

RESOLUTION NUMBER R- 295739

ADOPTED ON NOV 19 2001

WHEREAS, traffic safety is a priority of the San Diego Police Department and an important part of making San Diego America's Safest City;

WHEREAS, the Department of Motor Vehicles estimates that unlicensed drivers account for 20 percent of fatal vehicle accidents, and drivers with suspended or revoked licenses are four times more likely to be involved in a fatal accident than a properly licensed driver;

WHEREAS, the Department of Motor Vehicles estimates that there are 36,325 motorists in San Diego who are driving illegally because of driver's licenses that have been suspended or revoked;

WHEREAS, the San Diego Traffic Offenders Program (STOP), administered by the San Diego Police Department in partnership with the City Attorney's Office, has contributed to dramatic decreases in the numbers of fatal collisions, injury collisions, alcohol-related collisions, and hit and run collisions resulting in injury or death;

WHEREAS, the focus of STOP is to proactively enforce driver's license laws, including impounding and forfeiting vehicles of illegal drivers;

WHEREAS, in Resolution Number R-287838, the City Council authorized STOP on September 16, 1996, for a five-year period, and a \$72 Unlicensed Driver Vehicle Impound Fee to recover costs of documenting, researching, prosecuting, tracking, and releasing the subject impounded vehicles; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that STOP is authorized to continue operating for another five years, until September 16, 2006, with periodic status reports to the Public Safety and Neighborhood Services Committee.

BE IT FURTHER RESOLVED, that the \$72 Unlicensed Driver Vehicle Impound Fee be continued for the purpose of recovering costs of Police Department vehicle impound expenses, and that this fee shall be over and above any current or future administrative impound fee(s), such as the \$53 Negligent Impound Fee, levied by the City on vehicle impounds, and over and above any other fees or costs associated with towing, storage, and other incidental costs related to vehicle impounds.

BE IT FURTHER RESOLVED, that the \$72 Unlicensed Driver Vehicle Impound Fee be levied upon each vehicle impound, where the vehicle is impounded for driver's license offenses, where the driver is unlicensed or whose license has been suspended or revoked, except in the following circumstances:

Impounded vehicles, which at the time of impound were reasonably claimed or believed to have been stolen from the legal owner, shall be exempt from the \$72 Unlicensed Driver Vehicle Impound Fee; and


Police Department officials shall have the authority to waive, forego, or excuse the \$72 Unlicensed Driver Vehicle Impound Fee on a case-by-case basis in which situations that may arise that warrant the exercise of prudent discretion in levying this fee.

BE IT FURTHER RESOLVED, that all Unlicensed Driver Vehicle Impound Fee funds collected under the authority of this Resolution shall be used for STOP and related traffic safety programs.

BE IT FURTHER RESOLVED, that the Council hereby authorizes the City Manager, by and through the Chief of Police, to execute all aspects of the \$72 Unlicensed Driver Vehicle Impound Fee collection and program operation, including any amendments thereof, and to certify that the City will comply with all applicable statutory or regulatory requirements related to the program.

BE IT FURTHER RESOLVED, that the City Clerk is authorized to include the \$72 Unlicensed Driver Vehicle Impound Fee in the Ratebook of City Fees and Charges.

APPROVED: CASEY GWINN, City Attorney

By 
Paul E. Cooper
Deputy City Attorney

PEC:jp
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Or.Dept:Police
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