

R873. Tax Commission, Motor Vehicle.

R873-22M. Motor Vehicle.

R873-22M-17. Standards for State Impound Lots Pursuant to Utah Code Ann. Section 41-1a-1101.

A. An impound yard may be used by the Motor Vehicle Division and peace officers only if all of the following requirements are satisfied:

1. The yard must be identified by a conspicuously placed, well-maintained sign that:
 - a) is at least 24 square feet in size;
 - b) includes the business name, address, phone number, and hours of business; and
 - c) displays the impound yard identification number issued by the Motor Vehicle Division in characters at least four inches high.
2. The yard shall maintain a hard-surfaced storage area of concrete, black top, gravel, road base, or other similar material.
3. The yard must have adequate lighting.
4. A six-foot chain link or other similar fence that is topped with three strands of barbed wire or razor security wire must surround the yard.
5. Spacing between vehicles must be adequate to allow opening of vehicle doors without interfering with other vehicles or objects.
6. An office shall be located on the premises of the yard.
 - a) The yard office shall be staffed and open for public business during normal business hours, Monday through Friday, except for designated state and federal holidays.
 - b) If the yard maintains multiple storage areas, authorization may be requested from the Motor Vehicle Division to maintain a central office facility in a location not to exceed a 10 mile radius from any of its storage areas.
 - c) If a central office is approved under Subsection 6.b) above, the signs of all storage areas must provide the location of the office.
7. The yard shall provide compressed air and battery boosting capabilities at no additional cost.

B. Persons who can demonstrate an ownership interest in a car held at a state impound yard are allowed to enter the vehicle during normal business hours and remove personal property not attached to the vehicle upon signing a receipt for the property with the yard.

1. An individual has ownership interest in the vehicle if he:
 - a) is listed as a registered owner or lessee of the vehicle; or
 - b) has possession of the vehicle title.
2. An individual must show picture identification as evidence of his ownership interest.
3. The storage yard shall maintain a log of individuals who have been given access to vehicles for the purpose of removing personal property.

C. Impound yards holding five or less vehicles in a month may be required to tow those vehicles to another yard for the purpose of centralizing sales of vehicles or, at the discretion of the Motor Vehicle Division, be required to hold the vehicles until additional impounded vehicles may be included.

D. Operators of impound yards shall remove license plates from impounded vehicles prior to the time of sale and turn them over to the Tax Commission at the time the vehicles are sold.

E. The Motor Vehicle Division has the authority to review the qualifications of state impound yards to assure compliance with the requirements set forth in this rule. Any yard not in compliance shall be notified in writing and given 30 days from that notice to rectify any noncompliance. If no action or insufficient action is taken by the impound yard, the Motor Vehicle Division may order it to be suspended as a state impound yard. Any yard contesting suspension, or any yard directly and adversely affected by the Motor Vehicle Division's refusal to designate it a state impound yard, has the right to appeal that suspension to the Tax Commission.

Effective: 6/25/96