



ABANDONED VEHICLES

Options for private property owners with an abandoned vehicle on their property

APPLICABLE LAW

Iowa Code 321.89 Defines an abandoned vehicle as: *a vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than twenty-four hours.*

Make sure the property owner truly has an abandoned vehicle on their property based on the definition above. If the person is owed money for a service and has the vehicle in their possession, the following does not apply, unless the person wants to forgo their possessory lien. Possessory liens apply in situations like mechanics services, self-storage units, rental properties, etc. The three options listed below are for those who truly have an abandoned vehicle on their private property.



OPTION 1: Contact owners and/or lienholders

- ▶ The property owner may complete Iowa DOT **Form 411401 Request for Vehicle Lienholder Identification**, to apply to the county treasurer in order to get the contact information of all parties with security interests or liens against the vehicle.
- ▶ For a fee of \$3 per vehicle, the county treasurer will furnish a certified copy of any security interests (Iowa Code 321.50.7).
- ▶ The property owner may then contact the appropriate parties to inform them that the abandoned vehicle is on their property and make the desired request. (**Example:** *The property owner may want to buy the vehicle or gain the title to the vehicle, or they may want to call a tow company or demolisher to haul it away.*) This method of contact may compel the owner and any security interests to act on removing or transferring the vehicle.

This option is strictly for direct contact between the private property owner and the lienholders. Other than the lienholders provided by the county treasurer, there are no provisions for this process in Iowa Code.



OPTION 2: Contact towing and/or police authority to remove the vehicle and initiate the abandoned vehicle process

- ▶ The property owner may contact a towing company or local law enforcement to remove the vehicle. They should explain to the towing company or law enforcement that they have an abandoned vehicle on their property and wish to have it removed pursuant to the abandoned vehicle process defined by law (Iowa Code 321.89).

Note that neither the towing company nor the police are required to move the vehicle by law.



OPTION 3: Apply to police for authority to demolish

- ▶ The property owner may complete Iowa DOT **Form 411104 Application for Authority to Transfer a Vehicle to a Demolisher** to apply to local law enforcement for the authority to sell, give away, or otherwise dispose of the vehicle to a demolisher.
- ▶ If the application is approved and there are no objections from lienholders, the police authority will give the applicant a certificate of authority, allowing the applicant to obtain a junking certificate for the vehicle within 30 days of receiving the certificate of authority (Iowa Code 321.90.2).

The only ways for the private property owner to get the title for the abandoned vehicle are:

- 1 Successful OPTION 1**
- 2 Buy the vehicle from the towing company or police authority involved in OPTION 2 at a public auction.**