



CITY MANAGER'S OFFICE

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LEGISLATIVE REVIEW COMMITTEE STAFF REPORT

Meeting: June 25, 2019

Subject

Consider adopting a position on AB 516 (Chiu) – Authority to remove vehicles

Recommended Action

Adopt a position opposing Assembly Bill 516 and authorize the Mayor to send a letter of opposition to the State Legislature

Summary

AB 516 would repeal the existing law that authorizes peace officers to tow vehicles for having five or more delinquent parking violations. Additionally, it would modify the ability to tow for leaving a vehicle on the road for more than 72 consecutive hours. Specifically, the measure would require a vehicle to remain parked or left standing for ten or more business days after a notice is affixed to the vehicle specifying the time and date after which the vehicle may be removed.

Status

Passed the Assembly 49-11. Currently in the Senate Transportation Committee and scheduled to be considered on June 25th.

Support

According to the author, "Towing is a stressful and unpleasant experience for anyone, but for tens of thousands of Californians each year, towing has a devastating economic impact. There are many good reasons for cars to get towed, such as for public safety reasons or traffic flow, but there are three poverty related tows that solely target Californians for minor offenses based on their income. These are tows for unpaid parking tickets, an outdated car registration, or for when a car has been legally parked for 72 hours on a public street. If you can't afford to pay your parking tickets or car registration, or afford private parking, you can't afford hundreds or thousands of dollars to get your car out of a tow yard. This results in low-income Californians losing their cars, their ability to get to work, their jobs, and even their shelter. Tow yards lose money having to cover the costs of towing, storage and lien sales. And cities lose money as they never recoup the original debts from car-owners. Low income people lose - tow yards lose - local governments lose."

Supporters of the measure include: ACLU (Sponsor), Lawyers' Committee for Civil Rights (Sponsor), Western Center on Law and Poverty (Sponsor), Asian Americans Advancing Justice – California, Bay Area Community Services, California Public Defenders Assn, California State Council of Service Employees, Community Legal Services in East Palo Alto, Disability Rights California, Ella Baker Center for Human Rights, Law Foundation of Silicon Valley, San Francisco Public Defender's Office, Youth Alive!, and Youth Justice Coalition.

Opposition

The approach in AB 516 rewards people who fail to pay their parking tickets or adhere to reasonable policies aimed at preventing abandonment and/or street storage of vehicles, regardless of income. Eliminating proportional consequences for these sorts of vehicle violations will exacerbate parking scarcity by creating an environment vulnerable for exploitation. This bill, coupled with efforts by the state aimed at eliminating local parking minimums, will create quality of life concerns across income demographics in California.

Opponents of the measure include: California Public Parking Assn, League of California Cities, and the cities of Arcata, Beaumont, Buena Park, Huntington Beach, Laguna Beach, Long Beach, Los Angeles, Manhattan Beach, Placentia, and Stanton.

Potential Impact

This measure could impair the ability of law enforcement to deal with abandoned vehicles or respond to a complaint from a resident or business regarding vehicles. If towing vehicles is not an option, it may encourage the abandonment of additional vehicles, the usage of street parking spaces for extended periods of time for inoperable vehicles, and otherwise reduce the amount of parking available in the city. Additionally, the measure now would require the City to affix a notice to the vehicle, in the case of a vehicle that has been left for 72 or more hours, and let the vehicle remain for at least 10 business days prior to removal.

Prepared by: Townsend Public Affairs

Attachments:

A- Draft AB 516 Opposition Letter