

ABANDONED VEHICLE PROCESS

SECTION 8 – HIGHWAY SCENIC IMPROVEMENT ACT

INTRODUCTION:

The handling of abandonments under the *Highway Scenic Improvement Act* typically involves co-operation between the RCMP, MoTH and the towing company.

It is the responsibility of the RCMP to:

- check the vehicle identification number (VIN)
- determine who the registered owner is
- establish if the vehicle is stolen or involved in a crime, and to
- “tag” the vehicle with an advisory notice for removal from the roadside within 72 hours.

Usually the RCMP also authorize the towing of the vehicle, initiate contact with the last known registered owner, and take care of any notarization involving vehicle ownership transfer (e.g. - use of the MV 1479 form). However, the procedure for these last items may vary depending on protocol already established. For example, MoTH sometimes looks after towing arrangements and the necessary correspondence. Depending on what protocol is already in place and working for you, there is no need to change if all the parties involved are agreeable.

In some locations, the RCMP have indicated a reluctance to continue handling the formal communications between the vehicle owner and the towing company, as well as the conveyance of invoices, etc. If this is the case, MoTH District Offices and/or the towing company may need to take on a more involved role in the process.

The instructions that follow, cover the various possibilities arising when handling an abandoned vehicle. Generally speaking, the majority of abandonments have very little value. Provided that basic procedure is followed in regard to attempted communication with last known owner, disposal of the vehicle can be expedited without much bother. This is particularly true for situations where the vehicle has no salvage value, and the last owner is unknown. The process is more cumbersome when an abandonment happens to be of some value, remains unclaimed, and is subsequently transferred to another party for re-sale or parts. However, this latter scenario is not common.

Use the flow chart to determine what is generally required for a given situation, then refer to the detailed procedures for the specific actions, as needed.

Please note the procedure in the last step for the processing of invoices related to the above.

PROCEDURES: (Refer to the Process Flow Chart for an Overview)

➤ **Defined RCMP Responsibility**

- Step 1:** Spot an apparently abandoned vehicle (often MoTH; Contractor personnel, or the public will report this).
- Determine vehicle identification number (VIN) and last registered owner if possible;
 - Determine if vehicle is stolen or otherwise involved in a crime; and
 - Tag vehicle with an advisory notice for owner to remove it within three days or face towing.

If the vehicle was stolen or otherwise involved in a crime, police procedures for dealing with this would be followed, and it's handling would be excluded from the remainder of the Highway Scenic Improvement Act process.

➤ **Responsibility for the Following Steps May Vary**

<p>Note: The following procedures may be undertaken by the RCMP, the towing firm, or the District MoTH Office, depending on circumstances, and the protocol already established in various parts of the province.</p>
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- Step 2:** If vehicle remains abandoned after 72 hours have elapsed, arrange for its removal by the nearest towing company, to an appropriate yard for interim storage.

- Step 3:** Prepare basic paperwork on particulars of vehicle incident and communication undertaken, as backup documentation to towing company's future claim for towing charges, etc. Refer to sample letter typically sent to the MoTH District Office for this purpose.

Step 4: Action to Take Depending on Vehicle Status:

- a) If the vehicle is Unsalvageable junk (e.g. – burned-out, severely damaged hulk, etc.), have the vehicle towed directly to a dump or scrap yard. If the last registered owner is known, contact that person to advise of the vehicle status, and their responsibility to pay for towing and disposal fees. If there is no response, *proceed to Step 11.*
- b) If the vehicle is potentially Salvageable, but there is no record of the vehicle in the records of the superintendent of Motor Vehicles, or with ICBC, and the owner cannot be determined, hold the vehicle in storage for a minimum of 7 days and perform a lien search. *Proceed to Step 5.*
- c) If the vehicle is potentially Salvageable, and the owner can be determined, try to contact the owner by double registered mail while the vehicle is being held in

storage for a minimum of 14 days. Note: This letter provides the registered owner of the vehicle with 14 days from mailing, in which to contact the sender's office in this regard. Perform a lien search.

File a copy of the letter in an office pending file and bring forward 14 days from the date the letter was mailed for a response. *Proceed to Step 6.*

Step 5: Owner is Unknown

- If the registered owner claims the vehicle, it is released upon payment of all towing and storage charges.
- If no owner comes forward within 7 days and there is no lien, disposal of the vehicle may *proceed as described in Step 7.*
- If a lien does exist, the lien holder is advised of the vehicle status and possible acquisition through the disposal process.

Step 6: Owner is Known

- If the registered owner claims the vehicle, it is released upon payment of all towing and storage charges.
- If the owner does not respond or claim the vehicle within 14 days, and there is no lien, disposal may *proceed as described in Step 7.*
- If a lien does exist, the lien holder is advised of the vehicle status and possible acquisition through the disposal process.

Step 7: Conditions for Disposal

- a) Vehicle is Irreparable and suitable for parts only
Proceed to Step 8.
- b) Vehicle is Salvageable and valued under \$1,000
Proceed to Step 9.
- c) Vehicle is Salvageable and valued at \$1,000 or more
Proceed to Step 10.

Step 8: Irreparable Vehicle, useful for parts only

If the vehicle is wanted, ownership is transferred to the towing company, dismantler or scrap yard in lieu of charges incurred to date. In this case, an MV 1479 Vehicle Transfer form is completed, as well as an APV9T Transfer tax form. The "purchaser" is required to submit these to an Autoplan agent or to ICBC directly. The transaction is exempt of fees, and the reporting of the vehicle status as "Irreparable" on the APV9T form ensures the vehicle can never again be licensed.

If the vehicle is not wanted, it is towed to the scrap yard for disposal. The scrap yard operator is responsible for informing ICBC about the final disposition of a scrapped vehicle where identification records are available.

Towing company invoices MoTH for its services as *per Step 11.*

Step 9: Salvageable Vehicle, valued under \$1,000

The process is the same as for Irreparable vehicle above, except that when vehicle ownership is transferred, a fee is payable with the APV9T form, and an APV-250 Certificate of Registration is issued to the purchaser.

Step 10: Salvageable Vehicle, valued over \$1,000

A MV 1479 form is notarized, transferring the vehicle to MoTH. MoTH declares it as asset surplus and subsequently transfers to the Purchasing Commission for sale by auction.

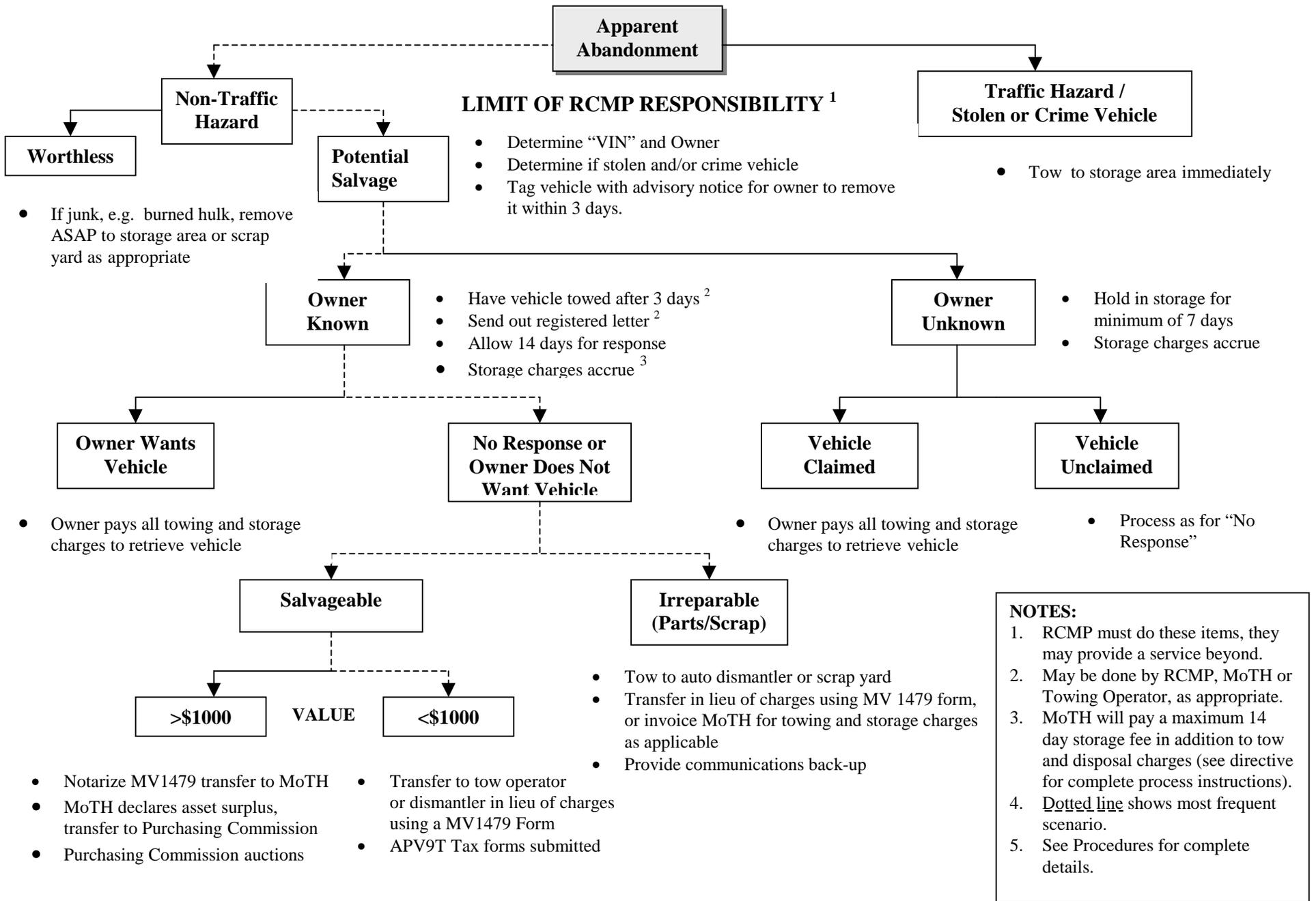
Step 11: Reimbursement of Towing, Storage and Disposal Fees

When an abandoned vehicle has no residual value and is scrapped, the towing company will be reimbursed for all tows pre-authorized by the RCMP or MoTH under provisions of the Highway Scenic Improvement Act. The Environmental Management Section of the Highway Engineering Branch in Victoria maintains an “Abandoned Vehicle Removal Fund” for this purpose.

Towing company invoices submitted to the Branch for processing must include the following:

- appropriate backup documentation, verifying that due process was followed regarding towing, communication, and storage of the vehicle prior to disposal (refer to sample letter provided – usually this is provided by the RCMP directly to the District MoTH office, other times it may be sent via the towing firm);
- a clearly itemized account of the charges on the invoice pertaining to towing, storage, and disposal fees, as applicable. Note – the maximum storage period for reimbursement purposes is 14 days; and
- a “Goods/Services Received” stamp, and signature by the District Highways Office (the invoice would be sent from the towing company to the district office for approval, and then forwarded to headquarters for payment).

Process for Dealing with Abandoned Vehicles -- Highway Scenic Improvement Act --



Sample follow-up letter from Royal Canadian Mounted Police
(Support Document to Process Towing Company Invoice)

[Date]

District Highways Manager
Ministry of Transportation and Highways
District Office
_____, BC _____

RE: ABANDONED VEHICLE: _____
[BCL# / VIN#]

On _____ this vehicle was towed by the following towing company:
[Date]

[Name of towing company]

A search of ICBC records indicated:

- No record of registration was found.
- The owner to be: _____
[Name]

In accordance with section 8(3) of the "Highway Scenic Improvement Act"

- No record of registration was found and seven days have elapsed from the date on which the motor vehicle was removed from the location it was abandoned.
- I have forwarded a registered letter to the last owner, and fourteen days have elapsed and no person has appeared to establish ownership of the vehicle. (Copy attached)

Our file is now concluded here. If you require any further information please contact:

_____ at _____.
[RCMP Officer] [Phone number]

Yours truly,

RCMP Officer

_____ Detachment