

State of Colorado Abandonment of Motor Vehicles Private Tow Requirements Checklist C.R.S. 42-4-2101

The abandoned vehicle procedure should be followed when performing a non-consensual tow from private property and for vehicles which have been abandoned at the storage facility of the tow operator by the owner/agent of the vehicle. A vehicle is considered abandoned when; A) motor vehicle is left unattended on private property for a period of 24 hours or longer or for such other period as may be established by local ordinance without the consent of the owner or lessee of such property of the owner's or lessee's legally authorized agent; B) any motor vehicle stored in an impound lot at the request of its owner or the owner's agent and not removed from the impound lot according to the agreement with the owner of the impound lot; C) any motor vehicle that is left on private property without the property owner's consent, towed at the request of the property owner and not removed from the impound lot by the vehicle owner within 48 hours; or D) a motor vehicle fitted with an immobilization device that is on private property and deemed to be abandoned per C.R.S. 42-4-1105 (7)(c).

Tow operator is required to be registered with the Colorado Public Utilities Commission and the Colorado Department of Revenue, Division of Motor Vehicles (Title And Registration Section) to complete this process.

Step 1. Within thirty minutes of pickup of a vehicle abandoned on private property the tow operator must contact law enforcement in the county where the vehicle was abandoned to ascertain if the vehicle is reported stolen. Law enforcement will assign a tow report number per C.R.S. 42-4-2103.

Step 2. Within 24 hours but not more than 10 days after the vehicle has been towed and a determination has been made that the vehicle has not been reported stolen, the tow operator must submit a record search request to the Colorado Department of Revenue, DMV, Vehicle Services Section by electronic submission through internet communication or by completion of the DR 2008A Private Tow Vehicle Information Request by first class, certified mail or by personal delivery.

- Record Search is valid for 1 year

Form/Fees:

- DR 2008A
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Step 3. The notice to the owner(s) and any lienholder(s) shall be sent within 5 calendar days after receipt of the completed record search from the Department, including completion of the National Database search process if no Colorado record is found. Notification must include contact information for the tow operator, tow operators name, PUC permit number, address, storage address, phone number, date of the tow, location towed from, tow report number, identify the law enforcement agency which determined the vehicle was not stolen; vehicle information including year, make, model, color, VIN, license plate number and state of issue. Notification must also advise the owner(s) and any lienholder(s) that vehicles not claimed within 30 calendar days of the postmark of the notice will be disposed of. The notice must also indicate that information about the vehicle can only be obtained from the tow operator. Notices sent by the tow operator must be sent first class, certified, return receipt requested. The tow operator shall retain proof of notification on file for 3 years.

Step 4. Vehicles not retrieved shall be sold or disposed of in the following time frame:

- Vehicles shall be sold or disposed of not less than 30 calendar days nor more than 60 calendar days from the postmark of the notification. Vehicles with no Colorado record found shall be sold or disposed of not less than 30 calendar days nor more than 60 calendar days from the date that the record search was completed.
- For record searches performed via electronic submission and via the national database search process a “No Record” is obtained the date of confirmation shall be the date on the no record result from the Department of Revenue to the tow operator.

Step 5. Sale of the vehicle shall be in a commercially reasonable manner. Vehicles shall be sold to a licensed motor vehicle dealer, wholesaler, wholesale auction dealer or through a classified newspaper advertisement published in a Colorado newspaper before the date of sale for all vehicles sold to the general public. Notice must include tow operator information and the vehicle year, make, model and the last 6 characters of the VIN. Vehicles cannot be sold to any person with proprietary interest in the tow operation or to the person that authorized the tow. Vehicles with an appraised value of \$350 or less must be sold as parts only or junk. No Colorado title can be issued. These vehicles should be sold using a DR 2173 Motor Vehicle Bill of Sale. The DR 2173 must clearly indicate “**Junk**” or “**Parts Only**” or “**No Title**”. A copy of the DR 2173 must be sent to the Department of Revenue, DMV, Title Section.

Form/Fees:

- Copy of newspaper advertisement with proof of publication.
- DR 2173

Step 6. The following is required when selling a vehicle with an appraised value of more than \$350:

- Original DR 2008A Private Tow Vehicle Information Request.
- Original DR 2173 Motor Vehicle Bill of Sale – appraisal must be complete and exceed \$350. When a bond is required the appraisal is valid for 45 days.
- Original DR 2698 Verification of VIN – valid for 1 year, provided by the tow operator.
- DR 2395 Application for Title and/or Registration
- Original DR 2704 Certified VIN Inspection – for vehicles with a model year of less than 5 years when no Colorado record is found and for vehicles with a ‘Previous Salvage’ record search result. Valid for 1 year, provided by tow operator.
- The “No Record” search computer print out.
- Bond- buyer must purchase a surety bond for vehicles with a model year of less than 5 years when no Colorado record is found. Surety bond must be for twice the appraised value. Minimum bond accepted is \$700. Bonding companies are listed in the yellow pages under “Surety Bonds”.
- Proof of publication/Copy of newspaper ad and original proof of publication that includes date published and the name of the newspaper.

*NOTE- The Drivers Privacy Protection Act prohibits the release of owner(s) and lienholder(s) information to the purchaser. This includes record search results, notification letters or certified mail information; the tow operator must retain this information for their records.

Purchaser must complete an application for title at the motor vehicle office in the county in which they reside. Secure and Verifiable Identification is required to obtain a title and/or registration in the State of Colorado.

Form/Fees:

- DR 2008A
- DR 2173
- DR 2395
- DR 2704 (as required)
- Bond (as required)
- Newspaper advertisement with proof of publication
- DR 2698
- Title fee – \$7.20, pursuant to, C.R.S. 42-6-138 (2) (a)
- Please see DR 2841 for acceptable identification documents

Step 7. The tow operator is required to disclose current or previous salvage information to the buyer.

Upon receiving the record search information from the Department, if the record indicates that the vehicle is salvage, the tow operator must disclose this information to the buyer. The tow operator must designate the vehicle as “Salvage” on the DR 2173 Motor Vehicle Bill of Sale. If the vehicle appears to be roadworthy the tow operator shall provide the buyer with a DR 2444 Statement of Fact indicating the vehicle was purchased as an abandoned vehicle and no repairs were made by the tow operator.

If the vehicle is in salvage condition and appraised for more than \$350 the tow operator shall have a DR 2704 Certified VIN Inspection completed to determine if the vehicle is **roadworthy**. If the vehicle is determined to be roadworthy, then the buyer may apply for title by following the DR 2415 Title Established by Salvage Title Checklist. The buyer will complete the DR 2424 Salvage Title Statement of Fact stating that the vehicle was purchased from the tow operator as an abandoned vehicle and that no repairs were needed.

If the DR 2704 Certified VIN Inspection indicates that the vehicle is not roadworthy, the buyer may apply for a salvage title using the DR 2410 Application for Salvage Title or the buyer may apply for Title by repairing the vehicle and following the DR 2415 Title Established by Salvage Title Checklist. After making repairs a **new** DR 2704 Certified VIN Inspection will be required. All subsequent applications will indicate “Other – purchased as an abandoned vehicle” on the DR 2710 Rebuilt From Salvage Disclosure.

If the record search obtained from the Department indicates that the vehicle was ‘Previous Salvage’ (Rebuilt From Salvage), the tow operator shall request a salvage history by submission of a DR 2489A Motor Vehicle Requestor Release Affidavit of Intended Use, a photo copy of the DR 2704 Certified VIN Inspection and a photo copy of the DR 2008A Private Tow Vehicle Information Request to determine the cause of the salvage designation. Once the reason for salvage has been determined, the tow operator will complete a DR 2710 Rebuilt From Salvage Disclosure. If the reason for salvage is indeterminate, the tow operator will complete the DR 2710 by marking the “Other” box and stating “Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown”.

Form/Fees:

- DR 2410
- DR 2424
- DR 2444
- DR 2704
- DR 2710
- DR 2415
- DR 2008 A (copy)
- DR 2489A

Step 8. When the tow operator conducts a commercially reasonable sale and the vehicle does not sell, the tow operator may continue to collect storage fees for up to 120 days from the date of publication of the newspaper ad.

Step 9. When the purchase price of the vehicle exceed the limits set forth by the Colorado Public Utilities Commission the tow operator must submit 2 copies of the DR 2173 and balance from the proceeds should be sent to the

Colorado Department of Revenue
DMV - Vehicle Services
3265 S Wadsworth Blvd Suite 3A
Lakewood, CO 80227

within 30 days of the date of sale.

Form/Fees:

- DR 2173

Form Number	Form Name	Supplier
DR 2008A	Private Tow Vehicle Information Request	<i>DMV.Colorado.gov</i>
DR 2173	Secured* Motor Vehicle Bill of Sale *Secured forms must be purchased from supplier listed at right. The state does not provide secured forms.	CADA, CIADA, A-B-C Enterprises, CO Automobile/ Powersports Support Services and BML Dealer Supplies and Title Service
DR 2698	Verification of Vehicle Identification Number	<i>DMV.Colorado.gov</i>
DR 2410	Application for Salvage Title	<i>DMV.Colorado.gov</i>
DR 2424	Rebuilt from Salvage Disclosure	<i>DMV.Colorado.gov</i>
DR 2444	Statement of Fact	<i>DMV.Colorado.gov</i>
DR 2489A	Motor Vehicle Requestor Release Affidavit of Intended Use	<i>DMV.Colorado.gov</i>
DR 2415	Title Established by Salvage Title Checklist	<i>DMV.Colorado.gov</i>
DR 2704	Certified VIN Inspection	Certified VIN Inspector
DR 2710	Rebuilt from Salvage Disclosure	<i>DMV.Colorado.gov</i>
DR 2841	Secure and Verifiable Identification	<i>DMV.Colorado.gov</i>
DR 2395	Application for Title and/or Registration	<i>DMV.Colorado.gov</i>