

1852 East First Street  
Tucson, AZ 85721  
(520) 621-8273

*Information about your*  
***Impounded Vehicle***

*Revised March 4, 2009*

***If your vehicle was impounded by an officer of the University of Arizona Police Department please read carefully the information the officer provided you at the time of the impound for important instructions. This page provides some additional information to frequently asked questions concerning this topic.***

PLEASE NOTE: *If your vehicle was impounded by another law enforcement agency you must contact that agency directly for assistance in obtaining the release of your vehicle. If your vehicle was impounded as evidence of a crime by UAPD, the information provided on this page DOES NOT apply to you. Please contact the UAPD Investigations Section for additional information regarding your vehicle.*

***Why was my vehicle impounded?***

Arizona law requires law enforcement agencies to impound ("tow") a motor vehicle when the driver is in violation of specific provisions of the law. Those provisions are:

- The driver has never been issued a license or permit in Arizona or issued a license in any other jurisdiction.
- The driver's driving privilege is revoked.
- The driver's driving privilege is suspended.
- The driver is arrested for either Extreme DUI or Aggravated DUI.
- The driver is under legal drinking age (21) and has any alcohol in their body.

### ***How long will my vehicle be impounded for?***

The law requires that vehicles impounded under the above conditions be held for a period of thirty (30) days before being released. In some cases your vehicle may be released sooner if permitted by the statute.

### ***How much will it cost to get my vehicle back?***

In order to have your vehicle returned certain charges or fees required by Arizona law must be paid prior to release. Those charges include an administrative fee of \$150.00, paid directly to UAPD prior to receiving authorization for release of your vehicle. Applicable towing, storage and any gate charges are paid directly to the tow company.

### ***How do I get my vehicle back?***

On or after the 30<sup>th</sup> day of impound OR if you get your license reinstated OR you meet certain requirements, your vehicle will generally be eligible for release to you. In certain cases where the driver of the vehicle is not the owner, the vehicle may be released with conditions to the owner. To get your vehicle back follow these steps:

- If impounded by the University of Arizona Police Department in Pima County go to the UA Police Department located at 1852 East First Street, Monday-Friday, 8:30 a.m. to 4:30 p.m. after you determine your vehicle is eligible for release. If your vehicle was impounded by the University of Arizona Police Department in Graham County call 928-348-0001 to schedule an appointment for release after you determine your vehicle is eligible for release.
- The registered owner, spouse or any lien holder must bring their VALID drivers license, VALID vehicle registration and CURRENT proof of financial responsibility. You may have to first go to court and/or the Arizona Department of Motor Vehicles if your license was suspended, revoked or cancelled and/or if your vehicle registration was expired or cancelled. **YOUR VEHICLE CANNOT BE RELEASED UNTIL THESE DOCUMENTS ARE VALID AND CURRENT.** You must have a VALID vehicle registration and proof of insurance before the vehicle can be released.
- You **MUST** pay an administrative fee of \$150.00 to the University of Arizona Police Department. Payment must be in the form of cash, cashiers check or certified check. Personal checks, money orders and credit/debit cards are not accepted.
- Upon payment of the fee and presentation of a valid driver license, vehicle registration and proof of insurance you will be given a release form that you must take to the towing company. The towing company will not release your vehicle without the authorization of release from UAPD.

- At the towing company you must pay all associated towing and storage charges. Payment is made directly to the towing company by cash, money order, credit card or certified check. Please check with the towing company for any other forms of payment accepted. If you cannot go to the tow yard at other than normal business hours you may be charged a gate fee. You must also present proof of your identify and ownership to the tow company.

If you do not claim your vehicle when it is available for release the towing company may file for abandoned title to the vehicle.

***Who can have the vehicle returned?***

The owner, owner's spouse or a lien holder are the only persons who can have the vehicle released.

***What if someone other than the owner was driving the vehicle when it was impounded?***

The owner may be able to get the vehicle back prior to the 30-day period, usually by signing an Agreement of Operation with the police department. The owner is still responsible for paying all fees and charges in order to have the vehicle released. If someone else was driving, you may have to seek civil action against them for any expenses your incur as a result of the impound.

***What if I own the vehicle but have not yet transferred the title into my name? Can I still get the car back?***

Yes, but you must first completely meet all legal title and registration requirements and have the title transferred into your name before the vehicle can be returned to you. This can be done through the Arizona Motor Vehicle Department. If the vehicle is registered out of state you must either register the vehicle in Arizona or deal with the state in which it is currently registered.

***What will happen if I cannot claim my vehicle?***

If you do not claim your vehicle when it is eligible for release (after 30-days) the towing company has the right to file a request with the Arizona Motor Vehicle Division to assume title of your vehicle. The towing company would then become the legal owner of the vehicle and may salvage or auction it. If you have difficulty in paying for the towing and storage fees, you should at least contact the towing company if you wish to retain ownership of your vehicle.

### ***Can I get my vehicle back before the 30 days are up?***

Yes. Under certain limited circumstances you may be able to have the vehicle returned to you prior to the 30-day impound period. You may have the vehicle released early **only if you meet one of the following conditions or circumstances:**

- If the owner who was the driver at the time of impound, presents proof satisfactory that their driving privilege has been reinstated. Simply bring proof that your license is now valid to UAPD with all other required documentation.
- If the vehicle was reported stolen at the time it was impounded.
- If the vehicle is subject to bailment and was driven by an employee of a business establishment including a parking service or repair garage who is subject to ARS 28-3511- A or B.
- If **ALL** the following apply – the owner or owner's agent was not the person driving in violation at the time of the impound, **AND** the owner or the owner's agent is in the business of renting motor vehicles without drivers, **AND** the vehicle is registered pursuant to ARS 28-2166.

In certain circumstances the spouse of the owner may enter into a written agreement with UAPD that they will not let a driver arrested for Extreme or Aggravated DUI, or a minor in possession of alcohol, to drive the vehicle within one year. If the agreement is violated there is no relief available from the 30-day impound period next time the vehicle is impounded.

In addition the vehicle shall be released to a person other than the owner identified on MVD's record as having an interest in the vehicle before the end of the 30-day period if **ALL** of the following conditions are met:

- The person is a motor vehicle dealer, bank, credit union or acceptance corporation or any other licensed financial institution legally operating in this state or is another person who is not the owner and who holds a security interest in the vehicle; **AND**
- The person pays all administrative, towing and storage fees related to the impoundment of the vehicle unless the vehicle is stolen and the theft was reported to the appropriate law enforcement agency. If the vehicle was stolen and the theft was reported to the appropriate law enforcement agency, the operator of the vehicle at the time of impoundment is responsible for all towing, storage and administrative charges; **AND**
- The person presents foreclosure documents or an affidavit of repossession of the vehicle.

***If the owner (who was the driver) had a suspended license, can they get their vehicle back prior to the 30-day period if their license is restored to a valid status?***

Yes. The owner would have to prove that their license had been restored and driving privileges reinstated. The owner would present this proof of a valid license along with proof of a valid registration and proof of insurance upon payment of the administrative fee and the vehicle would be released. The owner would then go to the towing company provide proof of release, proof of ownership and identity, pay all towing/storage fees and retrieve their vehicle.

***Would I still have to pay fees and charges if the vehicle is released early to me?***

Yes. The owner is still liable for the administrative fee and all towing/storage fees to the actual date of the release.

***At the end of the 30 days can I just go to the towing company and get my vehicle?***

No. The towing company will not release your vehicle at anytime without the release authorization paperwork from the University of Arizona Police Department. You must follow the claim process as outline previously as applicable.

***If I am found “not guilty” on my criminal or traffic charges will that affect the impound of my vehicle?***

No. As long as the officer impounded your vehicle according to the law and our procedures the outcome of any trial is not relevant.

***Can I have a hearing about the impound?***

Yes. But a hearing is not always necessary and only determines if the officer impounded your vehicle according to the law and procedures. If you meet any of the conditions for release described above you do not need a hearing. You only need to present all required documentation and pay all fees during regular business hours to obtain a release authorization. You may request a hearing by calling the UAPD Impound Hearing line at (520) 626-0066 and pressing 2 and following the instructions or you may request a hearing by writing us at the address on the front page.

Hearings are scheduled for Tuesdays from 10:00 a.m. to 12:00 p.m. and Thursdays 2:00 p.m. to 4:00 p.m. They may be held telephonically or in person.

***Do I need to have a hearing?***

No. Most people who do not meet one of the exemptions will not request or need a hearing. If you get your license reinstated before the end of the 30-day period and meet all other requirements or qualify under one of the exemptions you may be eligible to have your vehicle returned to you without a hearing.

***When must I request a hearing should I want one?***

Your request in writing or by telephone must be received by UAPD no later than ten (10) days from the date of the vehicle impoundment. If your request is received after the ten day time period, a hearing will not be granted concerning the impound.

***How is the hearing conducted?***

Hearings are conducted by a sworn member of the University of Arizona Police Department and generally conducted over the telephone.

***What will I have to prove in a hearing?***

To have your vehicle released prior to the 30-day period required by law you must be able to prove that certain special circumstances existed. However remember that if you meet certain circumstances or exemptions as described previously a hearing may not be required.

***Is there a charge for the hearing?***

No.

***Do I need an attorney for the hearing?***

No. The hearing process is informal and brief. Information regarding the hearing is documented on a Record of Administrative Impounded Vehicle Hearing form and a copy made available to the owner.