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AMENDED IN SENATE SEPTEMBER 7, 2007
AMENDED IN SENATE SEPTEMBER 4, 2007
AMENDED IN SENATE JULY 16, 2007
AMENDED IN SENATE JULY 2, 2007
AMENDED IN ASSEMBLY APRIL 12, 2007
CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 981

Introduced by Assembly Member ~~Ma~~ Leno

February 22, 2007

~~An act to amend Section 22523 of, and to add Article 6.6 (commencing with Section 4780) to Chapter 1 of Division 3 of, the Vehicle Code, relating to vehicles. An act to add Chapter 9 (commencing with Section 1967) to Division 2.5 of the Streets and Highways Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 981, as amended, ~~Ma Leno. Vehicles: abatement of abandoned vehicles: costs recovery. Treasure Island Transportation Management Act.~~

Existing law authorizes the City and County of San Francisco to designate the Treasure Island Development Authority as a redevelopment agency under the Community Redevelopment Law for the purpose of converting and redeveloping certain property that formerly constituted the Naval Station Treasure Island.

This bill would enact the Treasure Island Transportation Management Act and would authorize the Board of Supervisors of the City and County of San Francisco to designate a board or agency to act as the transportation management agency for Treasure Island, defined to also include Yerba Buena Island. The bill would authorize the transportation management agency, pursuant to the terms of a resolution or ordinance adopted by the board of supervisors, to recommend an initial fee structure for congestion pricing fees to be adopted by the board of supervisors and the San Francisco County Transportation Authority, and to adopt on-street and off-street parking fees, fines, and penalties, and other parking-related revenues and a transit pass fee structure for Treasure Island. The bill would specify the powers and duties of the agency on these and other related matters, including the adoption and administration of a transportation program and the collection and use of revenues generated from those fees.

Existing law provides that a local agency may not impose a new tax, permit fee, or other charge for the privilege of using its streets and roads on or after June 1, 1989, except a permit fee for extra legal loads.

This bill would provide that this prohibition does not apply to the fees authorized by this bill.

The bill would make findings and declarations of the Legislature that the adoption and implementation of the transportation program for Treasure Island is a matter of statewide concern, as specified, and, therefore, no local ordinance, charter provision, or local law shall apply to Treasure Island or the transportation program.

The bill would make findings and declarations of the Legislature that because of the unique circumstances applicable to Treasure Island, a general statute cannot be made applicable, and that, therefore, enactment of a special statute is necessary.

~~(1) Existing law holds the registered owner of an abandoned vehicle responsible for the costs of abating and disposing of the vehicle, and any other past due fees and penalties.~~

~~This bill would prohibit the Department of Motor Vehicles from renewing the registration of any vehicle owned by a registered owner of an abandoned vehicle for which there are unreimbursed outstanding costs when the public agency that abated or caused the abatement of the abandoned vehicle has given notice to the department of the outstanding costs. After deducting its administrative costs, the Department of Motor Vehicles would be required to transmit to the public agency the outstanding costs collected.~~

~~This bill would require a public agency that abates or causes the abatement of an abandoned vehicle to deliver to the registered owner of the abandoned vehicle a notice for reimbursement of outstanding costs containing specified information. The public agency would be authorized to file the notice with the Department of Motor Vehicles for collection if the registered owner fails to pay the outstanding costs by the date specified in the notice. Because a public agency, which includes a local agency, would be required to issue a notice for reimbursement of outstanding costs, this bill would require a higher level of service by a local agency, thereby imposing a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: *yes-no*.
 State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

1 *SECTION 1. Chapter 9 (commencing with Section 1967) is*
 2 *added to Division 2.5 of the Streets and Highways Code, to read:*

3
 4 *CHAPTER 9. TREASURE ISLAND TRANSPORTATION*
 5 *MANAGEMENT*

6
 7 *1967. This act shall be known and may be cited as the Treasure*
 8 *Island Transportation Management Act.*

9 *1967.1. The Legislature finds and declares all of the following:*

10 *(a) It is essential for the economic well-being of the state and*
 11 *the maintenance of a high quality of life that the people of*
 12 *California have efficient transportation systems that will reduce*
 13 *traffic congestion, vehicle miles traveled, and greenhouse gas*
 14 *emissions, and improve travel times and air quality.*

15 *(b) In 2006, the Legislature passed Assembly Bill 32 (Ch. 488,*
 16 *Stats. 2006), which enacted the California Global Warming*
 17 *Solutions Act of 2006 (Division 25.5 (commencing with Section*
 18 *38500) of the Health and Safety Code), a landmark act that*
 19 *establishes a first-in-the-world comprehensive program of*

1 regulatory and market mechanisms to achieve real, quantifiable,
2 cost-effective reductions of greenhouse gases.

3 (c) Implementation of the California Global Warming Solutions
4 Act of 2006 will require creative and innovative solutions,
5 including strategies designed to integrate land use and
6 transportation measures to reduce vehicle miles traveled and traffic
7 congestion, improve travel times, and encourage transit use.

8 (d) The proposed development of Treasure Island includes an
9 innovative and comprehensive land use and transportation
10 program designed to discourage automobile usage, reduce vehicle
11 miles traveled, encourage public transit, and serve as a model of
12 sustainable neighborhood development. An element of the
13 transportation program is the use of congestion pricing.

14 (e) Congestion pricing is a potentially useful tool for influencing
15 the behavior of drivers of private automobiles, controlling traffic
16 congestion, and reducing vehicle miles traveled and the production
17 of greenhouse gases. The potential of congestion pricing for this
18 purpose is well documented and has been implemented or is under
19 consideration in a number of prominent, high-traffic cities around
20 the world, including London, Stockholm, and Singapore.

21 (f) Because Treasure Island is located adjacent to an urban
22 area with a single point of vehicular access, but is easily served
23 by multimodal public transit, it is an ideal candidate for a
24 transportation program designed to test the feasibility of congestion
25 pricing as a tool to encourage and fund public transit use and
26 reduce vehicle miles traveled in furtherance of the state's goals
27 to improve regional air quality and reduce greenhouse gas
28 emissions and traffic congestion.

29 (g) The proposed development of Treasure Island is a leading
30 example of performance-based infrastructure that uses private
31 innovation, access to financing, and management efficiencies to
32 build infrastructure, combined with the social responsibility,
33 environmental awareness, local knowledge, safety requirements,
34 and job generation concerns of the public sector. The proposed
35 transportation program for Treasure Island, including congestion
36 pricing, will further these goals by allowing private development
37 to advance funding and resources for construction of a public
38 transit infrastructure and mixed-use development in a
39 transit-oriented and sustainable manner, then generating from
40 that development congestion pricing fees that will maximize use

1 of public transit and generate revenues to offset the public sector's
2 costs of public transit facilities and equipment design, construction,
3 operation, and maintenance.

4 (h) The purpose of the Treasure Island transportation program
5 is to accomplish all of the following:

6 (1) To facilitate the implementation of an innovative, sustainable
7 transportation plan for the development of Treasure Island that
8 will encourage public transit, bicycle, pedestrian, and waterborne
9 modes of transportation, reduce vehicle miles traveled, and
10 minimize the impact of Treasure Island development on the system
11 of state and local roadways affected by the San Francisco-Oakland
12 Bay Bridge, as well as on the bridge itself, in furtherance of the
13 California Global Warming Solutions Act of 2006 (Division 25.5
14 (commencing with Section 38500) of the Health and Safety Code).

15 (2) To develop a comprehensive set of transportation demand
16 management programs to encourage and facilitate transit use and
17 to minimize the environmental and other impacts of private
18 automobiles traveling to, from, and on Treasure Island.

19 (3) To manage Treasure Island-related transportation in a
20 sustainable manner, to the extent feasible, with the goal of reducing
21 vehicle miles traveled and minimizing carbon emissions and
22 impacts on air and water quality.

23 (4) To create a flexible institutional structure that can set
24 parking and congestion pricing rates, monitor the performance of
25 the system, collect revenues, and direct generated revenues to
26 public transit systems serving Treasure Island.

27 (5) To promote multimodal access to, from, and on Treasure
28 Island by a wide range of local, regional, and statewide visitors
29 by providing a reliable source of funding for transportation
30 services and programs serving Treasure Island that will include,
31 without limitation, bus transit service provided by the city's
32 municipal transportation agency, or its successor agency, and
33 ferry service.

34 (i) The congestion pricing demonstration program authorized
35 by this act includes an important reporting requirement to the
36 Legislature that will allow the Legislature to assess the success
37 of the program in achieving its goals.

38 (j) The San Francisco County Transportation Authority and its
39 private development partner have undertaken numerous technical
40 and economic feasibility studies demonstrating the effectiveness

1 of the transportation program to conserve energy, discourage
 2 automobile usage, reduce vehicle miles traveled, increase transit
 3 ridership, and deliver significant public infrastructure
 4 improvements through public-private partnership.

5 1967.2. For purposes of this chapter, the following terms have
 6 the following meanings:

7 (a) “Authority” means the Treasure Island Development
 8 Authority, a nonprofit public benefit corporation established by
 9 the board of supervisors that is vested with both redevelopment
 10 authority and the power and duty to administer the public trust
 11 for commerce, navigation, and fisheries with respect to Treasure
 12 Island.

13 (b) “Board of supervisors” means the Board of Supervisors of
 14 the City and County of San Francisco.

15 (c) “City” means the City and County of San Francisco.

16 (d) “Congestion pricing fees” means fees that motorists pay to
 17 drive in a designated congestion pricing zone that are designed
 18 to relieve traffic congestion and promote alternative forms of
 19 transportation, and are set and adjusted to reflect traffic patterns,
 20 congestion levels, time of day, and other conditions that impact
 21 the roadway system.

22 (e) “Transportation authority” means the San Francisco County
 23 Transportation Authority.

24 (f) “Transportation management agency” means the Treasure
 25 Island Transportation Management Agency designated by the
 26 board of supervisors pursuant to Section 1967.3.

27 (g) “Transportation program” means a comprehensive
 28 transportation program for Treasure Island designed to achieve
 29 the goals set forth in Section 1967.1.

30 (h) “Treasure Island” means Treasure Island and Yerba Buena
 31 Island.

32 1967.3. The authority is formulating a transportation program
 33 in connection with the authority’s redevelopment activities on
 34 Treasure Island. The board of supervisors directed that the
 35 transportation program ensure adequate and reliable funding for
 36 transit service for Treasure Island, including, without limitation,
 37 bus transit service provided by the city’s municipal transportation
 38 agency, or its successor agency. In formulating the transportation
 39 program, the authority shall make recommendations for the
 40 governance structure of the transportation management agency.

1 *Based on the authority's recommendations, the board of supervisor*
2 *may designate a board or agency that shall act as the*
3 *transportation management agency. The board of supervisors may*
4 *designate itself as the transportation management agency.*
5 *Notwithstanding Chapter 898 of the Statutes of 1997, any*
6 *subsequent amendments to that chapter, or any other provision of*
7 *law, but subject to Section 1967.5, the transportation management*
8 *agency shall have the exclusive power to do any or all of the*
9 *following pursuant to the terms of a resolution or ordinance*
10 *adopted by the board of supervisors:*

11 *(a) Adopt and administer the transportation program and*
12 *implementing rules and regulations.*

13 *(b) Recommend to the board of supervisors and the*
14 *transportation authority an initial fee structure for the imposition*
15 *of congestion pricing fees applicable to residents and other*
16 *motorists as they enter or exit Treasure Island in the amount*
17 *deemed necessary and proper by the transportation management*
18 *agency to implement the transportation program.*

19 *(c) Adopt amendments to the congestion pricing fee structure*
20 *initially adopted by the board of supervisors and the transportation*
21 *authority pursuant to subdivision (a) of Section 1967.5, as the*
22 *transportation management agency deems necessary and*
23 *appropriate from time to time to implement the transportation*
24 *program, based upon a finding that the amendments to the fee*
25 *have a relationship or benefit to the automobile whose owners are*
26 *paying the fee.*

27 *(d) Administer and collect congestion pricing fees on Treasure*
28 *Island.*

29 *(e) Adopt on-street and off-street parking regulations for*
30 *Treasure Island, including regulations limiting parking, stopping,*
31 *standing, or loading and establishing parking privileges and*
32 *locations, parking meter zones, and other forms of parking*
33 *regulation similar to those adopted for other areas of San*
34 *Francisco.*

35 *(f) Adopt on-street and off-street parking fees, fines, and*
36 *penalties for Treasure Island and administer and collect all*
37 *on-street and off-street parking fees, fines, penalties, and other*
38 *parking-related revenues on Treasure Island.*

1 (g) Adopt a transit pass fee structure applicable to residents
2 and other users of Treasure Island and administer and collect all
3 Treasure Island transit pass fees.

4 (h) Fix the rates and charges for services provided or functions
5 performed by the transportation management agency and
6 administer and collect those rates and charges.

7 (i) Apply for, accept, and administer state, federal, local agency,
8 or other public or private grant funds for transportation purposes.

9 (j) Administer and collect all other revenues generated by the
10 transportation program.

11 (k) Undertake studies, performance evaluations, and other
12 mechanisms as it deems necessary and proper to adopt and amend
13 the transportation program with the purpose of relieving
14 transportation-related impacts.

15 (l) Expend its revenues for any purpose related to the
16 transportation program, including costs of implementation,
17 operation, collection and enforcement, maintenance, construction,
18 and administration under the transportation program.

19 (m) Enter into contracts, cooperative agreements, and direct
20 funding agreements with governmental agencies, including city
21 departments and private parties, to the extent deemed necessary
22 and proper by the transportation management agency to implement
23 the transportation program, including for any of the following:

24 (1) The construction and maintenance of transportation facilities
25 serving Treasure Island that are directly related to the
26 transportation program, including design, preconstruction, and
27 other related costs.

28 (2) Transit capital and operational costs for services that
29 directly serve Treasure Island.

30 (3) Notwithstanding Section 40717.9 of the Health and Safety
31 Code, implementation of transportation impact mitigation measures
32 as adopted from time to time to improve transit and other
33 nonautomobile means of access to Treasure Island.

34 (n) Adopt rules and regulations governing high-occupancy
35 vehicles pursuant to subdivision (d) of Section 1967.5.

36 (o) Take all other steps as the transportation management
37 agency deems necessary and proper to implement the
38 transportation program.

39 1967.4. Except as specifically provided in Section 1967.5, to
40 the extent that the transportation management authority is granted

1 *exclusive powers to adopt regulations and adopt, fix, administer,*
2 *and collect fees, rates, charges, and other revenues with respect*
3 *to the transportation program under Section 1967.3, the city and*
4 *its departments, boards, and commissions shall be prohibited from*
5 *exercising those powers with respect to Treasure Island and the*
6 *transportation program.*

7 *1967.5. (a) The board of supervisors and the transportation*
8 *authority, by a two-thirds majority vote of both bodies, shall have*
9 *the authority to adopt a program imposing congestion pricing fees*
10 *for automobiles exiting and entering Treasure Island from the Bay*
11 *Bridge and an initial congestion pricing fee structure after*
12 *consideration of the recommendation of the transportation*
13 *management agency. The congestion pricing fees shall not be*
14 *imposed on local trips on Treasure Island streets that do not exit*
15 *to the Bay Bridge. Once adopted, the congestion pricing program*
16 *may only be terminated by the recommendation of both the*
17 *authority and the transportation management agency, followed*
18 *by a two-thirds majority vote of both the board of supervisors and*
19 *the transportation authority.*

20 *(b) (1) Prior to imposing the initial congestion pricing fees,*
21 *the board of supervisors and the transportation authority shall*
22 *each make a finding of fact by a two-thirds majority vote that the*
23 *congestion pricing fees have a relationship or benefit to the*
24 *automobile drivers who are paying the fee.*

25 *(2) In order to ensure that congestion pricing fees are not*
26 *instituted prior to new residents establishing residence on Treasure*
27 *Island, initial congestion pricing fees shall not be imposed prior*
28 *to the effective date of the disposition and development agreement*
29 *for the redevelopment of Treasure Island.*

30 *(3) The board of supervisors shall require that all fees, rates,*
31 *and charges adopted in furtherance of the transportation program,*
32 *including congestion pricing fees, on-street and off-street parking*
33 *fees, fines and penalties, transit pass fees, and any other rates and*
34 *charges that are adopted by the transportation management agency*
35 *from time to time, be collected and used by the transportation*
36 *management agency to implement the transportation program.*

37 *(c) While congestion pricing fees remain in effect, the transferor*
38 *of any sale or lease agreement of real property on Treasure Island*
39 *shall be required to include a written disclosure to the potential*

1 purchaser or lessee that use of an automobile to and from Treasure
2 Island may be subject to congestion pricing fees.

3 (d) At all periods of the day, whether or not the congestion
4 pricing fees are in effect, high-occupancy vehicles shall be able
5 to exit or enter Treasure Island free of charge.

6 1967.6. The transportation program shall ensure that public
7 access to waterfront, recreational, and open-space areas on
8 Treasure Island is sufficient to support public trust activities by
9 ensuring all of the following:

10 (a) Public access to areas subject to the public trust is facilitated
11 in part by transportation program elements, such as (1) an
12 on-island shuttle, (2) secure bicycle parking, and (3) limitations
13 on long-term parking on streets that are subject to the public trust
14 following a land exchange authorized by Chapter 543 of the
15 Statutes of 2004, as amended (hereafter public trust streets), that
16 will discourage residential use of public trust streets for parking
17 but allow appropriate time for recreational and visitor activities.

18 (b) Program elements shall not interfere with the provision of
19 public access to public trust lands consistent with the beneficial
20 use of those lands, including, but not limited to, roadway access
21 to serve the public along the western shoreline of Treasure Island.

22 (c) There shall be no preference for residents in parking rates,
23 parking passes, or the duration of parking on public trust streets
24 or on other public trust lands.

25 (d) Parking revenues from public trust streets or other public
26 trust lands shall be used for transportation facilities and services
27 benefiting the public trust in accordance with the transportation
28 program, with any surplus revenues to be used for other
29 trust-related purposes.

30 1967.7. Meetings of the transportation management agency
31 shall be held pursuant to the Ralph M. Brown Act (Chapter 9
32 (commencing with Section 54950) of Part 1 of Division 2 of Title
33 5 of the Government Code).

34 1967.8. Section 9400.8 of the Vehicle Code shall not apply to
35 any fee imposed by this chapter.

36 1967.9. The city may bring an action pursuant to Sections 860
37 to 870, inclusive, of the Code of Civil Procedure to confirm the
38 validity of any resolution adopted by the board of supervisors or
39 the transportation management agency.

1 1967.10. Not later than three years after the transportation
2 management agency first collects revenues from the congestion
3 pricing fees authorized under Section 1967.5, the authority shall
4 conduct a public opinion survey regarding the congestion pricing
5 demonstration program and provide a report to the Legislature
6 on its findings, conclusions, and recommendations concerning the
7 congestion pricing demonstration program authorized by this act.
8 The report shall include an analysis of the success of the congestion
9 pricing demonstration program on minimizing vehicle miles
10 traveled and automobile trips on the Bay Bridge and increasing
11 public transit use, as well as an economic analysis of the program's
12 impact on funding public transportation improvements and
13 operations.

14 SEC. 2. The Legislature finds and declares that the adoption
15 and implementation of the transportation program under this act,
16 including the use of the congestion pricing, parking, and transit
17 pass fees in accordance with this act, will provide substantial
18 benefit to (a) the public trust for commerce, navigation, and
19 fisheries by promoting access to Treasure Island by a wide range
20 of local, regional, and statewide visitors, and (b) the people of
21 California and the state highway and regional transportation
22 system by reducing the amount of project-related traffic and vehicle
23 miles traveled on the San Francisco-Oakland Bay Bridge and
24 related system of state and local roadways, reducing congestion
25 and greenhouse gas emissions, improving regional air quality,
26 and increasing ridership on regional multimodal public transit,
27 and is therefore a matter of statewide concern.

28 Subject to the requirements of this act, the transportation
29 management agency shall be the sole entity or jurisdiction
30 authorized to impose any transportation-related revenue measures
31 on Treasure Island, including congestion pricing fees, on-street
32 and off-street parking fees, fines, penalties, other parking-related
33 revenues, and transit pass fees. No ordinance, charter provision,
34 or other provision of local law purporting to impose any similar
35 revenue measure, whether now existing or enacted in the future,
36 shall apply to Treasure Island or the transportation program, and
37 the city and its departments, boards, and commissions are
38 prohibited from exercising in the city's own right any powers that
39 have been granted to the transportation management agency or
40 the board of supervisors under this act.

1 *SEC. 3. The Legislature finds and declares that because of the*
 2 *unique circumstances applicable to Treasure Island that necessitate*
 3 *an innovative, sustainable transportation plan, a statute of general*
 4 *applicability cannot be enacted within the meaning of subdivision*
 5 *(b) of Section 16 of Article IV of the California Constitution, and*
 6 *the enactment of a special statute is therefore necessary.*

7 ~~SECTION 1. Article 6.6 (commencing with Section 4780) is~~
 8 ~~added to Chapter 1 of Division 3 of the Vehicle Code, to read:~~

9
 10 ~~Article 6.6. Refusal of Registration for Nonpayment of Costs~~
 11 ~~of Removal and Disposition of Abandoned Vehicles~~

12
 13 ~~4780. The department shall not renew the registration of a~~
 14 ~~vehicle if the applicant, pursuant to subdivision (g) of Section~~
 15 ~~22523, has been mailed a notice for reimbursement of outstanding~~
 16 ~~costs relating to the abatement of an abandoned vehicle, the public~~
 17 ~~agency that abated or caused the abatement of the vehicle, pursuant~~
 18 ~~to subdivision (h) of Section 22523, has filed with the department~~
 19 ~~the notice for reimbursement of outstanding costs, and the applicant~~
 20 ~~has not paid the deficiency specified in the notice, unless the~~
 21 ~~applicant pays to the department, at the time of application renewal,~~
 22 ~~the full amount of the outstanding costs, as shown by the notice~~
 23 ~~for reimbursement of costs filed with the department pursuant to~~
 24 ~~subdivision (h) of Section 22523.~~

25 ~~4781. The department shall include on the vehicle registration~~
 26 ~~renewal notice, or on an accompanying document, all of the~~
 27 ~~information required pursuant to paragraph (1) of subdivision (g)~~
 28 ~~of Section 22523.~~

29 ~~4782. (a) After deducting the administrative fee authorized~~
 30 ~~by subdivision (b), the department shall remit the reimbursement~~
 31 ~~for outstanding costs collected pursuant to Section 4780, to the~~
 32 ~~public agency that filed the notice of reimbursement for outstanding~~
 33 ~~costs with the department pursuant to subdivision (h) of Section~~
 34 ~~22523. Within 45 days from the time the reimbursement is paid~~
 35 ~~to the department, the department shall inform that public agency~~
 36 ~~that the outstanding costs have been collected.~~

37 ~~(b) The department shall assess a fee for the recording of a~~
 38 ~~notice of reimbursement of outstanding costs that is filed with the~~
 39 ~~department pursuant to subdivision (h) of Section 22523. The~~
 40 ~~department shall impose a fee for the filing of notices of~~

1 outstanding costs that is sufficient to reimburse the department the
2 actual costs of administering this article.

3 ~~(e) To the extent that the public agency has contracted with a
4 vendor for the provision of removal and disposition services, as
5 described in subdivision (e) of Section 22523, and the department
6 reimburses the public agency pursuant to subdivision (a), the
7 vendor shall be reimbursed by the public agency on a pro rata basis
8 within 90 days.~~

9 ~~4783. No exemption from the payment of any fee imposed by
10 this code is an exemption from the obligation of an applicant to
11 pay the full amount of the outstanding costs pursuant to Section
12 4780.~~

13 ~~SEC. 2. Section 22523 of the Vehicle Code is amended to read:
14 22523. (a) A person shall not abandon a vehicle upon a
15 highway.~~

16 ~~(b) A person shall not abandon a vehicle upon public or private
17 property without the express or implied consent of the owner or
18 person in lawful possession or control of the property.~~

19 ~~(c) A person convicted of a violation of this section shall be
20 punished by a fine of not less than one hundred dollars (\$100) and
21 shall provide proof that the costs of removal and disposition of the
22 vehicle have been paid. No part of any fine imposed shall be
23 suspended. The fine may be paid in installments if the court
24 determines that the defendant is unable to pay the entire amount
25 in one payment.~~

26 ~~(d) Proof that the costs of removal and disposition of the vehicle
27 have been paid shall not be required if proof is provided to the
28 court that the vehicle was stolen prior to abandonment. That proof
29 may consist of a police report or other evidence acceptable to the
30 court.~~

31 ~~(e) The costs required to be paid for the removal and disposition
32 of a vehicle determined to be abandoned pursuant to Section 22669
33 shall not exceed those for towing and seven days of storage. This
34 subdivision does not apply if the registered owner or legal owner
35 has completed and returned to the lienholder a "Declaration of
36 Opposition" form within the time specified in Section 22851.8.~~

37 ~~(f) (1) If a vehicle is abandoned in violation of subdivision (b)
38 and is not redeemed after impound, the last registered owner is
39 guilty of an infraction. In addition to any other penalty, the
40 registered owner shall be liable for any deficiency remaining after~~

1 disposal of the vehicle under Section 3071 or 3072 of the Civil
2 Code or Section 22851.10 of this code.

3 ~~(2) The filing of a report of sale or transfer of the vehicle
4 pursuant to Section 5602, the filing of a vehicle theft report with
5 a law enforcement agency, or the filing of a form or notice with
6 the department pursuant to subdivision (b) of Section 4456 or
7 Section 5900 or 5901 relieves the registered owner of liability
8 under this subdivision.~~

9 ~~(g) (1) A public agency that abates or causes to abate an
10 abandoned vehicle shall serve or mail to the registered owner a
11 notice for reimbursement of outstanding costs that contains all of
12 the following:~~

13 ~~(A) A description and location of the abandoned vehicle.~~

14 ~~(B) An itemization of all costs and administrative fees related
15 to the abatement and disposition of the vehicle, and any other past
16 due fees and penalties.~~

17 ~~(C) The disposition of the vehicle.~~

18 ~~(D) The time and date of the abatement and disposition of the
19 vehicle.~~

20 ~~(E) The deficiency remaining as specified in paragraph (1) of
21 subdivision (f).~~

22 ~~(F) The date by which the registered owner is required to pay
23 the deficiency.~~

24 ~~(G) A statement notifying the registered owner that the failure
25 to pay the deficiency by the date specified in subparagraph (F)
26 may result in the refusal by the Department of Motor Vehicles to
27 renew the registration of any vehicle of the registered owner.~~

28 ~~(2) Delivery of the notice for reimbursement of outstanding
29 costs pursuant to this subdivision may be made by personal service
30 or by first-class mail.~~

31 ~~(h) If the registered owner does not satisfy a notice for
32 reimbursement of outstanding costs issued pursuant to subdivision
33 (g), the public agency may file the notice for reimbursement of
34 outstanding costs with the Department of Motor Vehicles for
35 collection pursuant to Section 4870.~~

36 ~~SEC. 3. No reimbursement is required by this act pursuant to
37 Section 6 of Article XIII B of the California Constitution because
38 a local agency or school district has the authority to levy service
39 charges, fees, or assessments sufficient to pay for the program or~~

- 1 level of service mandated by this act, within the meaning of Section
- 2 17556 of the Government Code.

O