

Abandoned Vehicles

Transportation Committee Proposed Amendments

Amendment No. 1:

Page 2, line 28, insert:

C. Except as provided in Subsection D of this section, a vehicle that is impounded pursuant to this section may not be released until the Police Department or the authorized agent has verified that the vehicle is not stolen and, except as provided in Subsection D of this section, all outstanding municipal parking fines and applicable impoundment and storage charges have been paid. Any person whose vehicle has been impounded pursuant to this section shall be provided with written notice of the provisions of Subsection D of this section.

D. Hearing.

1. Any owner who desires to contest the validity of the impoundment of a vehicle, or the amount of any fines, impoundment or storage charges may request a hearing to be held before either the Chief of Police or the authorized agent. A hearing shall be held by the chief or the authorized agent not later than forty-eight hours following receipt of the written request.

2. An owner not satisfied with the decision of the Chief of Police or the authorized agent, as applicable, may file a notice of appeal to the Board of Appeals within ten days from the date of the decision of the chief. The notice of appeal shall describe the action appealed from and the grounds of the appeal. The Board of Appeals shall conduct a hearing and render a decision within thirty days from receipt of the notice of appeal.

3. During the pendency of an appeal, an owner may redeem a vehicle from impoundment by posting an appeal bond in the full amount of all fines, impoundment and storage charges claimed to be due and owing. Upon the conclusion of all appeal proceedings, the appeal bond shall be forfeited except for the portion, if any, which is determined to represent fines, impoundment or storage charges, which have been erroneously or improperly assessed against the owner of the vehicle.

4. No fine, impoundment or storage charges imposed with respect to a vehicle impounded pursuant to this section may be returned or in any way refunded to the owner of the vehicle except in accordance with the appeal procedures set forth in this subsection.

Amendment No. 2:

Page 2, line 34, strike “B” insert “C”; Page 2, line 35, after “and” strike “is subject to” insert “shall pay”