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City Manager (707) 822-5953	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Transportation 822-3775
Environmental Services Streets/Utilities 822-5957	Environmental Services Community Services 822-8184	Engineering & Building 825-2128

June 6, 2019

The Honorable Nancy Skinner
Chair, Senate Public Safety
California State Capitol, Room 2031
Sacramento, CA 95814

RE: NOTICE OF OPPOSITION—AB 516 (Chiu) Authority to Remove Vehicles

Dear Senator Skinner,

The City of Arcata is **Opposed** to AB 516 (Chiu), a measure that would eliminate the ability for our city to adequately enforce state and local vehicle violations.

AB 516 would eliminate enforcement tools to address motorists who disregard basic laws designed to benefit our entire community. Specifically, the measure would eliminate the ability for the City of Arcata to:

- “Immobilize,” or place a boot on a vehicle, for motorists who have five or more unpaid parking tickets.
- Remove vehicles with expired registration that are operating illegally; and
- Remove vehicles in violation of parking time restrictions.

The immobilization of a vehicle is only used when someone has five or more unpaid parking tickets and has ignored the payment plans offered to them by our city, as established by recently chaptered bills AB 503 (2017) and AB 2544 (2018). In the City of Arcata these monthly payment plans are as low as \$2.00 for an indigent person. This is a fair process that allows low-income individuals to pay their outstanding parking citations without impacting their ability to maintain their livelihood.

The authority to remove vehicles that are operating unlawfully for failing to register within six months is an essential enforcement tool for violation of state and local laws aimed at requiring insurance, keeping our air clean, our storm drains free of pollution, and our streets safe. Motorists that allow their vehicle registration to expire for more than 6 months are not only in gross violation of state law, but are rejecting their basic responsibility to pay for various programs and services collected with their registration.

The passage of this law would result in Arcata Police Officers no longer having access to an enforcement option that enables them to hold drivers and vehicle owners accountable to a basic, yet important responsibility. Officers would simply have to release drivers who have ignored the requirement to register their vehicles to continue driving on streets occupied by those who are in compliance with the law. This increases liability to the City by removing the discretion an

officer should maintain to insure they have the authority to safeguard the well-being of the community as a whole. Removing or diluting this discretion encourages people to ignore the law thereby creating a standard where the law is not applied equally to all people. This condition can manifest itself elsewhere as people pick and choose what laws apply to them and which ones do not. This can create an unpredictable and unsafe condition for the public and for Arcata Police Department personnel.

It is key to note that the 72-hour parking enforcement notice is usually triggered by a complaint from a local resident or business when cars appear abandoned or haven't moved for an extended period of time. By the time our city responds, more than 72 hours have typically elapsed, when a notice is thereby issued for the vehicle to move. Compliance costs nothing and can simply involve moving a vehicle to a more acceptable location to avoid a tow. By the time a tow is actually enforced, a vehicle has likely remained unmoved for days and possibly weeks.

Vehicles parked in excess of 72 hours without being moved are a significant quality of life concern for those who live in and visit Arcata. Parked vehicles become places of habitation for people and animals. These vehicles block ingress and egress on Arcata streets and sidewalks, block visibility at corners causing compromises to traffic safety and become an environmental hazard with trash and human waste oftentimes being discharged adjacent to the vehicle.

Vehicles parked for long periods of time in Arcata have become the source of calls for police service because of suspected criminal activity, noise, loose and intimidating pets and a fear that those who inhabit the vehicles may commit crime when those who live in the area leave their homes. If the Arcata Police Department loses this enforcement tool the impact will be a reduced quality of life, an increased fear of crime and an inability to utilize an option that helps Department personnel maintain the quality of life in Arcata neighborhoods while also working with vehicle owners to develop alternatives that accomplish multiple objectives.

The approach in AB 516 rewards people who fail to pay their parking tickets, register their vehicles, 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.

For these reasons, the City of Arcata **Opposes** AB 516.

Sincerely,



Brett Watson, Mayor
City of Arcata

cc:

Senator Mike McGuire, Senator.McGuire@senate.ca.gov & VIA FAX: (916) 651-4902

Congressman Jared Huffman, John.Driscoll@mail.house.gov

Assembly Member Jim Wood, VIA FAX: (707) 445-6607 & (916) 319-2102

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