

KERN COUNTY SHERIFF'S OFFICE

1350 Norris Road, Bakersfield, CA 93308
661.391.7500 - www.kernsheriff.org

DONNY YOUNGBLOOD
Sheriff - Coroner - Public Administrator



ISSUE: 25-19

TRAINING BULLETIN

DATE: April 29, 2025

California Assembly Bills 1978 and 2186

This training bulletin provides an overview for deputies on the revisions to California Vehicle Code 23109 set forth by **Assembly Bill 1978** and **Assembly Bill 2186**. These revisions enhance authority related to motor vehicle speed contests, exhibitions of speed, and related obstruction offenses.

Assembly Bill 1978:

Under previous law, a peace officer was required to take a person into custody for violations related to obstruction or aiding in speed contests or exhibitions of speed in order to seize and remove a vehicle under CVC 22651(h)(1). However, **Assembly Bill 1978** established CVC 23109.3, which allows the officer to tow the offender's vehicle, even if the officer chooses to cite the offender in lieu of taking the offender into custody. In part, Assembly Bill 1978 established CVC 23109.3, which was effective January 1, 2025, and reads as follows:

"If a peace officer arrests a person for a violation of subdivision (d) of Section 23109 and causes the removal and seizure of the vehicle used to commit the violation pursuant to paragraph (1) of subdivision (h) of Section 22651, the peace officer shall not be required to take the person into custody."

Assembly Bill 2186:

Existing law allows a peace officer to arrest a person and seize the motor vehicle of the person if a peace officer determines that the person was engaged in a motor vehicle speed contest, reckless driving, or an exhibition of speed on a highway. Existing law allows a vehicle seized under this provision to be impounded for up to 30 days. In summary, Assembly Bill 2186 expands this provision to include an exhibition of speed that occurs in **an off-street parking facility under CVC 23109**.

Patrol Impact

- If an individual is found to be in violation of CVC 23109(d), the deputy may seize and remove the vehicle involved in the offense without taking the individual into custody.
- Deputies have the discretion to cite the subject and release them with a promise to appear for violation of CVC 23109(d).

- If a subject is found to be in violation of CVC 23109(d), the vehicle may be towed and impounded under CVC 22651(h)(1).
Note: Per CVC 23109.3, “the peace officer shall not be required to take the person into custody.”
- The above provisions can still be enforced if an incident of CVC 23109 occurs in an off-street parking facility.

All sworn personnel in the Deputy Sheriff and Park Ranger ranks are required to review and acknowledge this training bulletin **no later than May 29, 2025.**
