

CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM

Date: February 23, 2022

To: Honorable City Council
c/o City Clerk, Room 395
Attention: Honorable Mike Bonin, Chair, Transportation Committee

From: Seleta J. Reynolds, General Manager 
Department of Transportation

Subject: **CITATION AND TOWING PROCESS FOR ABANDONED VEHICLES AND OVERSIZE VEHICLES IN VIOLATION OF POSTED SIGNS**

SUMMARY

In response to Council File (CF) 21-0956, this report outlines the process for the removal of oversize and other vehicles parked in violation of posted signs and the recommended criteria for prioritization of their removal.

RECOMMENDATION

That the City Council, subject to approval by the Mayor:

1. APPROVE LADOT's criteria for distinguishing between abandoned vehicles suitable for towing and vehicles used as dwellings that warrant additional engagement
2. APPROVE LADOT's criteria for prioritizing among oversized vehicles that are eligible for towing
3. DIRECT the CAO Homelessness Coordinator to develop a process for officers from LADOT and LAPD to communicate referrals of outreach services for persons experiencing homelessness.

BACKGROUND

In March 2020, in response to the Coronavirus (COVID-19) pandemic and effort to maintain public safety, the City of Los Angeles (City) declared a local emergency that included relaxed enforcement for parking violations. In October 2020, as residents returned to the workplace, LADOT resumed enforcement for all parking violations with the exception of towing vehicle dwellings as directed. In the Department's report to City Council (CF 20-0147-S7), LADOT reported back with a plan for handling these impounds.

This report recommends processes to identify vehicle dwellings, a service-led approach for people living vehicles, and conditions for citation and towing of abandoned vehicles not in use. This report identifies potential locations for use as Safe Parking or Safe Storage of oversize vehicles.

DISCUSSION

Pursuant to Council direction, LADOT traffic officers suspended towing vehicles identified as vehicle dwellings. LADOT currently determines a "vehicle dwelling" based on an officer's observation of a

person(s) sleeping inside a vehicle, or items contained inside or on the vehicle that are not typically associated with ordinary vehicle use, such as a sleeping bag, bedroll, blanket, sheet, pillow, kitchen utensils, cookware, or cooking equipment.

This inclusive definition was helpful during the early stages of the pandemic to ensure vehicles used as dwellings were exempt from impound and the unhoused did not meet additional burdens during a health crisis. Over time, however, officers note that the definition is so broad that it captures vehicles that are clearly abandoned which have become a source of frustration and potential health hazards for people nearby.

To address this issue, LADOT recommends revised citation and towing criteria that can better identify vehicles used as dwellings that warrant additional engagement and distinguish them from abandoned vehicles based on evidence of active living. To identify evidence of active living, an officer will observe a vehicle and note its condition and interior contents on multiple days to reveal whether there has been any change in the vehicle's appearance, such as whether the vehicle's location, exterior, or contents have changed. A minimum of three visits and assessment of the vehicle must take place to determine whether the vehicle is being actively used as a dwelling. The officer's notes and photos taken during these visits will be part of the evidence package prior to any enforcement.

Movement of the vehicle from its original location would negate any enforcement action, consistent with LADOT's current enforcement policy. If an officer observes any vehicle occupants, he or she will report to the Unified Homelessness Response Center (UHRC) or Los Angeles Homeless Services Authority (LAHSA) requesting engagement with the vehicle occupants.

If, during multiple visits, an officer does not observe any vehicle occupant; if the vehicle does not move from its original location; and if there is no evidence of active living, the officer will place a notice on the vehicle notifying the owner that failure to move their vehicle within 24 hours will result in citation and towing of the vehicle. This notice will also include information about service providers and resources available to persons experiencing homelessness.

Recommended criteria for areas that need to be subject to tow

LADOT is committed to ensuring the health and safety of our public streets and roadways while connecting unhoused Angelenos with critical support services. Vehicles that create traffic hazards, environmental or public health hazards, obstruct City services, and/or are inoperable or unregistered will be subject to citation and tow. If a vehicle that shows evidence of active living meets any of these criteria, LADOT traffic officers will first seek willing compliance with the posted regulations and all applicable City ordinances. If an officer encounters an illegally-parked, occupied vehicle clearly used as a dwelling, he or she will first request that the vehicle occupant(s) move their vehicle and direct people to move to a location where they may legally park. If the motorist refuses to move their vehicle, the officer will provide a report to UHRC and LAHSA staff. These homeless services partners will work with other relevant City departments, such as the Bureau of Sanitation (LASAN), and other homeless services agencies to respond to the location and offer supportive services.

If an officer cannot achieve compliance and notifies UHRC or LAHSA, LADOT will consider vehicles outlined below eligible for citation, relocation, or removal. Prioritizing these locations will help inform outreach to the unhoused community.

1. **Vehicles that present a traffic safety hazard.** Traffic safety hazard violations include blocked traffic lanes, walkways, fire hydrants, driveways, anti-gridlock/peak hour zones, and stolen vehicles. These vehicles commonly fall within the Community Caretaking Exception as defined in California Vehicle Code (CVC) Section 22650, and shall be removed immediately.
2. **Vehicles that pose an environmental or public health hazard.** Vehicles that create an environmental or public health hazard through the repeated excess accumulation of trash, debris or discharge of biohazard waste as documented by three (3) or more service call responses from the Department of Sanitation to mitigate this hazard may be towed. Similarly, vehicles that have been extensively destroyed, burned, or present a threat to environmentally sensitive habitats may be towed. LADOT will provide sufficient notice of pending enforcement action in those instances when the vehicle's owner is present, and LADOT will initiate and document engagement with homeless services providers prior to removal.
3. **Vehicles that interfere with public works projects or special events.** LADOT posts Temporary No Parking Tow Away signs to alert motorists of future construction activity, street resurfacing projects, or major public events such as parades, street fairs, marathon, etc., in which vehicles interfere with the ability to complete or safely conduct this activity. LADOT will cite and impound vehicles that remain on the street in violation of posted temporary signs.
4. **Inoperable vehicles.** Vehicles that cannot be safely or reasonably operated, such as vehicles that are clearly disabled, missing engine, windshield, tires, or other components critical to operating a vehicle will be removed after an officer provides sufficient notice to the owner/occupant.
5. **Unregistered vehicles.** Vehicles that are not registered may not lawfully operate on City streets and may be subject to tow following sufficient notice to the owner/occupant.

Recommended criteria for prioritizing among oversized vehicles that are eligible for towing

While oversized vehicles are sometimes used as vehicle dwellings on City streets, they can fall into one of the five categories above. The City has limited available space to store OV's and therefore must prioritize among OV's that are eligible for towing. Prioritizing towing based on the five categories above, following outreach, will ensure effective use of resources and limited storage space.

Recommended procedures for coordinating with the Unified Homelessness Response Center and/or homeless service providers consistent with the Street Engagement Strategy

LADOT currently notifies the UHRC and LAHSA on an ongoing basis locations for engagement with vehicle occupants to provide services. Due to privacy concerns, LADOT does not receive confirmation of contact with the vehicle occupant(s).

To ensure outreach is complete prior to vehicle towing, LADOT recommends that Council direct the City Administrative Office Homelessness Coordinator to create a system for handling referrals from LADOT to confirm contact.

Recommended locations suitable for safe parking and/or safe storage of oversized vehicles

Identifying and developing temporary safe storage facilities for OVs could support OV owners who want to surrender their vehicle voluntarily and accept transitional housing opportunities. If the City is successful in identifying a facility for the safe storage of vehicles, LAHSA representatives could encourage vehicle owners to surrender their vehicle voluntarily for safe storage at an approved facility.

LADOT is responsible for City-owned parking lots and can recommend specific lots for oversized vehicle safe parking or safe storage based on current use and available space. Lots previously identified for affordable housing developments could be temporary sites.

Additional City-owned spaces not under LADOT's jurisdiction might be good candidates for temporary storage. A January 2022 report from the Los Angeles City Controller's Office identified 26 City-owned properties for potential housing development (Council File 22-0045). These locations, absent development potential, could be Safe Parking sites but require final determination of development feasibility.

FINANCIAL IMPACT

There is no financial impact from this report.

SJR:BH:fn