

761—480.5(321) Claims procedure—expense reimbursement and unclaimed proceeds.

480.5(1) General. The following requirements are applicable to a claim under this subrule:

- a. A police authority may only report an abandoned vehicle to the department if it is remitting unclaimed profits or requesting reimbursement.
- b. A private entity designated by a police authority to process an abandoned vehicle may request reimbursement of expenses that are in excess of the proceeds of the sale of the abandoned vehicle.
- c. If a police authority has designated a private entity to process an abandoned vehicle, the police authority is eligible for reimbursement of only the towing expense.
- d. A police authority or private entity requesting reimbursement is to submit Form 411090 (Abandoned Vehicle Report) to the department. Other forms may be accepted if they contain all information deemed necessary by the department.
- e. Form 411090 is also required when remitting unclaimed profits.
- f. The only reimbursable expense includes losses incurred in disposing of a vehicle abandoned on a public highway.

480.5(2) Documentation. Form 411090 submitted for expense reimbursement or for remittance of unclaimed proceeds must be accompanied by the following:

- a. The police authority's impound report showing the date the vehicle was taken into custody, including a complete description of the vehicle. The date of abandonment is the date the vehicle was taken into custody unless the police authority declares a different date of abandonment. The abandonment date shall be used to calculate the 20-day notification required under Iowa Code section 321.89(3).
- b. A copy of the notice sent to the owner and lienholder(s) or proof of publication of notice. The notice must display a sent or published date within the 20-day time frame required under Iowa Code section 321.89(3) to qualify the claim for reimbursement.
- c. A completed certificate of disposal.
- d. Detailed receipts showing payment for each expense incurred. A receipt must identify the date(s) of occurrence of the expense; for example, a receipt for storage must identify the beginning and ending dates. A receipt for both towing and storage must show separately the towing charge and the storage charge per day.

480.5(3) Time frames. Claims for allowable reimbursement expenses under Iowa Code section 321.89 must be submitted to the department within 90 days after the sale or disposal of the abandoned vehicle. The police authority shall send unclaimed proceeds from the sale or disposal of the vehicle to the department within 10 days after the specified 90-day claiming period expires.

480.5(4) Rates. The department establishes the following maximum expense reimbursement rates:

- a. Towing—\$50 per vehicle.
 - b. Notice—actual postage or publication cost.
 - c. Storage—\$5 per day, not to exceed 45 days per vehicle.
- (1) If a police authority provides its own storage facility for abandoned vehicles, the department shall not reimburse the police authority for use of that facility.
 - (2) When the vehicle is held for an evidentiary hearing for more than 45 days, the police authority or private entity shall submit proof of the evidentiary hearing to obtain reimbursement.
- d. Advertising—only actual costs of up to \$20 per auction, or advertising receipt totals for two auctions, whichever is less, not to exceed \$40 total.
 - e. Auction expenses—10 percent of the vehicle's sale price or \$10 per vehicle, whichever is less. A receipt is not required for auction expense reimbursement.

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