

Application for Authority to Dispose of an Abandoned Nuisance Vehicle to a Demolisher

Information

This application may be used only by a licensed vehicle storage facility (VSF) when the motor vehicle is an abandoned nuisance vehicle, as defined in Occupations Code, Chapter 2303, towed on or after September 1, 2005.

The VSF's possession of the vehicle must have been in conjunction with a non-consent private property or law enforcement tow, and the vehicle must have been taken to a VSF licensed by the Texas Department of Licensing and Regulation. Provisions of the Vehicle Storage Facility Act do not apply to a vehicle parked or stored at a VSF with the consent of the vehicle's owner.

FOR MORE INFORMATION – You may refer to the [TxDMV Motor Vehicle Title Manual](#) (Chapter 23).

Procedures

1. **FIRST NOTICE (Notice to Vehicle Owner(s) or Lienholder(s))** – If the vehicle was last registered in Texas, notice must be made within 5 days of obtaining possession. If the vehicle was last registered outside of Texas, notice must be made within 14 days of obtaining possession. The first notice to the last known owner and any applicable lienholder(s) must be sent by certified mail, return receipt requested, or by electronic certified mail. *Notice by newspaper publication may be permitted (see "Notification by Newspaper" below).*
2. **NOTIFICATION TO LAW ENFORCEMENT** – A motor vehicle is considered abandoned (Transportation Code, Section 683.031) after the 10th day after the First Notice was mailed or published in a newspaper if the vehicle remains unclaimed. A VSF must report the abandoned motor vehicle to the law enforcement agency in the jurisdiction where the vehicle is located.
3. **APPLICATION FOR CERTIFICATE OF AUTHORITY TO DISPOSE** – The VSF may apply to the department for a Certificate of Authority to Dispose of a Motor Vehicle beginning on the 30th day after the day the First Notice was made if the vehicle remains unclaimed, AND the law enforcement agency to which the vehicle was reported abandoned has not taken the vehicle into custody.

Note: Notice from law enforcement of its intention to dispose of the vehicle is considered law enforcement taking custody even if they do not take physical custody.

NOTIFICATION BY NEWSPAPER – In lieu of written notification by electronic or certified mail, publication of the notice 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 VSF submits a written request by certified mail, return receipt requested, to the governmental entity with which the motor vehicle is registered requesting information relating to the identity of the last known owner(s) and any lienholder(s) of record.
3. The identity of the last known owner of record cannot be determined.
4. The registration does not contain an address for the last known owner of record.
5. The identities and addresses of the lienholders of record cannot be determined.
6. The vehicle does not display a license plate or a vehicle inspection certificate indicating the state of registration.

Note: A VSF is not required to publish notice if a correctly addressed notice is sent with sufficient postage and is returned as unclaimed, refused, the forwarding order has expired, or with a notation that the addressee is unknown or has moved without leaving a forwarding address. The newspaper publication option is not available if a motor vehicle record is found in Texas.

Evidence Required to Transfer Ownership

1. **Application for Authority to Dispose of an Abandoned Nuisance Vehicle to a Demolisher (Form VTR-71-6)**
2. **Verification of Title and Registration** – Verification of title and registration from the state of record. If not available, the following must be provided:
 - If a VSF sends a request for title and registration verification to the state of record (by certified mail, return receipt requested) and is informed by letter from that state that due to the Driver's Privacy Protection Act restrictions the state will forward the VSF's notification to the owner(s) and lienholder(s) for notification purposes, then the original letter(s) from the state of record and certified receipts for each notification sent to that state, or
 - If notification is made by newspaper publication, proof that a correctly addressed request for the name and address of the last known registered owner(s) and lienholder(s) was sent to the state of record (by certified mail, return receipt requested). Proof consists of a copy of the request and date stamped certified return receipts for the request sent to the state of record.
3. **Proof of Notifications**
 - **Notices by Electronic or Certified Mail** – Proof consists of the date stamped receipts for certified mail and return receipt, together with any unopened certified letter(s) returned as undeliverable, unclaimed, refused, or no forwarding address. Electronic notifications that include the same information as certified mail, showing delivery confirmation, are acceptable. **Track and Confirm is not acceptable.**
 - **Notices by Newspaper Publication** (only if applicable) – Proof consists of the certified mail, return receipt, sent to the state of record requesting verification of owner(s) and lienholder(s) AND a legible photocopy of the newspaper publication, which includes the name and date of the publication.
 - **Notification to Law Enforcement** (one of the following) – Dated receipt showing \$10 administrative fee was paid; completion of the "Law Enforcement Certification" on page 1; or certified mail, return receipt, to the law enforcement agency.