

Procedures for Impound Lot Operators

Version 7

Procedures for Impound Lot Operators
Version 7

Contact Information for Impound Lot Operator Program

The Vehicle Impoundment Program email box and phone line services impound lot operators participating in the Vehicle Impoundment Program during business hours.

Email Address	rsbcimpoundment@gov.bc.ca
Direct Phone (Toll Free)	(844) 455-1932
Direct Phone (Local Calling - Lower Mainland)	(236) 455-1932
Mailing Address	RoadSafetyBC PO Box 9254 Station Provincial Government Victoria, BC V8W 9J2

Rates for Vehicle Impoundment Program

****Rates for Towing and Storage Services for Vehicles Impounded under the *Motor Vehicle Act* ****

The Superintendent of Motor Vehicles (Superintendent) sets the fees, costs, charges and surcharges in respect of the transportation, towing, care, storage, disposition and other related activities respecting the impoundment of the motor vehicle in the *Lien on Impounded Motor Vehicle Regulation*.

Impound lot operators must charge registered owners of impounded vehicles according to the *Lien on Impounded Motor Vehicle Regulation*.

RoadSafetyBC will notify impound lot operators of the any changes to the rates as set out in the *Lien on Impounded Motor Vehicle Regulation* no later than one business day before they come into effect.

Updates to rates may not immediately be reflected in the online version of the *Lien on Impounded Motor Vehicle Regulation* do to delays of the publisher. For clarification, please contact the Impound Lot Operator Program by email at RSBCimpoundment@gov.bc.ca, or by phone at (844) 455-1932

Table of Contents

1.0 Overview of Vehicle Impoundment Program	4
1.1 Behavioural Impoundments	4
1.2 Immediate Roadside Prohibition Impoundments.....	5
1.3 Steps of Vehicle Impoundment.....	5
2.0 Procedures for Managing Impounded Motor Vehicles.....	6
2.1 Access to Impounded Vehicle	6
2.2 Changes to Impound Lot Operator Information	6
2.3 Peace Officer Seizure of a Vehicle.....	6
3.0 Procedures for Releasing Impounded Motor Vehicles	7
3.1 Person Claiming Vehicle on Behalf of Owner	7
3.2 Normal Release of an Impounded Motor Vehicle	7
3.3 Early Release of an Impounded Motor Vehicle.....	7
3.3.1 Early Releases due to Review	7
3.3.2 Early Release of Stolen Vehicle	8
3.4 Rates for Towing and Storage Services	8
4.0 Procedures for Disposing of Vehicles	9
4.1 Motor Vehicle Act Disposal Processes	9
4.1.1 Early Disposal	9
4.1.2 Normal Disposal	10
5.0 Procedures for Assistance with Unpaid Debts.....	11
5.1 Applying for a Refuse to Issue.....	11
5.2 Cancelling a Refuse to Issue.....	12

1.0 Overview of Vehicle Impoundment Program

The *Motor Vehicle Act* (MVA) authorizes peace officers to impound vehicles used to commit dangerous driving offences and legislates the length of the impoundment depending on the type of impoundment.

1.1 Behavioural Impoundments

Section 251(1) of the MVA requires peace officers to impound vehicles for the following reasons:

- driving while unlicensed, prohibited or suspended,
- street racing,
- stunt driving,
- excessive speed, and
- committing a motorcycle seating infraction.

Behavioural impoundments are issued for 7 days. If the registered owner has had a vehicle impounded for another behavioural offence within the last two years, RoadSafetyBC will provide impound lot operators with written notice to extend the length of the impound to 30 or 60 days.

Type of Behavioural Impoundment	1 st Behavioural Impoundment	2 nd Behavioural Impoundment (within 2 years of the 1 st)	3 rd + Behavioural Impoundment (within 2 years of the 1 st)
Driving while unlicensed	7 Days	30 Days	60 Days
Driving while prohibited			
Driving while suspended			
Street Racing			
Stunt Driving			
Excessive Speed			
Motorcycle Seating Infraction			

If an impound lot operator believes that an impoundment period should be increased but have not received notification from RoadSafetyBC to increase the impoundment period, contact the Impound Lot Operator Program by email at RSBCimpoundment@gov.bc.ca, or by phone at (844) 455-1932.

1.2 Immediate Roadside Prohibition Impoundments

1.2.1 Warn Impoundments

Section 215.46 authorizes peace officers to impound motor vehicles driven by drivers a blood alcohol content of .05 or greater if the peace officer believes it is necessary to prevent the person from driving the vehicle before the prohibition expires.

The first warn impoundment attached to a vehicle registered owner is for 3 days. The second offence is for 7 days. Any subsequent warn impoundments within a five-year period will be for 30 days.

1.2.2 Fail Impoundments

Section 215.46 requires peace officers to impound motor vehicles driven by drivers with a blood alcohol content of .08 or greater for 30 days.

Type of Immediate Roadside Prohibition	1 st Impoundment	2 nd Impoundment within a 2-Year Period of the 1 st Impoundment	3 rd + Impoundment within a 2-Year Period of the 1 st Impoundment
Warn Impoundment	3 Days	7 Days	30 Days
Fail Impoundment	30 Days	30 Days	30 Days

1.3 Steps of Vehicle Impoundment

Peace Officer	<ul style="list-style-type: none"> Issues a Notice of Impoundment (MV2721) to the driver of the motor vehicle. Contacts impound lot operator and requests service at location.
Impound Lot Operator	<ul style="list-style-type: none"> Dispatches a tow truck to location as soon as possible.
Peace Officer	<ul style="list-style-type: none"> Provides a copy of the Notice of Impoundment to the tow truck driver.
Impound Lot Operator (Tow Truck Driver)	<ul style="list-style-type: none"> Records the condition of vehicle including any damage. Tows the vehicle to the impound lot using the most direct route.
Impound Lot Operator	<ul style="list-style-type: none"> Retains copy of the Notice of Impoundment and supporting documentation.
Peace Officer	<ul style="list-style-type: none"> Faxes a copy of the Notice of Impoundment (MV2721) to RoadSafetyBC.

2.0 Procedures for Managing Impounded Motor Vehicles

2.1 Access to Impounded Vehicle

The registered owner or person authorized by the registered owner must be provided with a reasonable opportunity to retrieve personal possessions that are not attached to the impounded vehicle.

2.2 Changes to Impound Lot Operator Information

Impound lot operators must contact RoadSafetyBC regarding any changes to their information. This includes changes to:

- company or business name,
- impound lot location, and
- mailing address, contact telephone number, email or fax number.

2.3 Peace Officer Seizure of a Vehicle

2.3.1 Peace Officer's Presentation of Warrant

Peace Officer	<ul style="list-style-type: none"> • Presents impound lot operator with warrant to seize the vehicle impound lot operator.
Impound Lot Operator	<ul style="list-style-type: none"> • Records the peace officer's name and badge number on the Vehicle Impound Invoice (MV2714). • Makes a copy of the warrant and attaches it to the Vehicle Impound Invoice (MV2714).
Peace Officer	<ul style="list-style-type: none"> • Seizes vehicle and arranges removal from impound lot operator storage.
Impound Lot Operator	<ul style="list-style-type: none"> • Records the VI number on the copy of the warrant. • Faxes a copy of the warrant or written request to RoadSafetyBC at (250) 356-6544.

2.3.2 Peace Officer's Return of the Seized Motor Vehicle

Peace Officer	<ul style="list-style-type: none"> • Returns vehicle to impound lot operator. <p>Any towing and storage costs incurred by the impound lot operator or other towing company relating to the peace officer's seizure and return of vehicle will be paid by the peace officer's law enforcement agency. The impound lot operator cannot charge the registered owner or RoadSafetyBC for any towing or storage costs during the period of police seizure.</p>
Impound Lot Operator	<ul style="list-style-type: none"> • Notes on the copy of the warrant that the vehicle has been returned. • Faxes a copy of the warrant to RoadSafetyBC at (250) 356-6544

3.0 Procedures for Releasing Impounded Motor Vehicles

3.1 Person Claiming Vehicle on Behalf of Owner

If a person wishes to retrieve an impounded vehicle on behalf of the registered owner, the person must present an Owner's Authorization form.

An owner's authorization form is not required if the registered owner is present at the impound lot when the vehicle is being claimed.

3.2 Normal Release of an Impounded Motor Vehicle

The registered owner – or person authorized by the registered owner presenting a Request for Release form – may claim their vehicle at the end of the impoundment period.

Vehicles must be impounded for the full duration of the impoundment period calculated using 24-hour days. Partial days, such as the date the vehicle is towed to the impound lot, do not count towards the impoundment period.

3.3 Early Release of an Impounded Motor Vehicle

3.3.1 Early Release due to Review

If the registered owner of the impounded motor vehicle or driver causing the impoundment of the motor vehicle has a successful review, the impounded motor vehicle may be authorized to be released from impoundment prior to the expiry of the impoundment period.

To complete the early release, the impound lot operator must have a copy of an Order of Release (MV2713A) or (MV2713B).

Order of Release – MV2713A

An early release authorized by an Order of Release - MV2713A, the lien must be paid by the registered owner or person authorized to claim it on the registered owner's behalf.

Order of Release – MV2713B

An early release authorized by an Order of Release – MV2713B, the impound lot operator must invoice RoadSafetyBC for the lien for the charges up until the date stated on the Order of Release – MV2713B plus one additional day if the registered owner is unable to attend the lot.

Procedures for Invoicing RoadSafetyBC

To invoice RoadSafetyBC, an impound lot operator must:

- Send a copy of the invoice clearly stating the Vehicle Impoundment Number, and an itemized bill correlating with the fees, costs, charges and surcharges contained in the *Lien on Impounded Motor Vehicle* to RoadSafetyBC at roadsafetybc.finance@gov.bc.ca or fax at (250) 978-8079.
- Maintain a copy of the invoice and completed Order of Release – MV2713B on file.

3.3.2 Early Release due to Stolen Vehicle

A peace officer may order a vehicle be released if they are satisfied that the impounded vehicle is stolen property. In the case of a stolen vehicle, the peace officer must complete an Order of Release (MV2715) and provide a copy to the ILO and the RoadSafetyBC by fax. The registered owner is responsible for paying for towing and storage services.

3.4 Rates for Towing and Storage Services

The Superintendent sets the fees, costs, charges and surcharges in respect of the transportation, towing, care, storage, disposition and other related activities respecting the impoundment of the motor vehicle in the *Lien on Impounded Motor Vehicle Regulation*.

Impound lot operators must charge registered owners of impounded vehicles according to the *Lien on Impounded Motor Vehicle Regulation*.

RoadSafetyBC will notify impound lot operators of the any changes to the rates as set out in the *Lien on Impounded Motor Vehicle Regulation* no later than one business day before they come into effect.

Updates to rates may not immediately be reflected in the online version of the *Lien on Impounded Motor Vehicle Regulation* do to delays of the publisher. For clarification, please contact the Impound Lot Operator Program by email at RSBCimpoundment@gov.bc.ca, or by phone at (844) 455-1932.

4.0 Procedures for Disposing of Vehicles

4.1 Motor Vehicle Act Disposal Processes

4.1.1 Early Disposal

In an early disposal, the registered owner transfers ownership of the vehicle to the impound lot operator and the impound lot operator discharges the lien. This allows the impound lot operator to remove an unclaimed vehicle from the lot prior to the expiry date of the impoundment period.

Impound Lot Operator	<ul style="list-style-type: none"> • Completes the Early Disposal Agreement form (MV2729) with the registered owner at an ICBC Driver Licensing Office, Service BC Centre, or Driver Licensing Agent. • Completes a Statutory Declaration Early Vehicle Disposal (MV2728). • Presents the Early Disposal Agreement form (MV2729) and the completed Statutory Declaration Early Vehicle Disposal (MV2728) to a Driver Services Centre, Government Agent or Appointed Agent. The original Statutory Declaration Vehicle Disposal (MV2728) will be returned to the impound lot operator. • Impound lot operator representative making the Statutory Declaration Vehicle Disposal (MV2728) will be required to provide a current driver's licence as proof of identification.
ICBC Driver Licensing Office, Service BC Centre, or Driver Licensing Agent	<ul style="list-style-type: none"> • Provides required forms. • Swears Statutory Declaration Vehicle Disposal (MV2728) and returns original to impound lot operator. • Faxes the Early Disposal Agreement form (MV2729) and the completed Statutory Declaration Early Vehicle Disposal (MV2728) to RoadSafetyBC by fax to (250) 356-5919.
RoadSafetyBC	<ul style="list-style-type: none"> • Reviews the Early Disposal Agreement form (MV2729) and the completed Statutory Declaration Early Vehicle Disposal (MV2728) and issues a Vehicle Disposal Decision to the impound lot operator by fax or email. • Issues an Early Disposal Decision Letter.
Impound Lot Operator	<ul style="list-style-type: none"> • If the Early Vehicle Disposal is approved, the impound lot operator must take the Vehicle Decision Letter together with the original Statutory Declaration (MV2728), a completed Transfer/Tax form (APV9T), vehicle registration, and the licence last issued under Section 3 of the MVA for the vehicle to an autoplan broker.
Autoplan Broker	<ul style="list-style-type: none"> • Upon application by the impound lot operator at an autoplan broker, will transfer the registration of the vehicle to the impound lot operator. • Cancels any vehicle licence issued with respect to the vehicle. • Forwards any refund from the cancellation of the vehicle licence to the previous registered owner. • Destroys the surrendered plates.

4.1.2 Normal Disposal

Impound lot operators may dispose of vehicles when:

- the registered owner(s) have been provided written notice of the impound lot operator's intent to dispose,
- the value of the vehicle less \$1,000 is less than the value of the lien, and
- there is no security interest registered under the *Personal Property Security Act*.

To successfully complete a disposal, an agent acting on behalf of the impound lot operator must complete the following steps:

- Complete a *Personal Property Security Act* search and obtain certificate confirming that there is no security interest registered against the vehicle.
- Notify the registered owner by ordinary mail of the impound lot operator's intent to dispose of the vehicle if the outstanding charges are not paid. **The notice must be provided after the expiry of the impoundment period and at least 14 days prior to making an application for disposal and state the:**
 - vehicle impoundment number,
 - vehicle identification number (VIN),
 - licence plate number,
 - registered owner(s) name(s) and addresses,
 - date of the impoundment,
 - amount of outstanding charges at the time of the notification, and
 - contact information for RoadSafetyBC Impound Lot Operator Program.
- Assess the value of the vehicle, noting and taking photos of any damage impacting its value. (Note: RoadSafetyBC will assess the value of the vehicle using the Canadian Black Book. If the Canadian Black Book does not list the vehicle, it will use the VMR. If the VMR does not contain the vehicle, RoadSafetyBC will look for listings in the same area).
- Complete an Application for Disposal under the "Forms and Procedure Manuals" tab on RoadSafetyBC's [Information for Impound Lot Operators](#) webpage. Print the form, confirm the information, initial, sign and date it, and send a scanned copy of the form with photos to rsbcimpoundment@gov.bc.ca.

If the Request for Vehicle Disposal (MV2709) is approved, the impound lot operator must take the Disposal Vehicle Decision Letter together with the licence plates (if applicable), Application for Disposal, a completed Transfer/Tax form (APV9T), and vehicle registration to an Autoplan broker.

5.0 Procedures for Assistance with Unpaid Debts

5.1 Applying for a Refuse to Issue

Impound lot operators may apply for the Superintendent for assistance in recovering unpaid debts for unclaimed vehicles by withholding the registered owner's driver's licence until the debt is paid.

Before submitting an Application for Refuse to Issue, the impound lot operator must:

- Notify the previous registered owner of the disposed vehicle that it intends to submit an application to the Superintendent to direct ICBC to refuse to issue a driver's licence. **Notice must be provided to the registered owner at least 14 days prior to applying for a Refuse to Issue and include the:**
 - vehicle impound number,
 - vehicle identification number (VIN),
 - licence plate number,
 - owner name(s) and address,
 - date that the motor vehicle was impounded,
 - amount of the lien at the time of notice, and
 - RoadSafetyBC contact information including phone number (844) 455-1932 in the event the owner wants to dispute a RTI application.
- Download the Application for Refuse to Issue form under the "Forms and Procedure Manuals" tab on RoadSafetyBC's [Information for Impound Lot Operators](#) webpage. Complete the form and submit it to rsbcimpoundment@gov.bc.ca.

If the impound lot operator's request meets all requirements for a Refuse to Issue, RoadSafetyBC will:

- Direct ICBC to refuse to issue a driver's licence to the registered owner.
- Send notice to the impound lot operator advising that the Superintendent has directed ICBC to refuse to issue a driver's licence to the owner until the Superintendent rescinds the direction.
- Send notice to the registered owner advising that the Superintendent has directed ICBC to refuse to issue a driver's licence until the Superintendent rescinds the direction.

If the impound lot operator's request does not meet the requirements for a Refuse to Issue, RoadSafetyBC will:

- Send notice to the impound lot operator advising that the Superintendent will not take any action under section 255(11) of the MVA related to this impoundment.
- Reasons may include:
 - The vehicle was disposed of under the Warehouse Lien Act,
 - The ILO entered into a date of disposal or early disposal agreement under section 255(6) or 255(8) of the MVA, or
 - The Superintendent has evidence that the information provided in the request was inaccurate.

5.2 Cancelling a Refuse to Issue

When the lien has been discharged, the impound lot operator must notify RoadSafetyBC within one business day. The impound lot operator must send a completed Lien Discharge Notice (MV0728) and receipt of payment to rsbcimpoundment@gov.bc.ca.