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## BUDGET UNIT BRIEF – FY 2019

Fiscal Services Division

November 29, 2018



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Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

## Abandoned Vehicles

### Abandoned Vehicle Process

If a vehicle is left unattended along a public roadway, an officer will tag the vehicle. After 10 days, the vehicle is declared an abandoned vehicle. An abandoned vehicle means any of the following, pursuant to Iowa Code section [321.89](#):

- A vehicle that has been left unattended on public property for more than 24 hours and lacks:
  - Current registration plates, or
  - Two or more wheels or other parts rendering the vehicle totally inoperable.
- A vehicle that has remained illegally on public property for more than 24 hours.
- A vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than 24 hours.
- A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of 10 days. However, a police authority may declare the vehicle abandoned within the 10-day period by commencing the notification process.
- Any vehicle parked on a highway determined by a police authority to create a hazard to other vehicle traffic.
- A vehicle that has been impounded by an order of the court, and the owner has not paid the impoundment fees after notification by the person or agency responsible for carrying out the impoundment order pursuant to Iowa Code section [321J.4B](#).

Once a vehicle has been declared abandoned, a law enforcement officer belonging to the Iowa State Patrol or any law enforcement agency of a county or city; a special security officer employed by the State Board of Regents pursuant to Iowa Code section [262.13](#); or a person or private entity licensed under Iowa Code chapter [321H](#), whose business it is to convert a vehicle to junk, processed scrap, or scrap metal or otherwise to wreck and dismantle vehicles, will attempt to determine the owner through the Department of Transportation (DOT) records and request that the owner be notified that the vehicle must be moved within a reasonable time or it will be impounded. If the owner cannot be contacted or the vehicle is not moved, the vehicle will be impounded. Once the vehicle is impounded, an inventory of the vehicle is taken.

Within 20 days of impoundment, the last known registered owner of the vehicle and all lienholders of record are notified by certified mail. A notice in a general publication newspaper in the area where the vehicle was abandoned can also serve as a notification if the owner cannot be located.

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### More Information

DOT Office of Vehicle Services — Abandoned Vehicle Q&A:

[iowadot.gov/mvd/vehicleregistration/abandoned-vehicles](http://iowadot.gov/mvd/vehicleregistration/abandoned-vehicles)

LSA Staff Contact: Christin Mechler (515.250.0458) [christin.mechler@legis.iowa.gov](mailto:christin.mechler@legis.iowa.gov)

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The owner of a vehicle towed and stored who later claims the vehicle must pay all costs associated with impoundment. If no one comes forward to claim the vehicle after an additional 10-day waiting period, the vehicle is considered abandoned and the following may occur:

- The vehicle may be sold at auction for use on the highway after an inspection.
- The vehicle may be sold at auction for junk, demolished, or sold as scrap.
- The vehicle may be sold at auction with a restricted certificate of title and not for use on the highways.

### **Funding**

The Abandoned Vehicle Fund is under the control of the Iowa State Patrol (ISP) and is used for towing and storage expenses incurred by the ISP for removing abandoned vehicles from the roadway. Receipts to the Fund consist of reimbursements from the DOT and are paid from the Road Use Tax Fund. The ISP also reimburses towing companies from the Abandoned Vehicle Fund for towing and storing vehicles. Auction proceeds from vehicles in reasonable condition are deposited in the Road Use Tax Fund after the proceeds are held for 90 days for the owner or entitled lienholder.

### **Related Statutes and Administrative Rules**

Iowa Code sections [321.89](#) and [321J.4B](#)

Iowa Administrative Code [661—6](#) and [761—480](#)

### **Budget Unit Number**

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