



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

SB-1408 Mobilehome parks: vehicle removal. (2023-2024)

SHARE THIS:  

Date Published: 07/03/2024 04:00 AM

Senate Bill No. 1408

CHAPTER 79

An act to amend Section 798.28.5 of the Civil Code, relating to mobilehome parks.

[Approved by Governor July 02, 2024. Filed with Secretary of State July 02, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1408, Roth. Mobilehome parks: vehicle removal.

The Mobilehome Residency Law prohibits management, as defined, of a mobilehome park from removing a vehicle from the homeowner's or resident's driveway or designated parking space unless a specified notice regarding violations of park rules is posted on the windshield of the vehicle. Existing law authorizes management, upon the expiration of 7 days, to remove a vehicle from a driveway or designated parking space, when the vehicle remains in violation of a park rule, as specified. Existing law provides an exception from these provisions for vehicles that pose a significant danger, as specified.

This bill would prohibit management from removing a vehicle used or required by the homeowner for work or employment, or which advertises any trade or services on the vehicle, from a homeowner's or resident's driveway or designated parking space, or a space provided by management for parking vehicles, unless any part of that vehicle extends into the park roadway or otherwise poses a significant danger, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 798.28.5 of the Civil Code is amended to read:

798.28.5. (a) Except as otherwise provided in this section, the management may cause the removal, pursuant to Section 22658 of the Vehicle Code, of a vehicle other than a mobilehome that is parked in the park when there is displayed a sign at each entrance to the park as provided in paragraph (1) of subdivision (a) of Section 22658 of the Vehicle Code.

(b) (1) Management may not cause the removal of a vehicle from a homeowner's or resident's driveway or a homeowner's or resident's designated parking space except if management has first posted on the windshield of the vehicle a notice stating management's intent to remove the vehicle in seven days and stating the specific park rule that the vehicle has violated that justifies its removal. After the expiration of seven days following the posting of the notice, management may remove a vehicle that remains in violation of a rule for which notice has been posted upon the vehicle. If a vehicle rule violation is corrected within seven days after the rule violation notice is posted on the vehicle, the vehicle may not be removed. If a vehicle upon which a rule violation notice has been posted is removed from the park by a homeowner or resident and subsequently is returned to the park still in violation of the rule stated in the notice, management is not required to post any additional notice on the vehicle, and the vehicle may be removed after the expiration of the seven-day period following the original notice posting.

(2) If a vehicle poses a significant danger to the health or safety of a park resident or guest, or if a homeowner or resident requests to have a vehicle removed from their driveway or designated parking space, the requirements of paragraph (1) do not apply, and management may remove the vehicle pursuant to Section 22658 of the Vehicle Code.

(c) (1) Management shall not cause the removal from a homeowner's or resident's driveway, a homeowner's or resident's designated parking space, or a space provided by management for parking vehicles, any vehicle used or required by the homeowner for work or employment or which advertises any trade or services on the vehicle.

(2) If any part of the vehicle extends into the park roadway or otherwise poses a significant danger to the health or safety of a park resident or guest, or if a homeowner or resident requests to have the vehicle removed from their driveway or designated parking space, paragraph (1) shall not apply, and management may remove the vehicle pursuant to Section 22658 of the Vehicle Code.