



Abandoned Vehicle Handbook

Updated 8/29/2017

The handbook is made available to the public and there are hyperlinks throughout this manual that refer to other resources available, including many of the forms used in abandoned vehicle resolution. There is additional information contained on the Department of Transportation's website at <http://www.iowadot.gov/mvd/vehicleregistration/abandoned.htm>

nyone with questions that are not answered in this manual are encouraged to contact the Office of Vehicle & Motor Carrier Services at 515-237-3110 or by email at vehser@iowadot.us.

The processes described in these guidelines apply only to motor vehicles and do not apply to All Terrain Vehicles, Boats, Watercraft or Snowmobiles.

Individuals, businesses, law enforcement agencies and County Treasurers are also encouraged to seek legal counsel at their own expense for guidance in addition to the information presented in this handbook.

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SECTION A

Iowa Code 321.89 Abandoned vehicles.

The Iowa Code below has been excerpted to show only the definitions from Iowa Code 321.89. For additional information on the Iowa Code, please review its posting on the Iowa Legislature's website at:

<https://www.legis.iowa.gov/index.aspx>

DEFINITIONS:

“Abandoned vehicle” means any of the following:

- (1) A vehicle that has been left unattended on public property for more than twenty-four hours and lacks current registration plates or two or more wheels or other parts which renders the vehicle totally inoperable.
- (2) A vehicle that has remained illegally on public property for more than twenty-four hours.
- (3) A vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in control of the property for more than twenty-four hours.
- (4) A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of ten days. However, a police authority may declare the vehicle abandoned within the ten-day period by commencing the notification process in subsection 3 above.
- (5) Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.

(6) A vehicle that has been impounded pursuant to section 321J.4B by order of the court and whose owner has not paid the impoundment fees after notification by the person or agency responsible for carrying out the impoundment order.

“Demolisher” means a person licensed under chapter 321H whose business it is to convert a vehicle to junk, processed scrap, or scrap metal, or otherwise to wreck or dismantle vehicles.

“Police authority” means the state patrol, any law enforcement agency of a county or city, or any special security officer employed by the state board of regents under section 262.13.

SECTION B

Private Individuals with an Abandoned Vehicle

Private individuals are often faced with an abandoned vehicle on their private property that they do not own and choices to make on the removal, a transfer of ownership or demolition of the vehicle.

If a private individual has allowed a motor vehicle to be parked on their private property with their consent and it over time becomes an abandoned motor vehicle, the private party has four options for the resolution with the abandoned vehicle.

1. The private individual may choose within their own means and expense to make contact with the previous owner (if whereabouts are known) to obtain an assigned title from the owner directly.

If the private individual does not have the contact information to the previous owner or lien holder of the vehicle, they can choose to hire an Attorney at their own expense to obtain the information via the Driver Privacy Protection Act for any potential legal action against the previous owner of the vehicle.

<http://www.iowadot.gov/mvd/vehicleregistration/records.htm>

2. If the private individual wants the vehicle removed without concern on its outcome, they can enlist at their own expense, the service of a Garage keeper or Towing Facility (as defined in 321.90) to assist in the Abandoned Vehicle Process. The Garage Keeper or Towing facility can make notification to any last known owner, lien holder or potential claimant to reclaim the vehicle.

If the vehicle goes unclaimed and the process under Iowa Code 321.90 is followed, the Garage Keeper or Towing Facility can dispose of the vehicle either by public oral auction or take the vehicle directly to a demolisher.

3. The private individual may contact their local law enforcement agency (City Police, Sheriff's Office or Iowa State Patrol) to request assistance. Law enforcement agencies are not required to become involved in a situation where the vehicle was left on private property with the consent of the property owner and the owner of the vehicle.

Some Iowa law enforcement agencies continue within the capabilities of their staffing to assist the public with abandoned vehicle resolution. Many Iowa law enforcement agencies have adopted a policy that any abandoned vehicle they assist with will be disposed of for demolition only.

4. If a private individual wishes to obtain ownership on a vehicle left on their private property, they must follow the provisions identified in the options above.

The vehicle will be required to be offered for sale at an oral public auction by a Garage Keeper, Towing Facility or Law Enforcement Agency. The private individual will be required to bid against all others at the auction to win the vehicle with the high bid.

Possession of the vehicle on private property does not constitute ownership of the vehicle for the private individual and the provisions for abandoned vehicle resolution apply accordingly under Iowa Code 321.89 and 321.90.

On the following pages are flow charts that may be of assistance to private individuals on the disposal or acquisition of ownership to an abandoned vehicle on their private property.

Disposal from Private Property by employing a Private Entity.

A customer contacts the local towing company (Private Entity) to remove a vehicle that they do not own from their private property. The vehicle was there originally with the consent of the property owner. Law Enforcement was **NOT** involved in this matter.

The Private Entity complies with the Driver Privacy Protection Act to determine the last known owner or lien holder of record.

The vehicle does **not** have an engine or two or more wheels which renders it inoperative.

The vehicle does have an engine or does have two or more wheels.

No last known owner notification is required to be made.

Within 20 days, the Private Entity sends a written letter to the last known owner and lien holder(s) of record. The letter shall advise those parties that they have 10 days to reclaim the vehicle and personal property.

The vehicle is not reclaimed by the last known owner or lien holder.

The vehicle is claimed by the last known owner of record or a lien holder. Payment is made to the Private Entity. Vehicle is returned to claimant.

No further action is necessary.

The Private Entity may choose to hold public auction and sell the vehicle. The Private Entity may also just sell the vehicle to a demolisher directly.

The Private Entity completes **IA DOT Form 411185**, providing it to the purchaser whom won the public auction. The Abandoned Vehicle Sales Receipt Portion must be completed.

The Private Entity completes **IA DOT Form 411185** and provides it to the Demolisher. The Authority to Transfer and/or Demolish portion must be completed.

The customer takes the completed **IA DOT Form 411185** to their County Treasurer for title issuance. (Iowa Code 321.47)

The Demolisher accepts **IA DOT Form 411185** and takes it to their County Treasurer to obtain a junking certificate for the Demolisher's Proof of Ownership.

Disposal from Private Property by an owner wishing to keep the vehicle.

A customer contacts their County Treasurer and would like to own an abandoned vehicle that is on their private property. The vehicle belonged to someone else and was left on the property with the customer's consent originally.

The customer may at their own expense contact and enlist a Private entity to process the vehicle as abandoned. Law Enforcement is not required to become involved. (Iowa Code 321.89-321.90)

The Private Entity begins the notification process to any last known owners or lien holders of record after completing a Driver Privacy Act Request to the Iowa DOT for information on the vehicle's ownership.

The vehicle is not reclaimed by the last known owner or lien holder pursuant to procedure.

If the vehicle is reclaimed, any negotiation for potential purchase of the vehicle is between the customer and the owner or lien holder of the vehicle. The seller then provides a title or duplicate title to the buyer accordingly.

(Iowa Code 321.46)

The Private Entity chooses to hold public auction, selling the vehicle to the highest bidder. This gives the customer whom hired the Private Entity an opportunity to bid and possibly win the vehicle. A mere possession on their private property did not create their ownership.

The Private Entity holds a public auction (a conventional oral auction open to the public where bidders register and bid against each other) and the high bidder wins if the high bid represents fair market value of the property (Public Auction is defined in Iowa Admin. Rules 761-480.1)

The Private Entity completes IA DOT Form 411185, providing it to the winning bidder of the public auction. The Abandoned Vehicle Sales Receipt Portion must be completed.

The winning bidder takes the completed IA DOT Form 411185 to their County Treasurer for title issuance. (Iowa Code 321.47)



Iowa Department of Transportation

[Print Form](#)

Certificate of Disposal of an Abandoned Vehicle by a Private Entity when Employed by a Private Property Owner

Web Address: <http://www.iowadot.gov/mvd>
E-mail: vehser@dot.iowa.gov

A Private Entity is an operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of motor vehicles.

The Abandoned Vehicle Sales Receipt shall be completed by the private entity that was employed by a private property owner and provided to the purchaser when the abandoned vehicle is sold at public auction.

The Authority to Transfer and/or Demolish a Vehicle area shall be completed by the private entity that was employed by a private property owner and provided to the demolisher when the vehicle is disposed of for junk without auction.

ABANDONED VEHICLE SALES RECEIPT

I certify the vehicle described below has been sold as provided by law to the following named purchaser:

Name of Purchaser

Street

City

County

State

The vehicle described below:

- Has been sold to a demolisher for junk. The purchaser must surrender this form to their county treasurer within 30 days and apply for a junking certificate.
- Has been sold for use upon the highways. The purchaser must surrender this form to their county treasurer within 30 days and apply for a certificate of title.

DESCRIPTION OF VEHICLE:

Make: _____ Style: _____ Model: _____

Year: _____ VIN (Serial No): _____

Purchase Price: \$ _____ Date of Sale: _____

Private Entity

Signature and Title of Private Entity

AUTHORITY TO TRANSFER AND/OR DEMOLISH A VEHICLE

To: _____
Name of Demolisher or Applicant

Address of Demolisher or Applicant

- You are hereby given authority to demolish the vehicle described below:
- You are hereby given authority to dispose of the vehicle described below to a demolisher for demolition or dismantling:

This form must be surrendered to your county treasurer within 30 days and application for a Junking Certificate made.

DESCRIPTION OF VEHICLE:

Make: _____ Style: _____ Model: _____

Year: _____ VIN (Serial No): _____

Date of Disposal: _____

Private Entity

Signature and Title of Private Entity

SECTION C

Owners of inoperable vehicles seeking demolition

This section applies in situations where a private individual owns a vehicle that is no longer operable and the vehicle has no lien or security interest. This section only applies if the private individual is the last known owner of record for the vehicle by Iowa title but the vehicle lacks a current registration and the title has been lost, faulty or stolen.

Most owners choose to pay the fee for a duplicate title rather than proceed with this option if they have lost their title. The owner can apply to their County Treasurer's Office and receive a current title in their name after paying the fee for a duplicate title and making application.

County Treasurers' Offices in Iowa have the ability through the Iowa DOT A.R.T.S. system to re-create Iowa duplicate titles going back several decades from existing records.

Having an Iowa title that they can assign to a new buyer affords the owner an opportunity to sell the vehicle at a later date. Owners often choose to sell the vehicle when the scrap vehicle market prices increase or via other venues such as the internet or a private sale.

The private individual owner may seek demolition of the vehicle instead of purchasing a duplicate title but will need the assistance of law enforcement to complete the process.

On the following pages are a flow chart to assist with the process and the necessary [Iowa DOT Form 411104](#).

The flow chart mentions **Iowa DOT Form 411163** as well. This form is only available to law enforcement and can only be completed by law enforcement officers of the Iowa State Patrol, the Sheriff's Office or a Police Department.

Disposal from Private Property with Law Enforcement Assistance.

A customer contacts their County Treasurer's Office to dispose of a vehicle that was left on their private property with their consent and they do not have a title or junking certificate for. Law Enforcement chooses to become involved.

Customer completes Iowa DOT Form 411104 and takes it to law enforcement to review.

The vehicle does not have an engine or two or more wheels which renders it inoperative.

The vehicle does have an engine or does have two or more wheels.

No last known owner notification is required to be made. Law enforcement does a stolen vehicle check and if not stolen, completes IA DOT Form 411163 (on the backside of the form completely) and provides it to the customer.

Law Enforcement ensures vehicle is not stolen. Law enforcement then sends a written notification to the last known owner of record and also to any last known lien holder(s) if applicable. The letter shall advise those parties that they have 10 days to reclaim the vehicle and/or personal property.

The vehicle is not reclaimed by the last known owner or lien holder.

The vehicle is claimed and picked up by the last known owner of record or a lien

Law enforcement completes IA DOT Form 411163 (on the backside of the form) and provides it to the customer.

No further action is necessary by the County Treasurer or Law Enforcement.

Customer takes the completed Form 411163 to the County Treasurer's Office (in their county of residence) and can receive a junking certificate.

The customer provides the assigned junking certificate to the Vehicle Recycler or Demolisher. The Vehicle Recycler/Demolisher accepts it and it becomes their proof of ownership.

SECTION D

Garage Keepers and Towing Companies

Iowa Code 321.90

The Iowa Code below has been excerpted to show only the definitions from Iowa Code 321.90. For additional information on the Iowa Code section of 321.90, please review its full posting on the Iowa Legislature's website at: <https://www.legis.iowa.gov/index.aspx>

A “**garage keeper**” as defined for the purposes of this section, means any operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of motor vehicles.

Garage keepers and Towing Companies normally will have an invoice or estimate that they can produce with information for the customer that they had provided a service for.

Garage keepers and Towing Companies when addressing the resolution of abandoned vehicles may apply to the Iowa Department of Transportation to receive the last known owner or lien holder information of record.

This information can assist the Garage Keeper to make contact with the last known owner, any potential claimants and any lien holder to ensure compliance with notification as required in Iowa Code.

Often times, the information a customer provides more recently to the Garage Keeper or Towing Company at the time of a service may not be the same as information that the department has on file. This could be due to the fact that the customer had failed to update the department of any changes to their address.

It is recommended that a Garage keeper or Towing Company make notification to the last known owner, lien holder or potential claimants to both the last address of record on file with the department and to any additional address that the Garage keeper, Private Entity or Towing Company may have in their own records to ensure notification is made for reclamation of the abandoned vehicle.

Electronic access to the information from the Iowa Department of Transportation the address to the last known owner of record or lien holder of record is available to Garage Keepers and Towing Companies.

This information is available after the completion of the Driver Privacy Protection Act application. The application is available at:

<https://forms.iowadot.gov/FormsMgt/External/431069.pdf>

After receiving approval from the Department, a garage keeper may receive a limited use Internet access to the ARTS program. A.R.T.S. is the **A**utomated **R**egistration and **T**itle **S**ystem and is maintained by the Iowa Department of Transportation.

All queries made are tracked by the Department to ensure compliance with DPPA legislation. A violation of or non-compliance with the Driver Privacy Protection Act will result in termination of privileges to access A.R.T.S. in addition to the normal criminal and civil sanctions that may apply.



Iowa Department of Transportation

Office of Driver Services and Vehicle Services
Motor Vehicle Division

New
 Renewal

PRIVACY ACT AGREEMENT FOR REQUEST OF MOTOR VEHICLE RECORDS

<p>INSTRUCTIONS:</p> <ul style="list-style-type: none"> • This Privacy Act Agreement for Request of Motor Vehicle Records must be completed and approved before a Requestor can obtain personal information or highly restricted personal information from the Iowa Department of Transportation. Only Requestors who meet the criteria outlined in Part C are eligible to obtain such information from the Iowa Department of Transportation. This Agreement must be completed with all required attachments before the Iowa Department of Transportation will consider a request for motor vehicle records. • Requestor must attach a legible photocopy of his or her driver's license or non-driver identification card. • Requestor must print his or her full name on each page of this Agreement. • An Iowa Department of Transportation employee will contact Requestor to advise Requestor whether the request is approved or denied. 	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">OFFICIAL USE ONLY:</th> </tr> <tr> <td style="width:30%;">Date Received:</td> <td style="text-align: center;">/ /</td> </tr> <tr> <td>Authorized Access For:</td> <td> Required: <input type="checkbox"/> Allowed: <input type="checkbox"/> Personal Information: <input type="checkbox"/> Highly Restricted Personal Information: <input type="checkbox"/> </td> </tr> <tr> <td>Authorized By:</td> <td> DOT employee: _____ User ID given: _____ Password given: _____ VTN record given: <input type="checkbox"/> VTNP record given: <input type="checkbox"/> Record access given: <input type="checkbox"/> Photo File access given: <input type="checkbox"/> Requested Access denied: <input type="checkbox"/> Date access given/denied: / / Legal Reviewer: _____ Date of review by Legal: / / </td> </tr> </table>	OFFICIAL USE ONLY:		Date Received:	/ /	Authorized Access For:	Required: <input type="checkbox"/> Allowed: <input type="checkbox"/> Personal Information: <input type="checkbox"/> Highly Restricted Personal Information: <input type="checkbox"/>	Authorized By:	DOT employee: _____ User ID given: _____ Password given: _____ VTN record given: <input type="checkbox"/> VTNP record given: <input type="checkbox"/> Record access given: <input type="checkbox"/> Photo File access given: <input type="checkbox"/> Requested Access denied: <input type="checkbox"/> Date access given/denied: / / Legal Reviewer: _____ Date of review by Legal: / /
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<p>PART A. REQUESTOR INFORMATION <i>(This Section Must Be Completed. Each blank space in this Part must be completed. If you do not provide information for a space, you must write "N/A" for "not applicable.")</i></p>									
<p>Please Check One Box:</p> <p><input type="checkbox"/> I am requesting a copy of my own record.</p> <p><input type="checkbox"/> I am requesting a copy of the record of another person, and I have attached their written consent.</p> <p><input type="checkbox"/> Other – for all other record requests, you must initial at least one permissible use in Part C of this Agreement, and you must check at least one of the following boxes: <input type="checkbox"/> I am making a one-time request, and I will use the record one time and for one purpose.</p> <p style="padding-left: 20px;"><input type="checkbox"/> I am requesting on-line record access. (Skip Part B of this form if you are requesting record access).</p> <p style="padding-left: 20px;"><input type="checkbox"/> I am requesting Photo File access. (Skip Part B of this form if you are requesting Photo File access).</p>									
Name of Requestor (Last)	(First)	(Middle Initial)							
Address		Driver's License or Non-Driver ID Number							
City	State	Zip Code							
Email Address	Telephone Number () - -	Fax Number () - -							
Requestor is an Authorized Representative of (List Name of Person or Entity):		D- List dealer number if dealership							
Person/Entity Address	City	State Zip Code							
<p>PART B. INFORMATION REQUESTED <i>(Provide As Much Information As Possible If This Is A One-Time Request)</i></p>									
Name (Last)	(First)	(Middle Initial)							
Address	City	State Zip Code							
Driver's License or Non-Driver ID Number	Date of Birth / /	Social Security Number - - Sex <input type="checkbox"/> M <input type="checkbox"/> F							
Year and Make of Vehicle	Vehicle Title Number								
License Plate Number	Vehicle Identification Number (VIN)								

Print Requestor's Full Name:

PART C. USE

The Driver's Privacy Protection Act of 1994 (DPPA), 18 U.S.C. §§ 2721-2725, and Iowa Code section 321.11 regulate access to motor vehicle records. You **must** tell us why you want the records you are requesting. Sign your **initials** next to each use under which you claim access. The Iowa Department of Transportation reserves the right to request such additional information as may be necessary to determine whether you qualify for access.

1. _____	<p>The Requestor is an employee of a federal, state, or local government agency, or a private person acting on behalf of a federal, state, or local government agency, and the records will be used to carry out the official functions of such federal, state, or local government agency. <i>(Please attach proof of Requestor's authority to act on behalf of a government agency).</i></p> <table border="1"><tr><td>Name of agency:</td><td>Name of agency's DPPA contact:</td></tr><tr><td>Telephone number of DPPA contact: () - -</td><td>Email address of DPPA contact:</td></tr></table>	Name of agency:	Name of agency's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:											
Name of agency:	Name of agency's DPPA contact:															
Telephone number of DPPA contact: () - -	Email address of DPPA contact:															
2. _____	<p>The records will be used in connection with a civil, criminal, administrative, or arbitral proceeding in federal, state, or local court or agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court. <i>(Please attach proof of the Requestor's status (e.g., a photocopy of an attorney's certificate of admission to bar) and court order, if applicable).</i></p> <table border="1"><tr><td colspan="3">Requestor is (check one): <input type="checkbox"/> attorney <input type="checkbox"/> represented litigant <input type="checkbox"/> pro se litigant <input type="checkbox"/> other (attach explanation)</td></tr><tr><td>If currently involved in a proceeding:</td><td>If anticipating litigation or proceedings:</td><td>If pursuant to a court order:</td></tr><tr><td>Name of court, agency, or self-regulatory body:</td><td>Name of involved parties:</td><td>Name of court:</td></tr><tr><td>Name of case or matter:</td><td>Expected forum:</td><td>Name of case or matter:</td></tr><tr><td>Case/matter number:</td><td>Date of occurrence:</td><td>Case number:</td></tr></table>	Requestor is (check one): <input type="checkbox"/> attorney <input type="checkbox"/> represented litigant <input type="checkbox"/> pro se litigant <input type="checkbox"/> other (attach explanation)			If currently involved in a proceeding:	If anticipating litigation or proceedings:	If pursuant to a court order:	Name of court, agency, or self-regulatory body:	Name of involved parties:	Name of court:	Name of case or matter:	Expected forum:	Name of case or matter:	Case/matter number:	Date of occurrence:	Case number:
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Name of case or matter:	Expected forum:	Name of case or matter:														
Case/matter number:	Date of occurrence:	Case number:														
3. _____	<p>The Requestor is an agent, employee, or contractor of an insurer or insurance support organization, and the record will be used in connection with claims investigation activities, antifraud activities, rating, or underwriting. <i>(Please attach proof of the Requestor's status).</i></p> <table border="1"><tr><td>Name of insurer or insurance support organization:</td><td>Name of insurer or insurance support organization's DPPA contact:</td></tr><tr><td>Telephone number of DPPA contact: () - -</td><td>Email address of DPPA contact:</td></tr></table>	Name of insurer or insurance support organization:	Name of insurer or insurance support organization's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:											
Name of insurer or insurance support organization:	Name of insurer or insurance support organization's DPPA contact:															
Telephone number of DPPA contact: () - -	Email address of DPPA contact:															
4. _____	<p>The Requestor is an employer or its agent or insurer and the records will be used to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. Chapter 313. <i>(Please attach proof of the Requestor's status).</i></p> <table border="1"><tr><td>Name of employer:</td><td>Name of employer's DPPA contact:</td></tr><tr><td>Telephone number of DPPA contact: () - -</td><td>Email address of DPPA contact:</td></tr></table>	Name of employer:	Name of employer's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:											
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Telephone number of DPPA contact: () - -	Email address of DPPA contact:															
5. _____	<p>The records will be used in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers. <i>(A written explanation detailing the reasons you contend that you qualify for access under this category must be attached to this Agreement).</i></p>															
6. _____	<p>The records will be used in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of Title I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C. § 1231, et seq.), the Clean Air Act (42 U.S.C. § 7401, et seq.), and Title 49 chapters 301, 305, and 321-331. <i>(A written explanation detailing the reasons you contend that you qualify for access under this category must be attached to this Agreement).</i></p>															
7. _____	<p>The records will be used to provide notice to owners (including lienholders) of towed or impounded vehicles.</p> <table border="1"><tr><td>Name of towing company:</td><td>Iowa license number:</td></tr><tr><td>Name of company's DPPA contact:</td><td>Telephone number of DPPA contact: () - -</td><td>Email address of DPPA contact:</td></tr></table>	Name of towing company:	Iowa license number:	Name of company's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:										
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Name of company's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:														

Print Requestor's Full Name:

PART C (continued)

8. _____	The records will be used in the normal course of business by a legitimate business or its agents, employees, or contractors but only (i) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees or contractors, and (ii) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purpose of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.		
	Name of Business:	Name of business's DPPA contact:	Business tax ID number:
	Telephone number of DPPA contact: () - -	Email address of DPPA contact:	
9. _____	The records will be used in research activities and for use in producing statistical reports, but the personal information in the records will not be published, re-disclosed, or used to contact the individual. <i>(A written explanation detailing the reasons you contend that you qualify for access under this category must be attached to this Agreement).</i>		
10. _____	The Requestor is a licensed private investigative agency or licensed security service, and the Requestor will use the record for a permitted purpose. <i>(Photocopy of Iowa Private Investigator's License must be attached. Also, if you claim access under this paragraph, you must initial another paragraph indicating the permitted use, and you must provide any applicable attachments required therein).</i>		
	Name of private investigative agency or licensed security service:	Iowa license number:	
	Name of agency or service's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:
11. _____	The records will be used in connection with the operation of a private toll transportation facility.		
	Name of private toll transportation facility:	Licensing entity and number:	
	Name of facility's DPPA contact:	Telephone number of DPPA contact: () - -	Email address of DPPA contact:

Penalty: Title 18, United States Code, section 2723 provides that anyone who knowingly obtains, discloses, or uses personal information from a motor vehicle record for a purpose not permitted under 18 U.S.C. § 2721, shall be liable to the individual to whom the personal information pertains, including an award of the greater of actual damages or liquidated damages of \$2,500.00 for each violation, punitive damages upon proof of willful or reckless disregard of the law, reasonable attorneys' fees and other litigation costs, and such other equitable relief as the court may order. Anyone requesting the disclosure of personal information who misrepresents his or her identity or makes a false statement in connection with any request for personal information with the intent to obtain personal information in a manner not authorized by law shall be subject to criminal prosecution.

Print Requestor's Full Name:

PART D. CERTIFICATION (This Section Must Be Completed)

By **signing** this Privacy Act Agreement Request for Motor Vehicle Records and **initialing** each item below, I, the Requestor, certify that:

_____ 1. I am familiar with all provisions of the federal Driver Privacy Protection Act of 1994, 18 U.S.C. §§ 2721-2725, and Iowa Code section 321.11, which limit access to personal information and highly restricted personal information from the Iowa Department of Transportation's motor vehicle records.

_____ 2. I understand that "personal information" means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address, telephone number, and medical or disability information. I further understand that "highly restricted personal information" means an individual's photograph or image, social security number, and medical or disability information.

_____ 3. I will abide by the terms of federal and state law, including, but not limited to, those laws restricting access to personal information and highly restricted personal information from the Iowa Department of Transportation's motor vehicle records only to those persons and for those purposes which are permitted under both laws, and for no other purpose.

_____ 4. I understand that I am prohibited from re-disclosing the information I obtain from the Iowa Department of Transportation pursuant to this Agreement, except in accordance with applicable law.

_____ 5. I will keep a record for five (5) years of the following: (1) all persons to whom I re-disclose or re-sell information obtained under this Agreement, and (2) the purpose for which the information is to be used. I agree to make such records available to the Iowa Department of Transportation upon request.

_____ 6. I shall be liable for, and shall indemnify, defend, and hold harmless the Iowa Department of Transportation, its agents, officers, and employees for, any misuse or misappropriation of any personal information in a record obtained from the Iowa Department of Transportation in connection with this Agreement, including misuse or misappropriation by any of my employees, servants, agents, or contractors.

_____ 7. I shall further indemnify, defend, and hold harmless the Iowa Department of Transportation, its agents, officers, and employees, for and against any and all losses, damages, judgments, liabilities, or similar costs and expenses which arise in whole or part out of my acts or omissions with respect to laws restricting access to and disclosure of motor vehicle records including, without limitation, reasonable attorneys' fees and all other costs of defending against such action or claim.

_____ 8. I have attached a legible photocopy of my driver's license or non-driver identification card.

_____ 9a. In executing this Agreement, I am acting on my own behalf, and not as an employee, agent, officer, conservator, attorney-in-fact, or other representative or official capacity for another person or entity. (If you initial this paragraph, skip paragraph 9b. If you do not initial this paragraph, please continue to paragraph 9b.)

_____ 9b. In executing this Agreement, I am acting as an employee, agent, officer, conservator, attorney-in-fact, or other representative or official capacity for another person or entity. I have proper authority to execute this Agreement on behalf of such person or entity, and to bind such person or entity to the requirements of this Agreement, including, but not limited to, the requirements of paragraphs 3, 4, 5, 6, and 7 of this Part D. My execution of this agreement is my free and voluntary act and the free and voluntary act of such person or entity, and so binds such person or entity. (If you do not have proper authority to execute this Agreement on behalf of such person or entity, do not initial this paragraph and do not execute this Agreement. The Agreement should be executed on behalf of another person or entity only by a person with proper authority to do so. If you initialed this paragraph, you must provide your title or representative/official capacity on the line below.)

Title or representative/official capacity: _____

_____ 10. I understand that, if the Iowa Department of Transportation grants me access to Motor Vehicle Records by way of this Agreement, and then, at any time thereafter, finds that I have misused or misappropriated such records, the Iowa Department of Transportation may, with or without notice to me, terminate my access to such records.

The Iowa Department of Transportation reserves the right to request additional information to determine proper authority to execute and enter into this Agreement.

I certify under the penalty of perjury and pursuant to the laws of the State of Iowa that all information completed and contained in Parts A, B, C, D, and any attachments hereto, is true and correct.

I so certify this _____ day of

Requestor's Signature

_____, 20__.

Please Print Requestor's Full Name

This Privacy Act Agreement For Request of Motor Vehicle Records replaces all previous Privacy Act Agreements on file with the Iowa Department of Transportation.

As a Garage keeper or Towing Company (as provided by the definitions in Iowa Code 321.89 and 321.90) to dispose of motor vehicles designated to be abandoned, a service can be provided for the public.

Members of the public whom have an abandoned vehicle on their property and wish to dispose of the vehicle may enlist your services for the disposal.

Often times, your business may be hired by a private individual and they indicate an interest in future ownership of the vehicle that has been on their property but they do not own it themselves.

A mere possession of the vehicle on their private property does not constitute ownership of the vehicle for the individual and the provisions for abandoned vehicle resolution apply accordingly under Iowa Code 321.89 and 321.90.

In order for the individual to take ownership, they will first be required to bid against all others at the oral, public auction and win the vehicle with the high winning bid. On the following page, there is a flow chart that provides guidelines on the options available for the disposal of an abandoned vehicle.

Section F of these guidelines contains an excerpt of the Iowa Administrative Rule (761-480) on oral, public auctions.

Pursuant to the Iowa Administrative Rule 761-480, a Garage Keeper or Towing Facility holding a public auction for the disposal of motor vehicles must keep a bidder registry for the auction.

Disposal from Private Property by employing a Private Entity.

A customer contacts the local towing company (Private Entity) to remove a vehicle that they do not own from their private property. The vehicle was there originally with the consent of the property owner. Law Enforcement was **NOT** involved in this matter.

The Private Entity complies with the Driver Privacy Protection Act to determine the last known owner or lien holder of record.

The vehicle does **not** have an engine or two or more wheels which renders it inoperative.

The vehicle does have an engine or does have two or more wheels.

No last known owner notification is required to be made.

Within 20 days, the Private Entity sends a written letter to the last known owner and lien holder(s) of record. The letter shall advise those parties that they have 10 days to reclaim the vehicle and personal property.

The vehicle is not reclaimed by the last known owner or lien holder.

The vehicle is claimed by the last known owner of record or a lien holder. Payment is made to the Private Entity. Vehicle is returned to claimant.

No further action is necessary.

The Private Entity may choose to hold public auction and sell the vehicle. The Private Entity may also just sell the vehicle to a demolisher directly.

The Private Entity completes **IA DOT Form 411185**, providing it to the purchaser whom won the public auction. The Abandoned Vehicle Sales Receipt Portion must be completed.

The Private Entity completes **IA DOT Form 411185** and provides it to the Demolisher. The Authority to Transfer and/or Demolish portion must be completed.

The customer takes the completed **IA DOT Form 411185** to their County Treasurer for title issuance. (Iowa Code 321.47)

The Demolisher accepts **IA DOT Form 411185** and takes it to their County Treasurer to obtain a junking certificate for the Demolisher's Proof of Ownership.

SECTION E

Motor Vehicle Storage Facilities

Iowa Code 321.90

The Iowa Code below has been excerpted to show only the definitions from Iowa Code 321.90. For additional information on the Iowa Code section of 321.90, please review its full posting on the Iowa Legislature's website at: <https://www.legis.iowa.gov/index.aspx>

A “**garage keeper**” as defined for the purposes of this section, means any operator of a parking place or establishment, **motor vehicle storage facility**, or establishment for the servicing, repair, or maintenance of motor vehicles.

Motor Vehicle Storage Facilities normally will have a rental contract or written terms of agreement that they can produce with information for the customer that they had provided a service for.

A rental contract may have been secured by someone else for the storage space and may not be the same as the last known owner of record to the motor vehicle.

Motor Vehicle Storage Facilities when addressing the resolution of abandoned vehicles may apply to the Iowa Department of Transportation to receive the last known owner or lien holder information of record since they qualify as a Garage keeper under the definition as shown above (from Iowa Code 321.90.)

The same provisions apply for a Motor Vehicle Storage Facility that is listed in Section D of these Guidelines on receiving the information.

A Motor Vehicle Storage Facility may invoke a Motor Vehicle Storage Keeper's lien on a vehicle as applicable and pursuant to Iowa Code.

[Iowa Code 321.90](#)

SECTION F

Oral Public Auctions of Abandoned Vehicles

Below is an excerpt from Iowa Administrative Rule

761—480.1(321) Definitions

The definitions in Iowa Code section 321.1 and subsection 321.89(1) apply to this chapter.

In addition:

"Abandoned vehicle," when used in Iowa Code section 321.89 and this chapter of rules, means only those vehicles subject to registration as referred to in Iowa Code section 321.18.

"Public auction," when used in Iowa Code section 321.89, means a conventional oral auction setting open to the general public where bidders register and bring the required bid deposit with them to the auction on the day and at the location and time specified for the sale.

Bidders bid against each other until bidding stops. The high bidder is awarded the property provided the bid represents the fair market value of the property.

Section G

Personal Property in Abandoned Vehicles

Under Iowa Code 321.89(3)(a), personal property is mentioned with relation to abandoned motor vehicles. If the vehicle contains personal property, the Private Entity (Garage keeper, Motor Vehicle Storage Facility, Towing Company) or a Police Authority will make notification via certified mail to the last known registered owner, lien holder or potential claimant within 20 days to claim such property.

The notice shall describe the year, make, model, and vehicle identification number of the vehicle, describe the personal property found in the vehicle and identify the location of the facility where the vehicle is being held.

Notification will inform the persons of their right to reclaim the vehicle and personal property within 10 days after the effective date of the notice. The person can claim the property and/or vehicle upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of notice required by Iowa Code.

The notice shall also state that the failure to exercise the right to reclaim the vehicle or personal property within the time provided shall be deemed a waiver by the owner, lien holders, and claimants of all right, title, claim, and interest in the vehicle or personal property.

This failure to reclaim the vehicle or personal property in the abandoned vehicle is deemed consent to sell the vehicle at a public auction or dispose of the vehicle to a demolisher and to the disposal of personal property in it by sale or destruction.

Section H

Pertinent Information for Demolishers and Vehicle Recyclers on

Abandoned Vehicles

In order for a licensed vehicle recycler, demolisher or scrapper to accept, purchase and/or receive a vehicle, proof of ownership must be supplied by the person, the private entity or garage keeper presenting the vehicle.

Normally, this would be the owner of the vehicle presenting either a title or junking certificate assignment. However, in the case of an abandoned vehicle, upon compliance to the procedure and providing the proper Iowa DOT Form will be sufficient for the exchange.

The completed and appropriate DOT form will become the proof of ownership for a licensed vehicle recycler, demolisher or vehicle scrapper and within 30 days, the demolisher, scrapper or licensed vehicle recycler will take the document to their County Treasurer for issuance of a junking certificate.

If it is law enforcement choosing the determination of demolition to a vehicle, a properly assigned Form 411163 shall be completed. This shall be then supplied to a Vehicle Recycler, Scrapper or Vehicle Demolisher.

If it is a Private Entity (Garage keeper, Motor Vehicle Storage Facility or a Motor Vehicle Towing Facility) choosing the determination of demolition to a vehicle, a properly assigned Form 411185 shall be completed. This will then be supplied to a Vehicle Recycler, Scrapper or Vehicle Demolisher.

Section I

Abandoned Vehicles from Out of State

With Iowa bordering several states, it is quite possible that an abandoned vehicle may not have an Iowa title and registration previously. The vehicle may have an expired registration from outside of Iowa and the title may be held by a lien holder with a security interest in the vehicle elsewhere.

The private entity (Garage keeper, Motor Vehicle Storage Facility, Towing Company, etc.) may not have access to this information and the Iowa Department of Transportation can only account for motor vehicle records within Iowa.

If a vehicle is suspected to have been last registered and/or titled from outside of Iowa, the host state's regulatory body for motor vehicle records should be contacted. Many states have an internet website where records can be obtained for this purpose after an application and payment of a fee.

Iowa law enforcement agencies such as the County Sheriff or the Police Department may be enlisted to assist in situations involving a vehicle originating outside of Iowa. A flow chart is available to law enforcement agencies directly from the Bureau of Investigation & Identity Protection upon request to provide guidance in this type of situation.

Section J

Vehicles missing a VIN (Vehicle Identification Number)

Due to the duration of time a vehicle has been abandoned and its deterioration, as a result of a criminal act to conceal the identity of a vehicle or due to the results of an accident, it is quite possible that an abandoned vehicle may not have a legible Vehicle Identification number.

The vehicle is identified by this distinguishing number assigned by the manufacturer (known as the VIN) and motor vehicle titles and registrations are issued with such number to establish ownership. If an abandoned vehicle is discovered to be missing its vehicle identification number, a Private Entity (Garage keeper, Motor Vehicle Storage Facility or Towing Facility) should notify their local law enforcement agency immediately.

Law Enforcement agencies throughout Iowa have been trained to identify vehicles and if the agency needs further assistance to determine the identity of the vehicle and its origin, they are encouraged to contact 1-866-908-4636. This is the Bureau of Investigation & Identity Protection's Toll Free line and is available Monday Through Friday from 08:30 AM to 3:30 PM (excluding State Holidays.)

A flow chart is available for law enforcement agencies **only upon request** to 1-866-908-4636 which can provide guidance when an abandoned vehicle is determined to be lacking its VIN and is going to be demolished or sold for public roadway usage.

Section K

The Artisan Lien Process

Although it is often associated with the Abandoned Vehicle Process because of a vehicle not being claimed, the Artisan Lien Process and the Abandoned Vehicle Process are not the same in Iowa.

The Artisan Lien (Garage keeper's lien or motor vehicle storage facility lien) may be invoked if a vehicle has not been paid for services rendered. Normal notification procedures to any last known owner of record, lien holder of record or potential claimant must be complied with as indicated in Iowa Code 321.90.

Upon a failure to claim the vehicle and pay the outstanding debt by any known owner, lien holder or potential claimant, the Iowa Artisan lien process may be completed by the Garage Keeper or Motor Vehicle Storage Facility pursuant to 321.47 of the Iowa Code.

An Affidavit of Artisan Lien must be supplied by the Garage keeper or Motor Vehicle Storage Facility along with proof of notifications as required in the Iowa Code. Upon receipt of the information as provided in 321.47, the County Treasurer can issue a title to the Garage keeper's or Motor Vehicle Storage Facilities business.

However, if it is determined that there are any existing lien or security interest records noted, the Artisan Lien will now become secondary to any other existing lien in Department records.

The Garage keeper or Motor Vehicle Storage Facility applying for the Artisan Lien will be responsible to secure a lien release with the proper documentation from any other lien holders before the vehicle can be disposed of. This would also apply upon the discovery of any information indicating that an out of state lien holder or security interest exists.

It is the responsibility of the Artisan Lien applicant to contact and obtain the lien release from any other lien or security interest holder.

The County Treasurer's Office and the Iowa Department of Transportation cannot provide or obtain this information on the behalf of an Artisan Lien applicant. Applicants are advised to make contact with the Department of Transportation or Department of Motor Vehicle Records for the appropriate State to obtain the information.

Many States will require the completion of an appropriate Driver Privacy Protection Act application for their state as well as the possibility of fees to gather records being associated with any such request.

On the next two pages are a flow chart for guidance on the Artisan Lien Process and a Sample Artisan Lien Affidavit.

Disposal or Acquisition by a Garage Keeper / Vehicle Storage Facility

A Garage Keeper (as defined in IAC 321.90) wants to dispose of a vehicle that has been left at their premises and deemed abandoned. (Law Enforcement involvement is not required.)

The Garage Keeper can act as their own Private Entity to begin the notification process to any last known owners or lien holders of record. (Iowa Code 321.90)

The vehicle does **not** have an engine or two or more wheels which renders it inoperative.

The vehicle does have an engine or does have two or more wheels. The Garage Keeper will comply with the Driver Privacy Protection Act Requirements to obtain owner information.

No last known owner notification is required to be made.

Within 20 days of deeming the vehicle abandoned, the Garage Keeper sends a written letter to the last known owner and lien holder(s) of record. The letter shall advise those parties that they have 10 days to reclaim the vehicle and personal property.

The vehicle is not reclaimed by the last known owner or lien holder.

If the vehicle is claimed by the last known owner /lien holder they then can make payment to the Garage keeper to resolve the bill. No further action is required.

The Garage Keeper may choose one of these three options below:

1. The Garage Keeper holds a public auction to sell the vehicle (as defined in Iowa Admin. Rule 761-480.1) and completes **IA DOT Form 411185** and provides it to winner of the public auction to take to their County Treasurer for title issuance.

2. The Garage Keeper chooses to dispose of the vehicle to a demolisher. They complete **Form 411185** and provide it to the demolisher. The Demolisher accepts **IA DOT Form 411185** and takes it to their County Treasurer to obtain a junking certificate for the Demolisher's Proof of Ownership.

3. The Garage Keeper applies for a title via a Garage Keeper's lien (Artisan Lien.) The Garage Keeper completes **IA DOT Form 411185** and provides it to the County Treasurer. The Garage Keeper then takes ownership of the vehicle. (Iowa Code 321.47 and Administrative Rule 761.)

Section L

Odometer Statements involving late model vehicles

If an Artisan Lien in Iowa is applied for by a Garage keeper or Motor Vehicle Storage Facility and the vehicle is required to have an odometer statement (under Iowa Code 321.71,) the previous owner may not be able to be located.

If that owner cannot be located, then it will be the responsibility of the Garage keeper or Motor Vehicle Storage Facility to ensure compliance with odometer certification.

Iowa DOT [Form 411099](#) is to be used with any abandoned vehicle if the mileage is required to be reported and odometer certification made. Form 411099 is in Section M of the handbook with the other sample forms.

If the vehicle is sold by a public auction (either by a law enforcement agency or via a Private Entity) the odometer certification will be made by the customer purchasing the vehicle as required in Iowa Code 321.71 and so designated on the applicable forms available at the County Treasurer's Office.

Section M

All-Terrain Vehicles, Watercraft, Boats, Vessels and Snowmobiles

For the above types of alternate transportation that are not regulated by the Iowa Department of Transportation and questions related to them, please contact your County Recorder's Office or the Iowa Department of Natural Resources for assistance.

[Iowa DNR Website](#)

[Polk County Recorder's Website](#)

Section N

Forms for Iowa Law Enforcement Agencies:

Iowa DOT **Form 411163** and **Form 411190** which are only available for law enforcement agency use can be requested from the Department of Transportation.

Law Enforcement Agencies should contact the Iowa Department of Transportation's Office of Vehicle and Motor Carrier Services at 1-515-237-3110 to request the **Form 411163** or **Form 411190** to be sent to their agency.