

**ACTION
AUTO
RECOVERY**
SINCE 1967

Southern California Repossession & Skip Tracing Experts

www.RepoBiz.com / action@repobiz.com

State License RA 641

Serving: Los Angeles, Orange, Riverside, San Bernardino & San Diego Counties

TO: Impounding Agency
Re: Repossessors vs Impounded Vehicles

To Whom It May Concern:

This letter is being left for your supervisor to point out a policy that is inconsistent with one or more sections of the vehicle code. Specifically 14602.6 (3) "the impounding agency shall not require any documents other than those specified in this paragraph." (also applies to vehicles impounded under Section 22850 of the vehicle code.)

The vehicle code is the sole authority regarding both the impound and release of impounded vehicles. Repossessors and Legal Owners are exempt from all administrative charges assessed to the registered owner. This applies to recovered stolen vehicles as well as all other vehicle impounds.

Action Auto Recovery has worked out consent decrees with the cities of Los Angeles, Inglewood, Hawthorne, Newport Beach, Garden Grove and Long Beach requiring cities to abandon policies that conflict with the vehicle code.

Hold Harmless Agreements and 30 day release agreements are in direct violation of the vehicle code as quoted "the impounding agency shall not require any documents other than those specified in this paragraph."

The only documents a reposessor must produce are:

Order to Repossess as authorized by the legal owner.

A certificate of repossession for the vehicle (DMV form REG 119) OR

Copy of a Security Agreement OR copy of a vehicle title. (ONLY ONE OF THESE DOCUMENTS)

Copy of Repossessor Agency License or Registration.

Hold Harmless agreements, as far as reposessors are concerned, were made irrelevant with recently passed legislation which states "The impounding agency shall not be liable to the registered owner for the improper release of the vehicle to the legal owner or the legal owner's agent provided the release complies with the provisions of this section."

I trust you will appreciate having this brought to your attention and will make your staff aware of these provisions that are clearly spelled out in the vehicle code, which governs your conduct as well as ours.

If you have any questions regarding our consent decree or pending lawsuits against other cities, please have your city attorney contact Michael Geller, The Law Offices of Geller and Stewart, LLP. Office: 951-571-9400 / Fax 951-571-9401.

Very truly yours,

Action Auto Recovery

**ACTION
AUTO
RECOVERY**
SINCE 1967

— **Southern California Repossession & Skip Tracing Experts** —

www.RepoBiz.com / action@repobiz.com

State License RA 641

Serving: Los Angeles, Orange, Riverside, San Bernardino & San Diego Counties

Copy: Text of Vehicle Code 14602.6 (3)

(3) **The legal owner or the legal owner's agent presents a copy of the assignment**, as defined in subdivision (b) of Section 7500.1 of the Business and Professions Code, **and any one of the following: a certificate of repossession for the vehicle (DMV form reg. 119), a security agreement for the vehicle, or title showing proof of legal ownership for the vehicle.** Any documents presented may be originals, photocopies, or facsimile copies, or may be transmitted electronically. The law enforcement agency, impounding agency, or any person acting on behalf of those agencies **shall not require any documents to be notarized.** The law enforcement agency, impounding agency, or any person acting on behalf of those agencies **may require the agent of the legal owner to produce a photocopy or facsimile copy of its repossession agency license or registration issued** pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code, or to demonstrate, to the satisfaction of the law enforcement agency, impounding agency, or any person acting on behalf of those agencies that the agent is exempt from licensure pursuant to Section 7500.2 or 7500.3 of the Business and Professions Code.

No administrative costs authorized under subdivision (a) of Section 22850.5 shall be charged to the legal owner of the type specified in paragraph (1), who redeems the vehicle unless the legal owner voluntarily requests a post-storage hearing. No city, county, city or county, or state agency shall require a legal owner or a legal owner's agent to request a post-storage hearing as a requirement for release of the vehicle to the legal owner or the legal owner's agent. **The law enforcement agency, impounding agency, or any person acting on behalf of those agencies shall not require any documents other than those specified in this paragraph.** The law enforcement agency, impounding agency, or any person acting on behalf of those agencies **shall not require any documents to be notarized.**

(g) (1) A legal owner or the legal owner's agent that obtains release of the vehicle pursuant to subdivision (f) **may not release the vehicle to the registered owner** of the vehicle or any agents of the registered owner, unless the registered owner is a rental car agency, **until after the termination of the 30-day impoundment period.**

(2) The legal owner or the legal owner's agent may not relinquish the vehicle to the registered owner until the registered owner or that owner's agent presents his or her valid driver's license or valid temporary driver's license to the legal owner or the legal owner's agent. The legal owner or the legal owner's agent shall make every reasonable effort to ensure that the license presented is valid.