

OFFICE OF OPERATIONS

NOTICE NO. 49

October 28, 1996
RECEIVED

TO: All Personnel, Office of Operations NOV 13 1996

FROM: Director, Office of Operations PLANNING AND RESEARCH
DIVISION

SUBJECT: CLARIFICATION OF CALIFORNIA VEHICLE CODE (CVC) SECTION
4022 AND VEHICLE RELEASE PROCEDURES

EFFECTIVE: IMMEDIATELY

PURPOSE

This Notice clarifies the Department policy regarding vehicle repossessions and their exemption from registration, as delineated in Office of Operations (O.O.) Order No. 6, dated March 27, 1996 (Impound Release Desk and Detective Supervisors' Responsibilities).

INFORMATION


Department personnel have expressed a great deal of confusion over vehicle repossessions and their exemption from Department of Motor Vehicle (DMV) registration under Section 4022 CVC. The Department contacted the City Attorney's Office and received clarification on how Section 4022 CVC effects Department personnel's actions.

The City Attorney's Office has found that when a vehicle reposessor requests the release of a vehicle that has been impounded by Department personnel this does not qualify as a repossession. The City Attorney's Office further stated that this is considered a "lienholder release" and the reposessor is not relieved of his/her responsibility to pay the vehicle's registration fees. Section 4022 CVC was intended to apply to vehicle repossessions occurring in the community where there is a need to immediately transport the repossessed vehicle to another location.

PROCEDURE

When a vehicle reposessor requests the release of a vehicle that has been impounded by Department personnel, the vehicle reposessor shall be required to provide proof of payment of all applicable DMV registration fees prior to granting the vehicle release.

Personnel with questions may contact Traffic Coordination Section at (6) 893-8118.


BAYAN LEWIS, Assistant Chief
Director
Office of Operations

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