


**CITY OF LOS ANGELES**  
**INTER-DEPARTMENTAL MEMORANDUM**

Date: October 7, 2025

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

From: Laura Rubio-Cornejo, General Manager   
Department of Transportation

Subject: **TOWING AND BOOTING SUSPENSION OF SCOFFLAW VEHICLES**

**SUMMARY**

As directed by Council File (CF) 22-0177, this report outlines the impact of suspending scofflaw enforcement in the City of Los Angeles (City), as well as the options for developing procedures to remove scofflaw vehicles from City streets to prevent an over saturation of scofflaw vehicles as a result of the recent court decisions.

**RECOMMENDATION**

That the City Council NOTE and FILE this report.

**BACKGROUND**

Los Angeles Department of Transportation (LADOT) Parking Enforcement and Traffic Control (PETC) issues parking citations according to the California Vehicle Code (CVC) and Los Angeles Municipal Code (LAMC). To avoid late penalties, motorists must pay or appeal a citation within 21 days. Payments can be made online, in person, phone, email, or mail. Appeals can be made online, in person, or by phone. Qualifying motorists can also apply for low-income payment programs. If no action is taken in the initial 21 day period, a motorist is issued a late penalty and has an additional 14 days to remit payment. Per CVC Section 4760, unpaid parking citations may result in a vehicle registration hold at the State of California Department of Motor Vehicles (DMV). CVC Section 22651 (i) further authorizes vehicle impoundment for five or more unpaid parking tickets, commonly known as scofflaw enforcement.

In January 2022, in the case of Fitzpatrick v. City of Los Angeles, a federal court tentatively ruled that the City violates the Fourth Amendment when it impounds vehicles pursuant to CVC Section 22651 (i), solely because they have accumulated more than five delinquent parking tickets.

In February 2022, based on this ruling and under advice from the City Attorney's Office, LADOT suspended towing or booting of legally parked scofflaw vehicles absent an immediate safety concern or traffic hazard.

In February 2023, Council directed LADOT to report on the impact of suspending the scofflaw program as it relates to parking violations and debt owed to the City, and with options for developing a standard

procedure for obtaining a warrant in order to remove scofflaw vehicles from City streets. This report is to include:

- Existing parking ticket payment plans and associated outreach efforts to promote their utilization.
- Any available anonymized data concerning the socioeconomic demographics of individuals identified as scofflaws.
- The total number of current outstanding scofflaw tickets categorized by violation type, and the corresponding total amount owed to the City per violation type.
- The total expenditure incurred on towing and booting scofflaw vehicles for each of the past four fiscal years.
- The total revenue collected from parking tickets associated with scofflaw vehicles subsequent to a tow or boot for each of the past four fiscal years.

On July 7, 2023, the California Court of Appeal issued a ruling in the Fitzpatrick case declared that the warrantless impoundment of legally parked vehicles, solely due to unpaid parking tickets, is unconstitutional. The court has further ruled that scofflaw enforcement pursuant to CVC 22651(I) does not satisfy the “community caretaking exception” wherein a court order is not required such as removing vehicles that create traffic hazards, obstruct temporary no parking tow away zones, or have expired registration.

## **DISCUSSION**

Without the ability to enforce unpaid parking citations as a violation in its own right, particularly in "scofflaw" cases where individuals accumulate numerous outstanding tickets, the City faces increased rates of noncompliance and is limited in its ability to recover the costs of implementing and enforcing parking regulations.

### Impact of Suspending Scofflaw Enforcement

The number of scofflaw vehicles in the City and the volume of outstanding debt has shown a significant increase over the past several years at the rate of about 2% monthly. At the suspension of enforcement in February 2022, there were approximately 27,000 scofflaw vehicles listed on the City’s roster with an outstanding debt of about \$40 million. Currently, there are over 70,000 vehicles listed with \$128,516,278 unpaid revenue. This represents a large amount of unrealized revenue that further serves to undermine the integrity and accountability of the City’s parking enforcement program. In order to recover some costs, LADOT’s parking citation processing contractor submits unpaid parking penalties associated with a vehicle’s registered owner to the Franchise Tax Board for collection of the debt owed by intercepting eligible state payments such as tax refunds, lottery winnings, or unclaimed property distributions. In the last five years, LADOT collected an average of \$1.7 million dollars each year.

LADOT’s citation processing contractor conducted a detailed review of data associated with the City’s scofflaw database and found the following results:

- 13.5% are considered living below the poverty line

- 31% live in areas with a median household income below \$50,000,000
- 50% live in areas with a median household income between \$50,000 - \$99,000
- 11% live in areas with a median household income greater than \$100,000
- Over 40% of the citations are for Street Cleaning or Red Zone violations
- 10% are for expired meters.

Recognizing that many scofflaw violations stem from financial hardship, the City offers various payment plans and financial relief programs. These are designed to assist indigent and eligible low-income motorists whose financial circumstances meet the guidelines established in the Federal Register by the United States Department of Health and Human Services. LADOT operates the Community Assistance Parking Program (CAPP) that is specifically tailored for motorists experiencing homelessness who require assistance with paying parking citations. All available payment plans and relief options are described in greater detail in CF 23-1189, and are comprehensively listed and explained on LADOT's Parking Violations Bureau website to ensure accessibility and awareness for those in need. LADOT's report in CF 25-0600-S40 provides an overview of all citations, and opportunities to adjust fine amounts in some cases.

#### Alternative Enforcement Strategies

To improve compliance and better recover costs, the City can explore alternative strategies to recover outstanding scofflaw debt or encourage the voluntary payment by violators to address the growing issue of scofflaw activity.

#### *Registration hold*

CVC 40220(a)(1)(A) provides the ability to report a scofflaw vehicle to the DMV. Upon receiving a report, the DMV will withhold the registration renewal until payment is made on the amount due, or proof is provided that arrangements have been made with the issuing agency to satisfy the outstanding debt through a payment plan. This procedure can also be invoked if an installment payment plan has been offered and then subsequently the motorist defaults in making the payments. In the last five years, the City collected an average of about \$20,000,000 annually from the DMV.

This mechanism serves as a strong incentive for individuals to remit payment. If the motorist does not remit payment, the vehicle cannot be registered with the DMV. Vehicles with registration that is expired by six months or more are subject to impoundment, and under 22651(O) CVC, a justifiable basis for a "community caretaking" exception and impoundment of a vehicle does exist. Consequently, vehicles discovered by officers with substantially expired registration can be impounded without a warrant or court order.

#### *Civil Judgment*

CVC Section 22651 does not grant judges the authority to issue a warrant or court order for the impoundment or immobilization (booting) of a vehicle. The process to obtain a court order or warrant

for the seizure of property is described in the Penal Code and is commonly used for the seizure of evidence/property in the investigation of criminal offenses. The violation of law involving scofflaw vehicles is a civil offense, and therefore subject to remedies as outlined in the Civil Code of Procedure. In these cases, the court may issue an order for the seizure of property or assets only after a civil judgment has been obtained.

Civil litigation for recovery of outstanding citation debt is authorized under CVC Section 40220(2)(A). A motorist with an outstanding debt in excess of \$400 may be sued and a judgment entered by the court that authorizes the execution and levy for recovery of any monies owed. In 2015, the City's citation processor developed a litigation strategy that identified the population of vehicle plates with delinquent citations and a balance due over \$400. A collection sanction notice was also prepared for mailing to delinquent motorists. Motorists who had not re-registered their vehicles and were past due over 120 days were also included in the sample population. However, a determination was subsequently made to suspend this activity as it was considered not practical to bring motorists to court for a few hundred dollars. A reconsideration of this strategy could now be conducted in which a higher debt threshold is used to identify the most egregious offenders for litigation and possible recovery of debt owed to the City.

#### **FINANCIAL IMPACT**

There is no impact to the General Fund as a result of this informational report.

LRC:BH:fn