

**14B NCAC 07A .0109 NOTIFICATION**

(a) Unless exempted by vehicle seizure law, the Troop Communications Center must notify the registered owner when a vehicle is towed and stored. In order to accomplish this, the authorizing member shall immediately notify the appropriate Troop Communications Center of the following:

- (1) a description of the vehicle;
- (2) the place where the vehicle is stored;
- (3) the procedure the owner must follow to have the vehicle returned to him or her; and
- (4) the procedure the owner must follow to request a probable cause hearing on the towing.

(b) Upon notification by the authorizing member, the Troop Communications Center shall, as soon as practicable, attempt to notify the owner of the towing or storage. The Troop Communications Center shall attempt to contact the owner by telephone and provide the owner with the location of the vehicle. At least three attempts shall be made for vehicles registered in North Carolina and one attempt for vehicles registered out-of-state. The Telecommunicator shall record the person contacted or the attempts made.

(c) In the absence of an HP-305 (Vehicle Towing Authorization) signed by the registered owner, Form Letter HPC-305.2 (Vehicle Towing/Notification, which is a form letter computer-generated at the Troop Communications Center) shall be mailed to the owner within 24 hours. A duplicate copy of the Form Letter HPC-305.2 is also computer-generated and will print automatically in the District office of the member. Whether or not the owner is reached by telephone, a copy of the Form Letter HPC-305.2 shall be mailed to the last registered owner by the Troop Communications Center.

(d) Whenever a vehicle with neither a valid registration plate nor registration is towed, in the absence of an HP-305 signed by the registered owner, the authorizing member shall attempt, including checking the vehicle identification number, to determine the last known registered owner of the vehicle and to notify him or her of the information listed in Paragraph (a) of this Rule. Attempts shall include checking the vehicle identification number (VIN).

(e) Whenever a vehicle is seized pursuant to G.S. 20-28.3, the charging officer shall complete and forward the appropriate DMV notification form to DMV and to the statewide contractor within 24 hours.

*History Note: Authority G.S. 20-28.3; 20-184; 20-188;  
Temporary Adoption Eff. June 9, 2000;  
Eff. April 1, 2001;  
Amended Eff. July 18, 2008;  
Transferred from 14A NCAC 09H .0314 Eff. June 1, 2013;  
Readopted Eff. January 1, 2019.*