



Abandoned Vehicles Guide

This guide provides direction on multiple authorized tows. Please refer to the following pages to review the required steps to complete the tow successfully:

1. A vehicle valued at greater than \$750, towed under the direction of law enforcement. (See below)
2. A vehicle valued at \$750 or less, towed under the direction of law enforcement. (See page 3)
3. A vehicle towed from posted property. (See page 4)
4. Tow company or Law Enforcement has received a Release of Interest. (See page 5)

Note: Using ITD’s forms will comply with all code requirements. Only law enforcement or code enforcement has the authority to make appraisals.

Important: Any questions from law enforcement or tow companies regarding law enforcement directed tows, which includes abandoned vehicles, or any requests from law enforcement for ITD forms 4100 or 5100 should be emailed to Abandoned.Vehicles@itd.idaho.gov.

Law Enforcement Directed - High Vehicle Vehicle (> \$750)

The following must be completed:

- Law enforcement completes a High Value Authorization to Tow (ITD Form 5100 or an equivalent tow form used by the agency that meets the same requirements) at the time of tow and provides a copy to the tow company and a copy to the owner if present. (Idaho Code 49-1803A)
- Law enforcement mails a copy of the High Value Authorization to Tow (ITD Form 5100 or their equivalent tow form) by certified mail to the owner(s) and lienholder within 2 business days, to provide notice of their right to a post-storage hearing. (Idaho Code 49-1805)
 - * If a written request is received with 10 days of the date of notice, law enforcement conducts a post-storage hearing within 2 business days. The officer who directed the tow cannot conduct the hearing.
 - * If probable cause cannot be determined, law enforcement is responsible for the towing and storage costs.
 - * Failure to request or attend a scheduled hearing satisfies the post-storage hearing requirements.
- The tow company requests a Motor Vehicle Record (MVR) from the department after acquiring possession of the vehicle. MVRs can be requested online through Tyler Idaho, completing ITD 3374 and emailing it to DMVTitles@itd.idaho.gov, or going into a DMV office.
 - * **Important:** The only authorized 3rd party vendor for vehicle records is Tyler Idaho.
- Upon receipt of the MVR, the tow company mails the Notice of Tow and Storage of a High Value Vehicle (ITD Form 5102) by certified mail to the owner(s) and lienholders.

Or

- The tow company collects proof of certified mail from law enforcement and verifies notices were correct. If the mailings were not correctly completed, follow the step listed directly above.
 - * **Important:** If the MVR shows different information from law enforcement notice(s), the tow company must send new certified mailings.
- The vehicle is held for at least 60 days to allow for owner recovery.
 - * **Note:** Storage accrual fees are capped at 60 days.

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The next two steps are done by either law enforcement or the tow company:

1. At least 15 days prior to the sale date, serve the Notice of Vehicle Sale for a High Value Vehicle (ITD Form 5103) to the owner(s) and lienholder. Can be served in person or by certified mail.
 2. The Notice of Sale must be advertised twice in a daily newspaper prior to sale and must:
 - * Describe the abandoned vehicle by giving a description of the vehicle, name or make, model, year, manufacturer, license plate number (if available), mileage, serial number, and any other distinguishing characteristics.
 - * Describe when and where the abandoned vehicle will be sold.
 - * State the names and addresses of the registered and legal owners (if known).
 - * State the amount of the lien and the facts concerning the claim which gave rise to the lien.
- Law enforcement conducts the vehicle sale if the vehicle is not claimed.
 - Law enforcement provides the completed Application for Title for a High Value Vehicle (ITD Form 5101) with the following supporting documents to the purchaser:
 - * Completed ITD Form 5100 High Value Authorization to Tow or the agencies equivalent tow form
 - * Copy of ITD Form 5102 Notice of Tow and Storage with proof of certified mailing(s) or proof of certified mailing(s) from law enforcement that must match the MVR received from the department
 - * Copy of ITD Form 5103 Notice of Sale with proof of service or certified mailing(s)
 - * Proof of the two newspaper advertisements
 - The vehicle purchaser takes the documentation to their local DMV office for processing.
(Do not send documents to the Idaho Transportation Department)
 - Law enforcement submits excess proceeds, if applicable, after paying the costs of conducting the sale and possessory lien fees to the department at:
 - * Idaho Transportation Department, ATTN: Rev Ops / Abandoned Vehicle Fund, PO Box 34, Boise, ID 83707



Law Enforcement Directed - Low Value Vehicle (≤ \$750)

The following must be completed:

- Law enforcement completes a Low Value Authorization to Tow (ITD Form 4100 or an equivalent tow form used by the agency that meets the same requirements) at the time of tow and provides a copy to the tow company and a copy to the owner if present. (Idaho Code 49-1803A)
- Law enforcement mails a copy of the Low Value Authorization to Tow (ITD Form 4100 or their equivalent tow form) by certified mail to the owner(s) and lienholder within 2 business days, to provide notice of their right to a post-storage hearing. (Idaho Code 49-1805)
 - * If a written request is received with 10 days of the date of notice, law enforcement conducts a post-storage hearing within 2 business days. The officer who directed the tow cannot conduct the hearing.
 - * If probable cause cannot be determined, law enforcement is responsible for the towing and storage costs.
 - * Failure to request or attend a scheduled hearing satisfies the post-storage hearing requirements.
- The tow company requests a Motor Vehicle Record (MVR) from the department within 15 working days after acquiring possession of the vehicle. MVRs can be requested online through Tyler Idaho, completing ITD 3374 and emailing it to DMVTitles@itd.idaho.gov, or going into a DMV office.
 - * **Important:** The only authorized 3rd party vendor for vehicle records is Tyler Idaho.
- Upon receipt of the MVR, the tow company mails the Notice of Intent to Dispose of Vehicle Valued at \$750 or Less (ITD Form 4102), and the Release of Interest or Declaration of Opposition (ITD Form 4101) by certified mail to the owner(s) and lienholder.
- The customer has 10 days to return a signed Declaration of Opposition (ITD Form 4101).
 - * If a completed declaration of opposition is received within the above time frame, the person completing the declaration of opposition is given an additional 15 days to file legal action.
 - * **Important:** If the customer has filed court action, the court will determine the outcome of the vehicle disposition.
- If a signed Declaration of Opposition (ITD Form 4101) was not received within the above time frame, wait an additional 5 days (15 days after the date of notice) before disposing of the vehicle.
- Law enforcement certifies Section 3 of ITD Form 4100 and provides a copy to the tow company.
- The tow company completes a bill of sale (ITD Form 3738) to a parts dealer or scrap processor.
- The tow company sends the following documents to Idaho Transportation Department, ATTN: Titles Unit, PO Box 7129, Boise, ID 83707. **(Do not take documents to a local DMV office)**
 - * Completed ITD Form 4100 Low Value Authorization to Tow or the agencies equivalent tow form with Section 3 of ITD Form 4100 signed by law enforcement.
 - * Proof of certified mailings or a copy of the court judgment.
 - * Copy of completed Bill of Sale to scrap processor or parts dealer.
- ITD will cancel the title and report it as Junk.

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Posted Property Tow

The following must be completed by the tow company unless otherwise noted:

- The tow company requests a Motor Vehicle Record (MVR) from the department within 3 business days. MVRs can be requested online through Tyler Idaho, completing ITD 3374 and emailing it to DMVTitles@itd.idaho.gov, or going into a DMV office.
- **Important:** The only authorized 3rd party vendor for vehicle records is Tyler Idaho.
- Upon receipt of the MVR, within 1 business day the tow company mails (by first class mail) a notice to the owner(s) and lienholders shown on the department's record.
 - * This notification process does not establish a lien for towing and storage costs. Notifications must be sent by certified mail to allow for disposition through the high value process.
- If unclaimed all vehicles must be processed as high-value using ITD Form 5102, comply with the high-value notification requirements, and have law enforcement conduct the sale.
- **Important:** Low-value processing does not apply as law enforcement did not authorize the towing of the vehicle.
- The vehicle is held for at least 60 days to allow for owner recovery.
 - * **Note:** Storage accrual fees are capped at 60 days.
- At least 15 days prior to the sale date, serve the Notice of Vehicle Sale for a High Value Vehicle (ITD Form 5103) to the owner and any lienholders. This can be served in person or by certified mail.
- The Notice of Sale must be advertised twice in a daily newspaper prior to the sale.
- Law enforcement conducts the vehicle sale if the vehicle is not claimed.
- Law enforcement provides the Application for Title for a High Value Vehicle (ITD Form 5101) with the following supporting documents to the purchaser:
 - * Completed Tow company's tow form
 - * Copy of ITD Form 5102 Notice of Tow and Storage with proof of certified mailing(s)
 - * Copy of ITD Form 5103 Notice of Sale with proof of service or certified mailing(s)
 - * Proof of the two newspaper advertisements
- The purchaser takes the documentation to their local DMV office for processing.
(Do not send documents to the Idaho Transportation Department)
- Law enforcement submits excess proceeds, if applicable, after paying the costs of conducting the sale and possessory lien fees to the department at:
 - * Idaho Transportation Department, ATTN: Rev Ops / Abandoned Vehicle Fund, PO Box 34, Boise, ID 83707

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Release of Interest

Obtaining release of interest from all owners and/or lienholders will suspend the abandon vehicle process and will allow for the tow company to apply for title.

In order to apply for a title, the following must be provided:

- Signed Release of Interest (top of ITD Form 4101 or equivalent) from all owners and/or lienholders;
- Proof of how the tow company came into possession of the vehicle (usually ITD form 4100 or 5100);
- If the vehicle is titled out of state, proof of ownership from the titling state must be submitted. This is typically done by providing a Motor Vehicle Record, this record would need to be less than ten (10) days old.

For step-by-step instructions, please scan the QR code to the right, or select: [Abandoned Vehicle Guide](#)



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