



APPLICATION FOR AUTHORITY TO DISPOSE OF AN ABANDONED NUISANCE VEHICLE TO A DEMOLISHER

This application may be used only by a licensed vehicle storage facility when the motor vehicle is an Abandoned Nuisance Vehicle, as defined in the Occupations Code, Chapter 2303.

FOR VEHICLES TOWED ON OR AFTER SEPTEMBER 1, 2005

FEE: \$10.00

Name of Applicant \_\_\_\_\_ Vehicle Storage Facility License Number \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_ Daytime Phone Number \_\_\_\_\_

APPLICATION IS HEREBY MADE TO DISPOSE OF THE FOLLOWING DESCRIBED VEHICLE TO A DEMOLISHER FOR DEMOLITION, WRECKING, OR DISMANTLING ONLY.

YEAR \_\_\_\_\_ MAKE \_\_\_\_\_ BODY STYLE \_\_\_\_\_ VEHICLE IDENTIFICATION NUMBER \_\_\_\_\_

(Show motor number if 1955 or earlier model. Show serial number on all 1956 and later models and all 1932 and later year model Ford products.)

License plates attached to vehicle: \_\_\_\_\_ Year of expiration \_\_\_\_\_ License Number \_\_\_\_\_ State \_\_\_\_\_

Physical location of the vehicle: \_\_\_\_\_, TX

ABANDONED NUISANCE VEHICLE (As defined in the Occupations Code, Chapter 2303)

Does the applicant have possession of this vehicle? YES [ ] NO [ ]
Is this vehicle at least 10 years old? (Current Year - 10 = Applicable Year Model) YES [ ] NO [ ]
Is this vehicle in a demolished, wrecked, or dismantled condition? YES [ ] NO [ ]

Date of possession of the above-described vehicle. \_\_\_\_\_

Date notice was made to owner and any lienholder. \_\_\_\_\_

Date of request to the state of record, if applicable. \_\_\_\_\_

Date of notice by publication, if applicable. \_\_\_\_\_

Describe in detail the facts surrounding the possession of the above-described vehicle and by what authority such possession occurred.

I, the undersigned, certify that the facts contained herein are true. I further state that I am hereby applying for authority to dispose of the above described motor vehicle to a demolisher for demolition, wrecking, or dismantling only and that I understand that the vehicle is prohibited from being reconstructed, made operable, or retitled.

Signature of Applicant \_\_\_\_\_

Before me this day personally appeared the applicant whose signature appears above who by me duly sworn upon oath says that the statements set forth above are true and correct.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ County \_\_\_\_\_ Texas.

Please remit payment of the \$10.00 fee in the form of a CASHIER'S CHECK, MONEY ORDER or CHECK payable to the Texas Department of Transportation and forward this application and required supporting documentation to the TEXAS DEPARTMENT OF TRANSPORTATION, VEHICLE TITLES AND REGISTRATION DIVISION, AUSTIN, TX 78779-0001.

WARNING! Texas Transportation Code, §501.155, provides that falsifying information on any required statement or application is a third-degree felony.

THIS SECTION MAY BE COMPLETED BY LAW ENFORCEMENT

This is to certify that the above described vehicle was authorized to be picked up by the undersigned law enforcement agency. Approval is hereby granted to the above named applicant to apply to the Texas Department of Transportation, Vehicle Titles and Registration Division, for a Certificate of Authority to Dispose of a Motor Vehicle to a Demolisher for Demolition, Wrecking, or Dismantling Only.

Name and Address of Law Enforcement Agency \_\_\_\_\_

Signature and Title of Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_

NOTE: CERTIFICATE OF AUTHORITY (COA) ISSUANCE: Dependent upon the response to notifications, publications, etc., issuance of a COA may take up to 90 days.

NOTICE

With a few exceptions, you are entitled to be informed about the information TxDOT collects about you. Texas Government Code, §§552.021, 552.023 and 559.004 further entitle you to receive and review the information on request, and to request the department correct any information about you that is deemed incorrect. Please contact the TxDOT Vehicle Titles and Registration Division at 512/465-7611 for further details.

House Bill 2243, enacted by the 77th Texas Legislature, amended the Vehicle Storage Facility Act, V.A.T.S., Article 6687-9a, Revised Statutes (currently Occupations Code, Chapter 2303). House Bill 2243 defined an **abandoned nuisance vehicle** and provided for the disposal of such vehicles.

- An **abandoned nuisance vehicle** is a motor vehicle that is at least 10 years old and is of a condition only to be demolished, wrecked, or dismantled.
- A vehicle storage facility that holds an **abandoned nuisance vehicle** is not required to send or publish a second notice and is entitled to dispose of the vehicle on the 30th day after the date the first letter is mailed or notice is published.
- The tow was authorized by someone other than owner, lienholder, or operator of the vehicle.

## NOTIFICATION REQUIREMENTS

### **Vehicle with a Title Record in Texas**

The operator of a vehicle storage facility, who takes possession of a vehicle that is titled in Texas and has been towed to the facility for storage, shall, not later than the fifth day but not before 24 hours after the date the operator possesses the vehicle, send a written notice to the registered owner and the primary lienholder of the vehicle.

### **Vehicle with a Title Record Outside of Texas**

The operator of a vehicle storage facility, who takes possession of a vehicle that is titled outside this state or the United States, shall send a written notice to the vehicle's last registered owner and all recorded lienholders not later than the 14th day but not before 24 hours after the date the operator takes possession of the vehicle.

### **Written Notice**

The notice must be correctly addressed, with sufficient postage, sent by certified mail, return receipt requested, and must contain:

- (1) the date the vehicle was accepted for storage;
- (2) the first day for which a storage fee is assessed;
- (3) the daily storage rate;
- (4) the type and amount of all other charges to be paid when the vehicle is claimed;
- (5) the full name, street address, and telephone number of the facility;
- (6) the hours during which the owner may claim the vehicle; and
- (7) the facility license number preceded by "Texas Department of Transportation Vehicle Storage Facility License Number."

### **Ten Days after Notification Is Mailed**

If no one claims the vehicle after this time period, the vehicle is abandoned. This abandonment should be reported to a law enforcement agency with jurisdiction where the vehicle is located or to the Texas Department of Public Safety along with a \$10 fee.

### **Newspaper Publication**

Note: Notice by publication is not required, if all correctly addressed notices sent with sufficient postage are returned because the notices were unclaimed or refused; or the addressee moved without leaving a forwarding address.

Notice by publication in a newspaper of general circulation in the county in which the vehicle is stored may be used if any of the following apply:

- (1) the vehicle is registered in another state;
- (2) the operator of the storage facility submits a written request that is correctly addressed, with sufficient postage, and is sent by certified mail, return receipt requested, to the governmental entity in which the vehicle is registered requesting information relating to the identity of the last known registered owner and any lienholder of record;
- (3) the identity of the last known registered owner cannot be determined;
- (4) the registration does not contain an address for the last known registered owner;
- (5) the operator of the storage facility cannot reasonably determine the identity and address of each lienholder; or
- (6) the vehicle does not display a license plate or a vehicle inspection certificate indicating the state of registration and no record of title or registration is found in Texas (verification by VIN required).

The publication must contain the vehicle description, the total charges, the full name, street address, and telephone number of the facility, and the department registration number.

Note: Newspaper publication option is not available if a motor vehicle record is found in Texas.

### **Supporting Documentation**

This completed form must be supported by the following documentation:

- A Texas or an out-of-state title and registration verification.
- Certified mail receipts (original), if applicable.
- Any unopened returned certified mail returned by the post office as undeliverable, unclaimed or no forwarding address, if applicable.
- Copy of newspaper publication, if applicable.