

1 [Resolution Requesting Police Department to End Vehicle Impounding]

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3 **Resolution urging the San Francisco Police Department to temporarily cease the**
4 **impoundment of vehicles for lack of a valid Driver's License, pending City Attorney**
5 **review of current law.**
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7 WHEREAS, In Miranda v. City of Cornelius and People v. Williams, the courts have
8 ruled as unconstitutional the impoundment of vehicles on the sole charge of driving without a
9 license, citing a violation of the Fourth and Fourteenth Amendments;

10 WHEREAS, Such jurisdictions as Sonoma County and The City of Los Angeles have
11 imposed moratoriums on impounding the vehicles of unlicensed drivers; and,

12 WHEREAS, The impoundment of vehicles creates a disproportionate impact on the
13 poor, on racial and ethnic minorities, and on undocumented residents; and,

14 WHEREAS, Cars are vital for family transportation, without which those individuals
15 cannot get to work, school, church or go shopping; and,

16 WHEREAS, Vehicles are impounded regardless of whether public safety is at risk; and

17 WHEREAS, An impounded vehicle is often community property and it is unfair to the
18 non-driving spouse to deprive them of his or her property; and

19 WHEREAS, Vehicle impound fees impose an immense financial burden upon those
20 people that are least able to afford it; now, therefore, be it

21 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
22 hereby requests that the San Francisco Police Department temporarily suspend vehicle
23 impoundment for lack of a valid driver's license, pending City Attorney review, where there is
24 no risk to public safety, where there is no imminent risk of a repeat offense, and where there
25 is no obstruction of the movement of traffic; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
2 Francisco requests that the City Attorney review all applicable laws and counsel the Board as
3 to whether vehicle impoundment is required where the sole issue is lack of a valid driver's
4 license and where there is no risk to public safety.