



Storage of Unattended/Abandoned Vehicles

I. PURPOSE

The disposition of abandoned vehicles in Maryland is regulated by the Maryland Motor Vehicle Law, Title 25, Subtitle 2 of the Annotated Code of Maryland. This statute provides the police with the authority to take custody and to remove and dispose of abandoned vehicles found on public property and or private property.

II. POLICY

A. Prior to removing an abandoned vehicle as provided in this order, every reasonable attempt will be made to have the vehicle removed by the owner or the person responsible for leaving the vehicle unattended/abandoned.

1. Abandoned vehicles may be removed at the direction of RPD and placed in storage at any facility used for the purpose of vehicle storage pursuant to section 25-203 of the Maryland Vehicle Law. Such vehicles shall be construed to be in the possessive custody of that facility.

2. Abandoned vehicles and mobile homes (Title 8, Subtitle 14, Section 8A-1401) found on private property shall not be removed or taken into custody at the direction of or by RPD, except when such vehicle is evidence in a criminal case.

3. The Transportation Article – Maryland Vehicle Law Section 25-202 prohibits anyone from abandoning a vehicle on public property or abandoning a vehicle on private property without the consent of the property owner or lessee.

B. Unattended/Abandoned Vehicles Found on Public Property

1. Determine if the vehicle is stolen or wanted. If the vehicle is found to be stolen or wanted, process it as per established procedures.

2. If it is determined that the vehicle is not stolen or wanted, the Officer will determine if the vehicle has been abandoned for more than 48 hours. If the Officer cannot establish that the vehicle has been abandoned for more than 48 hours the reporting Officer will notify the Emergency Communications Center referencing the abandoned vehicle. The reporting Officer will make a reasonable effort to contact the owner by telephone or in person and advise the owner that the vehicle will be stored after 48 hours.

3. If it can be established that the vehicle has been abandoned for more than 48 hours the Officer may store the abandoned vehicle.

General Order No. 5-3 (Cont.)

4. If a vehicle has been left unattended on any portion of the highway and is in violation of the Transportation Article the Officer may authorize its removal and storage as an abandoned vehicle after reasonable effort has been made to contact the owner prior to storage.

C. Removing vehicles from public property:

1. The actual removal of a vehicle abandoned on public property will be covered as a separate incident under a separate complaint control number.

2. Complete and submit a Vehicle Report (RPD Form 25) indicating that the vehicle is abandoned on public property and has been stored.

3. Verify the vehicles VIN number.

4. Have the tow truck operator sign the Vehicle Report (RPD form 25).

D. Abandoned Vehicles and Mobile Homes on Private Property

1. When responding to complaints of vehicles and mobile homes on private property, the Officer will initiate a complaint control card covering the incident.

2. Upon contact with the complainant, the assigned Officer will determine if the vehicle in question is stolen or wanted. If so, it will be processed as per established procedures.

3. The Officer will assist the complainant in the completion of the Motor Vehicle Administration (MVA) form Certificate of Authority to dispose of an abandoned motor vehicle to an automotive dismantler and recycler or scrap processor. In every case, this form must be signed by the complainant and the vehicle's VIN number verified by the Officer.

4. The Officer will complete an IR noting the facts pertaining to the abandonment of the vehicle and the notification procedures that have been taken.

E. Abandoned Vehicles in Garages

In response to complaints of vehicles abandoned in a garage used for parking, towing, storing, servicing, repairs or maintenance of vehicles, the following procedures will be adhered to.

1. The Officer will have a complaint control card initiated covering the abandoned vehicle incident, except that in the case of a vehicle stored at the facility by direction of RPD the incident will be handled as a follow-up to the original storage incident.

2. Upon contact with the complainant, the assigned Officer will determine if the vehicle in question is currently listed as stolen or wanted and, if so it will be processed as per established procedures.

General Order No. 5-3 (Cont.)

3. If the vehicle is not stolen or wanted, ascertain if:
 - a. The vehicle has been at the garage in excess of ten days following a notice by registered mail, return receipt requested by the addressee, to the owner to pick up the vehicle.
 - b. The vehicle has been at the garage in excess of ten days after the period when, pursuant to contract, the vehicle was to remain on the premises.
 - c. The vehicle has been at the garage in excess of ten days after it was left by someone other than the registered owner or by a person authorized to have possession of the vehicle under a contract or use, service, storage, or repair.
4. If any of the above conditions have been met, and after the Officer obtains copies of any documents verifying that they have been met, the complainant will be assisted in completing the MVA form CS-78. In every case, the CS-78 must be signed by the complainant and the vehicle's VIN number verified by the Officer.
5. In addition to the above form, the officer will complete an IR noting the facts pertaining to the abandonment of the vehicle and the notification procedures that have been taken. In the case of a vehicle that was placed in the garage by direction of RPD, a supplement report will be used as a follow-up to the original CIR/IR that was submitted.

III. NOTIFICATION

- A. Whenever an Officer completes a Vehicle Report concerning an abandoned vehicle the investigating Officer will initiate a MILES inquiry to the Motor Vehicle Administration to determine the owners and lien holders associated with the abandoned vehicle. The MILES printout received will be retained with other documentation pertaining to the abandoned vehicle.
- B. If the abandoned vehicle investigation indicates that the vehicle may be titled or registered in another jurisdiction, that jurisdiction should be contacted and reasonable attempts should be made to establish ownership.
- C. If the owner and/or lien holder can be established the investigating Officer will, as soon as reasonably possible and in any event within seven days of the vehicle storage prepare a Notice of Stored/Impounded Vehicle form (RPD Form 23). This notice shall be sent to the last registered owner and lien holder by certified mail, return receipt requested, signed by the addressee.
- D. In all cases, one copy of the letter will be retained with the Vehicle Report.
- E. In the case of an abandoned vehicle removed at the direction of RPD, one copy of the letter will be forwarded to the licensed auto wrecker having custody of the vehicle.
- F. The notification procedures required by law and as outlined in this order will not be necessary when the abandoned vehicle is over eight years old and has no engine or is otherwise totally inoperable, and these facts have been indicated in the narrative of the vehicle report.