



PREVENTIVE LAW SERIES  
**VEHICLE STORAGE**



Prepared by:  
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### **ARRIVING HOME TO A MISSING CAR**

While on deployment, sailors' cars are often towed and auctioned off, without the sailor knowing until after returning from deployment. Of course, the sailor wants to know if the City of San Diego and/or the towing companies can do this. Surprisingly, the answer is yes.

California Vehicle Code § 22651(k) and San Diego Municipal Code §§ 86.23(g) and 81.09(a)(1) grant the City the authority to remove any vehicle that is parked or left standing for more than 72 hours. The city ordinance actually requires that a vehicle be moved by its owner 1/10 of a mile every 72 hours. If the 72-hour period passes, your car could be considered to have been abandoned. Abandoning a car violates California Vehicle Code § 22523 and the owner will have to pay the storage and removal costs, and a fine of at least \$100.

Once a vehicle is towed away, the registered owner must pay the removal and storage fees. If the vehicle is not claimed, the towing company can register as a lien holder and apply to the Department of Motor Vehicles ("DMV") for an issuance of an authorization to conduct a lien sale under California Civil Code § 3071. A court order will be required before the vehicle is sold unless you relinquish your ownership claim to the vehicle. Although the Servicemembers Civil Relief Act offers some protection to Servicemembers in these circumstances, it is best to avoid this process altogether by properly storing your vehicle.

### **WHAT TO DO**

What can you do to make sure this doesn't happen while you're away? You can park your car in a garage, and if that option is not available, you can contact the Navy's Auto Hobby Offices, contact information below, which can arrange for long term parking of your vehicle.

The cost of long term parking for a deployment is \$20 a month. Long-term parking for non-deploying service members is \$36 a month. After five months paid, the sixth month is free. You must present a valid military ID and registration as well as up-to-date insurance for the vehicle.

### **LEGAL ASSISTANCE SERVICES**

A legal assistance attorney is available by appointment Monday through Thursday from 0800 - 1100 and 1300 - 1500, and Friday from 0900 - 1045. Powers of attorney and notaries are available Monday through Friday at the same times. For more information, please contact the Legal Assistance Office, located in Building 56, 32nd Street Naval Station, San Diego, CA, by telephone at (619) 556-2211, or our office at Naval Air Station North Island – Coronado, Building 318 – Second Deck, above the Fleet and Family Support Center, Saufley Road, by telephone at (619) 545-6437.

### **RESOURCES**

#### **Auto Hobby**

- Building 3654, Naval Base San Diego (32nd Street Base); (619) 556-3320
- Building 825, Naval Air Station North Island (Coronado); (619) 545-7235

### **REFERENCES**

California Civil Code § 3071 (2013)  
California Vehicle Code § 22651(k) (2013)  
San Diego Municipal Code §§ 81.09(a)(1), 86.23(g) (2013)  
Servicemembers Civil Relief Act 50 U.S.C. App. 500, et. seq.