

Abandoned Vehicle FAQ

- Q1) What paperwork would the tow operator send to the Department of Revenue when disposing of a private abandoned vehicle towed to a crusher or salvage yard and not filing for a title?

You would send a copy of the DR 2173 Motor Vehicle Bill of Sale with "JUNK" or "CRUSH" written on the form. Please mail to the following address:

Colorado Department of Revenue
Division of Motor Vehicles
Title and Registration Section
P.O. Box 173350
Denver, CO 80217-3350

- Q2) When processing the paperwork to place a mechanics lien on a vehicle abandoned at a repair shop, after repairing it, are we required to do a national title search like tow operators, if we receive a "No Record Found" search result?

A national title search is only required for a public and private tow.

- Q3) Since the tow operators and the Law enforcement have to perform a national record search when the new law goes into effect January 1, 2017. Can both entities share the information?

Federal law still requires protection of this information. Nothing has changed regarding this process. The process is still the same when performing the Colorado Record Search and will apply to the National Record Search. Each entity (tow operator and law enforcement) must perform separate National Title Searches to comply with statute when a "No Record Found" search result is received from the Colorado Motor Vehicle Record Search.

- Q4) As a law enforcement officer, performing a public tow on a vehicle deemed abandoned, I would complete the DR 2008 Public Tow Vehicle Information Request and conduct a title/registration search through DOR. Would I attach the results of that search to the DR 2008 when I send it by certified mail to notify the owner and/or lienholder?

The Colorado Motor Vehicle Record Search Results are not sent to the Owner of Record. It would be provided to the buyer/purchaser of the vehicle when the result indicates "No Record Found". At this time, only the tow operator would retain a copy of the search results for 3 years. For abandoned vehicles towed on or after January 1, 2017, tow operators and law enforcement would retain search results during the 3 year retention period.

- Q5) When a law enforcement officer is on the scene of a motor vehicle accident, and calling a tow off a rotation, the tow company arrives on scene and tows a vehicle. This could qualify as a private tow or a public tow. Does it matter if the tow company makes contact with the vehicle operator or not? Sometimes the occupants are taken by ambulance and the tow company never makes contact with the driver.

It would be considered a Private Tow if the vehicle owner gives consent to the tow operator. The agreement would be between the vehicle owner and the tow operator. Law Enforcement would be removed from the process. If consent to tow is not given by the vehicle owner then it would be considered a Public Tow.

- Q6) What is required when a CCIC/NCIC search and title/registration search is returned "No Record Found"? Is there a way for law enforcement to perform a national query?

At this time, it is optional to contact a specific state to request a search if you have information that would lead you to believe the car is registered there. However, with abandoned vehicles towed on or after January 1, 2017, a National Title Search is required to be performed when a Colorado Motor Vehicle Record Search result indicates "No Record Found".

- Q7) If the DR2173 Bill of Sale has an odometer reading, and the counties run the NMVTIS report which indicates exempt, is a new BOS required because they must match (similar to dealers writing exempt in the odometer field on their dealer BOS if the title reads exempt)?

If the odometer reading is on the Bill of Sale, but the title or NMVTIS report is exempt, a new BOS is not required. The new title is processed as exempt.

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- Q8) If a vehicle is disabled to a point that an odometer reading couldn't be received, is a DR2444-Statement of Fact acceptable to explain the reasoning behind the issue? If the vehicle is not yet 10 years old then would they put in some number like 01 followed by NA (not actual)?

An odometer reading is required on all VIN verifications. Attempts must be made to ascertain the reading from the vehicle. A DR 2444 would explain that it is now N/A but the reading is still required on the VIN Verification. For vehicles under 10 years old, it is required to be disclosed as well.

- Q9) When completing a DR 2489A Motor Vehicle Record Search Request form, can it be emailed with a credit card number to be kept on file or should it be mailed in with a check for each search requested?

Colorado Motor Vehicle Record Search requests cannot be emailed with any form of payment. It can be completed online, by mail or in-person. If you choose the online method, please access the following website <https://ids.dor.state.co.us/> to create a new profile if you are a first time user. Once the profile is completed, the Department of Revenue, Title and Registration Section will set up your account to perform record searches online and your company will receive a monthly invoice statement. The bill cannot be paid online. Another option is mailing a check to the Department of Revenue for the total amount and include the payment voucher that will be attached to the bottom of the statement. If you decide to mail-in your record searches to the Department, a check should be sent with the record search request. In regards to In-person requests, credit cards, cash or a check can be accepted. The in-person location and address is the Department of Revenue 1881 Pierce St., Lakewood, CO, 80214.

- Q10) Why is this necessary for the tow operators to send notification to the vehicle owners and/or lienholders if the responsible law enforcement agency is also processing them?

Colorado Revised Statutes 42-4-1804. Abandoned of motor vehicles - public property, states both the responsible law enforcement agency and the tow operator are required to perform record searches to determine if there is an owner and a lienholder represented in department records and send a notice by certified mail, return receipt requested, to the address of the owner as shown in the Department of Motor Vehicle records. As a tow company, you will retain your documents (DR 2008 from the responsible law enforcement agency, copy of DR 2489A Motor Vehicle Record Search Results, copy of the certified return receipt, and letter to the owner. Keep in mind, a DR 2008 to notify the vehicle owner and/or lienholder can be sent instead of a form letter.) The responsible law enforcement agency should initiate the tow and send the forms to the Department.

In addition, abandoned vehicles towed on or after January 1, 2017, a National Title Search must be performed when a Colorado Motor Vehicle Search result indicates "No Record Found" . You would complete a DR 2489A and mail it to the Department or provide in-person at the Pierce St. location in Lakewood. This search cannot be done online and the fee is \$2.20 .

- Q11) Is there going to be another Abandoned Vehicle training before January 1, 2017?

Yes, notification will be sent to the tow companies and law enforcement registered with the Department of Revenue toward the end of the year (November/December) time frame.

- Q12) Can more than one record search be added to page 4 of the revised DR 2489A which will be effective for use with abandoned vehicles towed on or after January 1, 2017?

When mailing record searches to the Department, more than one record search quantity can be added to page 4 of the revised DR 2489A (effective for abandoned vehicles towed on or after 1/1/2017) . Keep in mind, page 1 and 3 are required for each record search. Also, when doing multiple searches no refunds will be issued to searches that are rejected.

- Q13) Is an original or scanned copy of the required Abandoned Vehicles forms okay to present to the county for processing?

Yes, C.R.S. 42-6-102 defines a signature as either a written signature or an electronic signature.

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- Q14) The tow operator vehicle owner and/or lienholder notification timeframe will change due to the new legislation (HB 16-1056). Will the Law Enforcement Agency time frame change also?

The Law Enforcement Agency notification to the motor vehicle owner and/or lienholder timeframe did not change due to HB 16-1056.

- Q15) How can the tow operator get the odometer reading from an abandoned vehicle if the doors are locked?

Federal law requires an odometer reading. The doors being locked does not negate this requirement. The keys must be obtained. When a vehicle is under 10 years old and an odometer reading is required, the tow operator is responsible to make a key and do what is necessary to read the odometer and record it on the DR 2173 Motor Vehicle Bill of Sale. The Department of Revenue, Title and Registration Section would need proof of the effort to get a key made and a DR 2444 Statement of Fact indicating the true odometer cannot be obtained. An estimate of the mileage must be disclosed and the indicator would be "Not Actual".

- Q16) Can law enforcement run their own national record search through National Crime Information Center (NCIC) or the Colorado Computer Crime Information Center (CCIC) computer system?

Per HB 16-1056, the Department shall conduct a title search with an entity that has a national database; may retrieve records based on both the VIN and license plate number; and provides the following information: The vehicle identification number, license plate number, owner's name and contact information, and the lienholder's name and contact number. The NCIC/CCIC database does not provide all of the above listed requirements.

- Q17) Can a tow operator or law enforcement perform only the national record search if the vehicle has out of state plates?

C.R.S. 42-4-1804 and 42-4-2103 states the department shall search its records to determine if the vehicle is registered in the State of Colorado. For abandoned vehicles towed on or after January 1, 2017, if the vehicle is not registered with the Department, the Department shall conduct a National Title Search.

- Q18) If the Colorado Motor Vehicle record search result indicates the plates are expired, can a National Title Search be completed anyway?

Yes, a national title search is optional when a Colorado Record Search of a vehicle owner and/or lienholder is found.

- Q19) Is it acceptable to enter "exempt" in the odometer field on the DR 2173 Motor Vehicle Bill of Sale or on the VIN Inspection if the vehicle is over 10 years old?

Exempt can be entered in the odometer field of the DR 2173 Motor Vehicle Bill of Sale. The DR 2698 VIN Inspection form statutorily requires an odometer reading per C. R. S. 42-3-105(1)(c)(I)(H).