Oregon Law Center
WORKING TOGETHER TO ACHIEVE JUSTICE FOR LOW INCOME OREGONIANS

GETTING A VEHICLE OUT OF IMPOUNDMENT AFTER ICE ARREST

STEP 1: LOCATE THE VEHICLE

- **If you have tower info:** If someone witnesses the tow, they can ask the tower for their business name or photograph/write down the name on the decal from the side of the truck. Then, you can search online to find where that towing yard is located.
- **If you have the vehicle's last location**, you may be able to figure out who towed it:
    - Public property (e.g. public street or park): The local government likely requested the tow. Some governments will store vehicles on government property, others will contract with private companies. We recommend calling the government. If the tow occurred inside a city, try the police, parking enforcement (if it exists), or the municipal court. If outside city limits, try the county sheriff.
    - Private property (e.g., a business parking lot): Call the property owner to see whether they requested the tow and which towing company they called.
- **If the vehicle was registered:** The tower must mail a notice to the last registered owner saying where to reclaim the vehicle. This can take days or even weeks, and the notice may go to the wrong address if the current owner never registered the vehicle or if the DMV has outdated contact information.
- **If you have no information:** Try calling the local government to see if they towed the vehicle. Try the police, parking enforcement (if it exists), or the municipal court. If outside city limits, try the county sheriff. In smaller communities with fewer towing companies, you can also try calling towers directly to see if they have the vehicle.

STEP 2: RECLAIM VEHICLE ASAP

You want to get the vehicle out of impoundment right away. Most towing companies charge a daily rate for storage, so the longer the vehicle sits, the more it costs to reclaim it. The towing company can sell or destroy the vehicle after 30 days (15 for vehicles worth less than $1,000).

> Try to reclaim the vehicle *even if* you do not have the money or paperwork. A towing companies might work with you.

WHAT YOU NEED TO RECLAIM VEHICLE

1. **Payment of towing and storage fees.**
   If you cannot afford the fees, try to negotiate a price or payment plan. If the vehicle was towed from public property, you can request an impoundment hearing to contest the costs. The tower must provide the costs in writing to the vehicle owner or operator.

2. **Proof of ownership or right to possession.**
   If the vehicle is in your name, bring the title or registration. If the vehicle is not in your name, here are some ideas you can try:

   a. Anything connecting you to the owner showing your relationship.
   b. The vehicle title or registration, even if not in your name. The fact that you have these documents might convince the tower to trust you.
   c. Insurance naming you as a covered driver.
   d. Letter from the owner or their attorney giving you permission to get the vehicle.
   e. Photos of you with the vehicle.

RECLAIMING POSSESSIONS

Even if you cannot afford to reclaim the vehicle, you still have the right to retrieve certain personal property. State law, ORS 98.852 and ORS 98.858, provides that the owner or any other person in lawful possession of the vehicle has the right to obtain "personal property of an emergency nature," which includes things like medications, eyeglasses, hearing aids, clothing, ID, wallet, purse, credit card, cash, child seat, etc. The tower must grant access 8 AM to 6 PM, or other times agreed upon. Some cities give vehicle owners even more rights. Try to retrieve whatever the tower will let you take.

IMPOUNDMENT HEARINGS

- When allowed: If the government (like city police) impounded the vehicle (you have no right to a hearing if a private property owner (like a business) called for the tow).
- Who can request: Any person who reasonably appears to have an interest in the vehicle.
- Why request: You can either (1) argue the impoundment itself was illegal, or (2) argue the amount of the towing and storage fees is unreasonable.
- Where to request: Because it varies by city, we recommend that you call local law enforcement, parking enforcement, or the municipal court.
- Timeframe: You have five business days to make the request. After that, the hearing must be set within 3 business days.

PREPARE FOR A FUTURE IMPOUNDMENT

Take steps now to make it easier to reclaim your vehicle in case of a future tow.

- Register your vehicle. Contact the Department of Motor Vehicles (DMV) by calling 7-1-1 or visiting online at https://www.oregon.gov/odot/dmv/pages/vehicle/titlereg.aspx. Note: There is a process for registering a vehicle even if you do not have the title. But be prepared for it to take several months.
- Update your address with the DMV. This ensures towers can send notices.
- Share documents with your friends/family so they can reclaim your vehicle in case of an emergency where you cannot do it yourself.