



If your vehicle was impounded by an officer of the Tucson Police Department please carefully read the information the officer gave you at the time of the impound for instructions. This page provides answers to frequently asked questions on this topic.

PLEASE NOTE:

(1) If your vehicle was impounded by another law enforcement agency, such as the Pima County Sheriff's Department or the Department of Public Safety, you must contact that agency directly for assistance in obtaining the release of your vehicle.

(2) If your vehicle was impounded as evidence of a crime, these procedures do not apply to you. Please contact the TPD Detective Unit investigating the case you are involved in for additional information.

Why was my vehicle impounded?

With very few exceptions, Arizona law requires law enforcement agencies to impound ("tow") a motor vehicle when the driver is in violation of the following provisions:

- The driver's driver license was revoked for any reason.

- The driver has never been issued a valid license or permit in Arizona and the person does not produce evidence of ever having a valid driver license or permit issued by another jurisdiction.
- The driver is operating the vehicle in violation of ignition interlock device requirement.
- The driver is transporting undocumented aliens.
- The driver is involved in a traffic collision AND is in violation of Arizona's financial responsibility law (insurance) AND their driving privilege is canceled or revoked for any reason, or has never been issued a valid license or permit in Arizona and the person does not produce evidence of ever having a valid driver license or permit issued by another jurisdiction.
- The driver is under 21 years old and has alcohol in their body.
- There is probable cause to arrest the driver for Extreme DUI or Aggravated DUI.
- The driver is operating a motor vehicle off the roadway within ¼ mile of a structure- Tucson City Code 11-70.1 (Refer to the last entry on this webpage for details on this impound. The other procedures listed do not apply to this type of impound.)

Can I get my vehicle back before the 30 days is up?

Under certain circumstances, you may be able to have the vehicle returned to you prior to the end of the 30 days. You **may** be eligible to have the vehicle released early **only if you meet one of the following conditions or circumstances:**

- The vehicle is subject to bailment and is driven by an employee of a business establishment, including a parking service or repair garage, who is subject to section 28-3511, subsection A, B or C.
- If the driver was the owner, and the owner presents satisfactory proof that the owner's license is reinstated.
- If ALL OF THE FOLLOWING APPLY: The owner or owner's agent was not the person driving the vehicle pursuant to 28-3511, subsection A, AND the owner or owner's agent is in the business of renting motor vehicles without drivers, AND the vehicle is currently registered AND there was a valid rental agreement in effect at the time of impoundment.
- The spouse of the owner of the vehicle or the owner of the vehicle (as identified by MVD at the time of impoundment) who was not the driver at the time of impoundment AND is willing to enter into an agreement that the spouse or owner (person who gets the vehicle out early) will not allow anyone to drive the vehicle that will cause it to be impounded for a period of 1 year from the date of

agreement. If the spouse or owner violates the agreement during the time the agreement is in effect, the vehicle will remain in impound for 30 days for the subsequent impound AND the spouse or owner will be issued a civil traffic violation for violation of the agreement and shall pay a civil penalty of at least \$250.00.

- If the person is required by MVD to install a certified ignition interlock device on the vehicle, provide proof of the installation of a functioning certified ignition interlock device in the vehicle.
- Repossessions: If the person attempting to get the vehicle out is, in the business of renting motor vehicles without drivers and the vehicle is registered pursuant to 28-2166, or 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 immediately before the impoundment AND presents foreclosure documents or an affidavit of repossession AND the person requesting the release was not the person driving at the time of impoundment.

How do I get my vehicle back?

You must follow these procedures to recover your vehicle (**Please read every point**):

- Come to the **Impound Lobby** at the Westside Police Service Center at 1310 W. Miracle Mile, Tucson, AZ 85705. The Impound Lobby is a smaller enclosed lobby off the main lobby of the station. The impound lobby is off to the right of the front desk, please look for the signs. The Impound Lobby hours are Monday through Friday, 8am to 5pm, excluding holidays.
- You **MUST BRING** the following documents:
 - A valid Driver License. (You may need to go to court and/or Motor Vehicle Division (MVD) before coming to Impounds if there was an issue with your license. We cannot release a vehicle to a person if their driver license does not show valid when run through MVD.)
 - A valid and current vehicle registration or salvage or dismantle certificate of title. (You may need to go to court and/or Motor Vehicle Division (MVD) before coming to Impounds if there was an issue with your registration.)
 - If the vehicle was sold or the title was transferred after it was impounded, the vehicle will only be released after the full 30 day impoundment

- If you are using a temporary registration permit, if you are not the historically registered owner, you must bring the title to the vehicle to prove ownership. (i.e. if you obtain a 3-day registration permit because the vehicle needs emissions before a regular registration will be issued, and you are not the person listed on the last regular registration that was issued, you will need to bring the title to show proof of ownership.) **Additionally** a temporary registration permit **will not** be accepted if the regular vehicle registration is suspended for Mandatory Insurance.
 - If you are repossessing the vehicle, you will need to bring the title to prove you are the lien holder. You will also need an original notarized Authorization Letter and an original notarized Hold Harmless Letter.
 - **Proof of valid and current insurance.** The proof must be vehicle specific (i.e. it must list the impounded vehicle on the registration card, typically by VIN) and must include effective date and expiration date.
- **Pay an Administrative Fee of \$150.** We accept cash (**no coins**), cashier's checks, credit and debit cards, and money orders. Cashier checks and money orders should be made out to "**City of Tucson**".
- Once you have met all the requirements, you will be given a release form. You must take the release form to the tow company.
- At the towing company you must present your release form and proof of identity and ownership. You **must pay all the associated towing and storage fees**. The towing company will not release your vehicle until all fees are paid. If you go to the tow yard after normal business hours you may be charged an afterhours fee.
- If you do not claim your vehicle within ten (10) days of the 30th day of impound, the towing company may file for an abandoned title to your vehicle.

Who can obtain the vehicle?

- **Before 30 days** --Under the law, only an owner, owner's spouse, owner's agent (only applies to business owned vehicle) or a lien holder (repossession) can obtain a release for the vehicle (only if they meet the requirements for an early release).
- **On or after 30 days** – The vehicle can be obtained by the owner, the owner's spouse, the owner's agent (not restricted to business) or a lien holder (repossession).
- **NOTE:** If the vehicle is being released to the owner's agent, the owner must be present or the agent **must possess an original notarized Letter of Authorization**.

What is a Letter of Authorization?

A Letter of Authorization is a letter from the vehicle owner, to the Tucson Police Department, authorizing a specific individual (an agent) to obtain the release for a specific vehicle. The letter must include the complete legal name and date of birth of the agent, and a complete description of the vehicle, to include year, make, model, body style, color and VIN. **The letter must be notarized and must be an original.** Copies of a notarized letter will not be accepted.

Hearings

Am I entitled to a hearing on my impound?

Yes. You may request a hearing from the Tucson Police Department in writing or in person.

Do I need to have a hearing?

No. Most people will not need a hearing. Hearings should be requested when there is a claim that the vehicle was impounded improperly (i.e. the police did not follow the impound laws or the officer made a mistake).

When must I request a hearing?

A request for a hearing must be received within 10 days from the date on the Notice of Impound. If your request is received after that time, you will not be granted a hearing.

How is the hearing conducted?

Impound hearings are conducted by a sworn member of the Tucson Police Department (typically the Impound Supervisor). Hearings may be conducted telephonically or in person.

What will I have to prove at the hearing?

That your vehicle was impounded improperly.

Is there a charge for the hearing?

No, there is no fee or charge for a hearing.

Do I need an attorney for the hearing?

No, an attorney is not required. The hearing process is informal.

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

No. The outcome of a criminal or civil traffic trial has no bearing on the impoundment of your vehicle. If you feel the officer did not follow the law or procedure request an Impound Hearing.

How much will it cost to get my vehicle back?

The amount charged for the Administrative Fee and daily storage are set and mandated by state law. The fees for the towing and mileage are set through a contract with the City of Tucson and the current towing vendor. Refer to the Notice of Impound (given to the driver at time of impound and/or sent via mail) for the current towing vendor and their contact information.

Administrative Fee - \$150 payable to the City of Tucson

Storage Fee - \$15 per day; per calendar day and any portion of a calendar day

Towing and mileage fee— Contact the current contracted vendor. This fee is paid directly to the towing company.

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

Yes, the owner is still responsible for all fees.

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

The owner of the vehicle is responsible for paying all fees in order to get the vehicle released. If someone else was driving, you may have to take civil action against the driver for any expenses you incur as a result of the impound.

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

No, the towing company is not allowed to release an impounded vehicle without paperwork from the Tucson Police Department. You must follow the process outlined above to get a vehicle released.

If I own the vehicle but have not yet transferred the title into my name, can I still get the car back?

Prior to 30 days --You have to **prove to our satisfaction** that you owned the vehicle at the time it was impounded. This can be accomplished by an original notarized bill of sale or an original notarized title. **DO NOT CHANGE THE TITLE OF THE VEHICLE WHILE IT**

IS IN IMPOUND, THIS MAY RESULT IN YOUR VEHICLE REMAINING IN IMPOUND THE FULL 30 DAYS.

On or after the 30th day – You must get the vehicle titled in your name and have a valid registration or registration permit.

What will happen if I cannot claim my vehicle?

Under Arizona law, the towing company may file for an abandoned title and seek ownership of the vehicle if it is left at the tow yard unclaimed for more than ten (10) days (after the 30 day impound). If you have difficulty in paying the towing and storage, but wish to retain ownership of your vehicle, you should contact the towing company and discuss the matter with them.

What happens if my vehicle is impounded for an “off-road” violation TC 11-70.1?

If you were cited for an “off-road” violation and your vehicle impounded, you should have been given a court date at Tucson City Court within 48 hours of the violation. At that hearing the judge will determine if your vehicle will be released and if you will pay the towing and storage costs. **You do not need paperwork from the Tucson Police Department, prior to obtaining your vehicle.**