criminal fine or infraction becomes delinquent, the order to pay acts as a civil judgment. This allows the collecting entity to pursue standard civil remedies without filing a new lawsuit.
- 2) **State-Level Intercepts:** The Franchise Tax Board (FTB).

One of the state's most powerful tools is referring debt to the FTB's Court-Ordered Debt (COD) Collections Program. Once an account is referred to the FTB, the state treats the delinquent citation exactly like an unpaid personal income tax liability. The FTB possesses aggressive administrative powers that do not require a separate court order:

- 1) Orders to Withhold (OTW / Bank Levies): A legal command sent to California financial institutions or escrow companies to seize up to 100% of available funds in a debtor's account (minus basic statutory exemptions) to satisfy the balance.
- 2) Earnings Withholding Orders (EWO / Wage Garnishment): An administrative levy served to a debtor's employer, mandating that a portion of their disposable earnings (typically up to 25%) be diverted directly to the state.
- 3) Tax Refund & Asset Intercepts: Automated cross-referencing that intercepts state income tax refunds, California Lottery winnings, or unclaimed property payouts before they can reach the individual.
- 4) State Tax Liens: The FTB can record a lien against a debtor's real or personal property, effectively blocking them from selling or refinancing assets until the debt is cleared.

This bill would additionally allow local authorities to immobilize a vehicle for outstanding unpaid debt illegal dumping fines, a collections method currently available for unpaid traffic fines and parking tickets.

Illegal dumping in Oakland: According to the April 2026 Performance Audit of Illegal Dumping, Oakland faces a severe illegal dumping crisis driven by systemic gaps in local prevention, commercial compliance, and enforcement. The auditor identifies a primary root cause is that legal waste disposal is significantly more expensive and less convenient in Oakland than in neighboring jurisdictions, pushing a high volume of residential waste onto the streets. Furthermore, commercial enforcement remains weak, as an estimated 2,500 to 6,800 businesses operate without mandatory garbage collection contracts, heavily compounding the risk of illegal hauling.

The auditor highlights that the city's citation and collection process is deeply inefficient and structurally vulnerable. In Fiscal Year 2024–25, Oakland spent over \$2 million on environmental enforcement, yet paid citations generated a meager \$16,000 in revenue. Approximately 73% of all issued citations received absolutely no response from violators. This financial and operational failure is exacerbated by poor interdepartmental coordination—slow and deficient documentation transfers between the Public Works Department and the Finance Department's Collections Unit have caused the city to miss statutory deadlines, rendering thousands of dollars in delinquent citations completely uncollectible. Furthermore, while the city deployed mobile surveillance camera units equipped with license plate readers (LPRs) to track illegal hauling vehicles, poor enforcement workflows have resulted in low citation and collection rates.

To address these structural and collection failures, the auditor recommends that the city implement significant operational and strategic improvements:

- 1) Establish Service-Level Agreements: The Public Works Department and the Finance Department should establish formalized service-level agreements to eliminate slow documentation transfers and prevent missing statutory collection deadlines.
- 2) Standardize Evidence Collection: The city needs to standardize and improve its internal documentation and evidence gathering protocols to ensure citations from surveillance cameras and LPR data can be successfully processed and collected.

- 3) Target Commercial Non-Compliance: The city should strengthen its commercial enforcement strategies to identify and penalize the thousands of local businesses currently operating without mandatory garbage collection contracts.
- 4) Address Cost and Convenience Gaps: The city must address the underlying economic drivers of the crisis by making legal waste disposal less expensive and more convenient for residents to deter the displacement of waste onto public streets.

According to the Author

"Illegal dumping remains a persistent problem throughout California communities, yet local governments lack effective enforcement tools to ensure that individuals cited for dumping actually pay their fines. Current law allows citations and penalties for illegal dumping, but many offenders simply ignore them. For example, between 2021 and 2024 the City of Oakland issued nearly 3,000 illegal dumping citations totaling approximately \$1.3 million, yet only about \$109,000, roughly 11%, has been collected. Similarly, local governments across the Bay Area continue to struggle with enforcement even as they expand cleanup and prevention programs. In San José, illegal dumping persists despite increased bulky-item pickup services and additional "dumpster days," illustrating that cleanup programs alone cannot solve the problem without stronger accountability measures."

Arguments in Support

The League of Cities, writing in support of this bill, argues, "Cities are the backbone of California's solid waste and recycling management efforts to ensure clean, safe neighborhoods from public health concerns. However, cities are often faced with having to clean up illegal dumping sites without a reliable source of revenue, which can place a strain on city resources and local budgets. Although existing law establishes penalties for illegal dumping, cities often face challenges in ensuring those penalties are collected. In many cases, violators do not pay fines, and local agencies are left without effective tools to enforce compliance. As a result, cities must absorb the costs of repeated cleanups and ongoing enforcement, diverting limited resources away from other critical public services.

SB 1218 would provide a practical enforcement mechanism by allowing local enforcement personnel to immobilize or "boot" a vehicle in cases involving repeated outstanding illegal dumping violations. By preventing the vehicle from being driven until the owner provides required identifying information that outstanding penalties or bail have been paid or deposited, the bill would create a strong incentive for compliance and improve the collection of fines owed to local jurisdictions."

Arguments in Opposition

According to ACLU California Action, "The ACLU understands the bills intent to address illegal dumping due to public health concerns. However, as drafted, the bill proposes an approach that would waste local authorities time and resources to enforce a law that would not effectively resolve the underlying problem. A more fiscally prudent approach to addressing illegal dumping is to invest in improving access to convenient and affordable waste disposal options, which is a recommendation from a recent performance audit conducted by Oakland.¹ The city's own audit provides a number of economically-viable solutions to address illegal dumping that do not resort to punishing low-income drivers.

The ACLU recommends exhausting all non-enforcement mechanisms against community members as a case study to learn if this will improve reducing illegal dumping. For example, the

city should strengthen its commercial enforcement strategies to identify and penalize the thousands of local businesses currently operating without mandatory garbage collection contracts.³ The city should also address the underlying economic drivers of the crisis by making legal waste disposal less expensive and more convenient for residents to deter the displacement of waste onto public streets."

FISCAL COMMENTS

According to Assembly Appropriations Committee, no state costs.

VOTES

SENATE FLOOR: 37-0-3

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Becker, Gonzalez, Grove

ASM TRANSPORTATION: 15-0-1

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Macedo, Papan, Ransom, Rogers, Sharp-Collins, Ward

ABS, ABST OR NV: Lackey

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CONSULTANT: David Sforza / TRANS. / (916) 319-2093

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