

ABANDONED VEHICLE SCENARIOS & FAQ's

- Q. The police agency has a attended vehicle removed from the traveled portion of the highway by a private towing service. Is this vehicle deemed an abandoned vehicle?
- A. The attended vehicle was legally removed according to the abandoned vehicle code (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. The local pizza place calls the police department and ask to have a vehicle removed from their parking lot that has been left there for 4 days. The 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 will meet the definition of an abandoned vehicle but the police agency does not have a requirement to have the 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 later abandoned at the towing company, the towing company will have a possible civil procedure available under section 579 of the Iowa code, that deals with storage liens.

- 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 bill. 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 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 has a possible civil procedure available under section 577 (Artisan's Lien) and possibly chapter 579

(Storage Lien). The car dealership should contact their attorney for assistance in the matter.