

EXCERPT FROM DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
ABANDONED VEHICLE ABATEMENT PROGRAM HANDBOOK
CHAPTER 2

Page 2-6 and Page 2-7

REQUIRMENTS FOR PARTICIPATING SERVICE AUTHORITIES

2. ABANDONED VEHICLE ABATEMENT PROGRAM CLARIFICATION.

- a. Section 22710(f) VC provides a definition of an abandoned vehicle abatement. As defined, a vehicle marked as abandoned, by a member of a participating Authority, which is voluntarily moved or relocated by the property owner or registered owner of the vehicle qualifies as abatement. Subsequently, it is the responsibility of the Authorities to supervise their AVA Program to ensure the participating jurisdictions are not arbitrarily marking vehicles for abatement which do not qualify in order to artificially inflate their AVA Program count.
- b. A vehicle removed for the following reasons shall not qualify as an abated vehicle pursuant to the AVA Program:
 - (1) A vehicle cited for a 72-hour parking violation of a local ordinance authorizing its removal pursuant to Section 22651(k) VC.
 - (2) A vehicle cited for expired registration longer than six (6) months pursuant to Section 22651(o) VC.
- c. Section 22710(c) VC restricts the money received by an Authority, pursuant to Section 9250.7 VC to be used only for the abatement, removal, or disposal of any abandoned, wrecked, dismantled, or inoperative vehicle or part from public or private property when the vehicle is deemed a public nuisance. The money received shall not be used to offset the costs of vehicles towed under authorities other than an ordinance adopted pursuant to Section 22710 or when costs are recovered under Section 22850.5 VC. Assignment of a vehicle to the AVA Program occurs only under one of the following circumstances:
 - (1) The abandoned vehicle is located on public or private property and issued a 10-day notice of intention to abate pursuant to Section 2266.1(d) VC and is removed after the 10-day period has elapsed.
 - (a) A service authority may carry out an abandoned vehicle abatement from a public property after providing a notice as specified by the local ordinance adopted pursuant to Section 22660 VC of the jurisdiction in which the abandoned vehicle is located and that notice has expired.
 - (2) The vehicle is parked, resting, or otherwise immobilized on any highway or public right-of-way and lacks an engine, transmission, wheels, tires, or any

other part or equipment necessary to operate safely on the highway pursuant to Section 22669(d) VC.

(3) The vehicle is located upon a parcel zoned for agricultural use or not improved with a residential structure containing one or more dwelling units, and is inoperable due to the absence of a motor, transmission, or wheels and incapable of being towed. Additionally, the vehicle must be valued at less than two hundred dollars by a person specified in Section 22855 VC, and is determined by the local agency to be a public nuisance, presenting an immediate threat to public health and safety, provided the property owner has signed a release authorizing removal and waiving further interest in the vehicle pursuant to Section 22661(c) VC.