

ABANDONED VEHICLE SCENARIOS & FAQ's

Q: The police agency has an attended vehicle removed from the traveled portion of the highway by a private towing service. Is this vehicle deemed an abandoned vehicle?

A: An attended vehicle that was determined to be a traffic hazard by a police authority is deemed an abandoned vehicle per Iowa Code Section (321.89(5)). It may be deemed an abandoned vehicle on the tow date and the notification process may begin. If after 10 days, the vehicle has not been claimed, it must be processed as an abandoned vehicle.

Q: A local business calls the police department and requests that a vehicle be removed from their parking lot that has been left there for 4 days. The vehicle owner has never contacted the property owner or received permission to leave the vehicle there. Is the police agency required to have that vehicle removed?

A: The vehicle meets the definition of an abandoned vehicle. However, a police agency is not required to have an abandoned vehicle removed from private property. If the police agency does have the vehicle removed, it should be handled like any other vehicle impounded as an abandoned vehicle. The property owner may hire, and pay a private towing company to have the vehicle removed. If the property owner has the vehicle removed and the vehicle is left at the towing company, the towing company may have a valid storage lien, as defined in Iowa Code Chapter 579. The towing company may wish to consult with a private attorney on how to properly dispose of the vehicle under Iowa's storage lien law.

Q: The local car dealer contacts the police agency. A person brought their vehicle to the car dealership and requested work to be performed on the vehicle. After a bill was incurred, the person left the vehicle without paying. The car dealership requests the police agency to have the vehicle removed and attempt to recover their charges. Does the police agency have any requirement to get involved with this vehicle?

A: The vehicle does not meet the definition of an abandoned vehicle according to Iowa Code Section 321.89. The police agency has no authority in this case, as stated. The work performed at the car dealership was authorized by the owner therefore the car dealership may have a valid Artisan's Lien and/or Storage Lien as provided in Iowa Code Chapters 577 and 579. The car dealership may wish to contact an attorney for assistance in the matter.