

UNFINISHED BUSINESS

Bill No: SB 1218
Author: Arreguín (D), et al.
Amended: 8/17/26
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 12-0, 4/14/26
AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Dahle, Gonzalez, Grayson, Menjivar, Richardson, Seyarto, Wiener
NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 37-0, 5/20/26
AYES: 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
NO VOTE RECORDED: Becker, Gonzalez, Grove

ASSEMBLY FLOOR: Passed, 8/24/26

SUBJECT: Vehicle immobilization: illegal dumping violation penalties

SOURCE: Author

DIGEST: This bill authorizes a peace officer to immobilize a vehicle if the registered owner has unpaid illegal dumping citations or failure to appear notices for illegal dumping.

Assembly Amendments struck the existing bill provisions and instead authorized local authorities to immobilize a vehicle for a person who has five or more unpaid citations, or failure to appear notices for illegal dumping, or two or more unpaid citations, or failure to appear notices for illegal dumping in commercial quantities.

ANALYSIS:

Existing law:

- 1) Prohibits dumping or causing to be dumped waste matter on any public or private roadway. (Penal Code (PEN) §374.3)
- 2) Imposes a fine between \$250 and \$1,000 for a first violation, a fine between \$500 and \$1,500 for a second violation, and a fine between \$750 and \$3,000 for a third or subsequent violation of illegal dumping. All fines are doubled if the waste matter was tires. (PEN §374.3 (e))
- 3) Imposes higher fines and additional penalties for waste matter dumped in “commercial quantities”, defined as waste matter generated in the course of business that has a volume of at least one cubic yard. (PEN §374.3(h))
- 4) Requires the court to consider the defendant’s ability to pay when issuing fines for illegal dumping. (PEN §374.3(j))
- 5) Authorizes a peace officer, as defined, or regularly employed employee engaged in code enforcement, to immobilize a vehicle on a highway or any public lands, if the registered owner has been issued five or more delinquent parking violations or five more failures to appear for traffic violations. (Vehicle Code (VEH) §22651.7)

This bill:

- 1) Authorizes, exclusively, a peace officer, as defined, or regularly employed employee engaged in code enforcement, to immobilize a vehicle on a highway or any public lands, if the registered owner has been issued:
 - a) Five or more unpaid notices of an illegal dumping violation, or five or more notices of failure to appear; or,
 - b) Two or more unpaid notices of an illegal dumping in commercial quantities violation, or two or more notices of failure to appear.
- 2) Allows the vehicle to be immobilized until the owner provides:
 - a) Evidence of their identity;

- b) An address within the State where they can be located; and,
 - c) Evidence that the full amount of penalties for the violations has been paid or that the owner is enrolled in an active payment plan.
- 3) Allows the registered owner to request an administrative review if they believe the vehicle was immobilized in error, that must occur within two business days.
 - 4) Requires that the registered owner be allowed to present evidence at the administrative hearing.
 - 5) Requires the immediate removal of the immobilization device at no cost to the registered owner, if the immobilization was found to have been in error, or, if found to be valid, requires a written decision be provided to the registered owner.

Comments

- 1) *Purpose of the bill.* 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. SB 1218 addresses this enforcement gap by linking unpaid illegal dumping citations to vehicle registration renewal through the Department of Motor Vehicles”
- 2) *The problem of illegal dumping.* Illegal dumping is the unauthorized disposal of solid waste matter on public or private property. It is often done to avoid the inconvenience and costs associated with taking trash to proper waste disposal sites. Illegal dumping ranges from individuals leaving unwanted furniture on the sidewalk, to businesses dumping large quantities of waste matter on the outskirts of town, to contractors leaving construction materials near worksites.

Regardless of the source, the effects of dumping are costly, generating social, environmental, and economic impacts. Illegal dumping can contribute to a sense that an area is deteriorating. Dumped materials block properties or roadways and contaminate the local environment. Furthermore, many of these effects are felt disproportionately by low-income communities and communities of color. Effects are also seen across urban, suburban, and rural communities. As a result, local governments and private property owners across the state spend millions of dollars annually to clean up illegal dump sites.

Although the problem of illegal dumping has existed for decades, amounts of illegal dumping have surged in recent years. Nowhere perhaps illustrates this more clearly than the City of Oakland, where illegal dumping increased 20% between 2023 and 2024 alone. In 2025, the city reported spending \$12 million on clean-up efforts, picking up 12,000 tons of illegally dumped material. On the enforcement side, since 2021 the city has issued over 3,000 illegal dumping citations totaling roughly \$1.3 million.

- 3) *Combating illegal dumping.* Many different strategies have been employed across California to curtail illegal dumping. At the state level, state law defines illegal dumping as a crime and outlines an escalating fine structure for illegal dumping violations (PEN 374.3). The law also provides for cases in which the dumping is punishable by jail time, requires the violator to pay for the removal of the dumped material, and lays out actions professional licensing boards may take against violators.

Many strategies also exist to deter and remediate illegal dumping activity. In 2019, Alameda County (in which Oakland resides) released a report detailing the results of a pilot program they ran aimed at addressing illegal dumping. The pilot focused on the implementation of the “Three E’s” strategy: Education, Eradication, and Enforcement. Under these efforts, the county, among other tactics, used cameras to identify violators in common dumping areas, provided free waste disposal sites, put up bollards to physically block dumping activity, engaged in public education campaigns about the harms of illegal dumping, assisted community clean-up efforts, and increased monitoring and enforcement activity around dumping violations.

Ultimately, based on the experience with the pilot, the report recommended a number of strategies for tackling illegal dumping, including more focus on enforcing existing laws, utilizing camera-based enforcement, and reducing

barriers to eradication.

- 4) *Issues in implementation.* Despite the promising findings from the Alameda County report and others like it, illegal dumping remains an issue. In Alameda County in particular, illegal dumping continues to worsen. This has led many to question the effectiveness of the strategies used to date. For instance, camera enforcement was once seen as a silver bullet for tackling the issue by deterring would be dumpers due to the certainty of being identified. However, in recent years the effectiveness of cameras has plateaued, as repeat dumpers have started obscuring or removing license plates, or simply moving to dump in areas without cameras.

Issues have also been raised about fines and fees, which remain the bedrock of illegal dumping enforcement. Equity concerns regarding the ability of low-income individuals to pay increasingly steep fines have led cities such as Oakland to adopt pay deferral programs, allowing for people to challenge fines, enroll in payment plans, or pay off fines with community service. On top of rampant fine evasion by many offenders, this has created a situation where the city was only able to collect roughly 11% of all fines issued in 2025.

- 5) *SB 1218 seeks a new path.* SB 1218 provides a new enforcement mechanism modeled after existing mechanisms for enforcing parking violations. This bill would authorize a peace officer to immobilize any vehicle registered to an individual with multiple unpaid illegal dumping violations. A similar provision already exist in state law for unpaid parking violations (VEH §22651.7). In fact, this bill's language is nearly an exact mirror of the statute regarding unpaid parking violations, however SB 1218 includes additional procedural protections for violators, such as the right to speedy administrative hearing.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee SB 1218 incurs no state costs.

SUPPORT: (Verified 8/24/26)

Alameda County Waste Management Authority
Alameda-Contra Costa Transit District (AC Transit)
Californians Against Waste
City of Alameda
City of El Cerrito

League of California Cities
Solid Waste Association of North America, California Chapters

OPPOSITION: (Verified 8/24/26)

ACLU California Action

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