

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

CHAPTER 4
PAGE 4-3 and PAGE 4-4

DEFINITION OF TERMS AND STATUTE RELATING TO ABATEMENT OF
ABANDONED VEHICLE PLANS

1. PURPOSE. This chapter includes a definition of terms and statute directly relating to the abatement of abandoned vehicles. California Vehicle Code (VC) and Government Code (GC) sections are located in Chapter 4, Annex A and are intended to provide further reference material for the development of Abandoned Vehicle Abatement (AVA) Plans.
2. DEFINITION OF TERMS. The following definitions are included for use by the Authorities and are consistent with Section 22710 VC requiring the California Highway Patrol (CHP) to establish guidelines for the AVA Program.
 - a. Vehicle. A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.
 - b. Highway. A way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.
 - c. Public Nuisance Vehicle. Any vehicle that is abandoned, wrecked, dismantled, or any inoperative part thereof that is on public or private property, not including highways, and that creates a condition tending to reduce the value of private property, promotes blight and deterioration, invites plundering, creates fire hazards, constitutes an attractive nuisance endangering the health and safety of minors, harbors rodents and insects, or jeopardizes, health, safety, and general welfare is a public nuisance.
 - d. Abandoned Vehicle. A vehicle is considered to be “abandoned” if it is left on a highway, public property, or private property in such inoperable or neglected condition that the owner’s intent to relinquish all further rights or interests in it may be reasonably concluded. In reaching a reasonable conclusion, one must consider the amount of time the vehicle has not been moved, its condition, statements from the owner and witnesses, etc.
 - e. Wrecked Vehicle. Any vehicle that is damaged to such an extent that it cannot be operated upon the highway is termed a wrecked vehicle. A vehicle which has been wrecked in a traffic accident, and which has been removed from the roadway to a storage facility, but which has not been claimed by its owner, will not be considered an abandoned vehicle for the purposes of this program.

- f. Dismantled Vehicle. Any vehicle which is partially or wholly disassembled
- g. Public Property. This term is commonly used as a designation of those things which are considered owned by “the public,” the state or community, and not restricted to dominion of a private person. It may also apply to any property owned by a state, nation, or municipality.
- h. Private Property. Property that belongs absolutely to an individual and that person has the exclusive right of disposition. Property of a specific, fixed, and tangible nature, capable of being possessed and transmitted to another, such as houses, lands, vehicles, etc.