

July 12, 2004

**TO: AASP-MN Members**

**FROM: Judell Anderson, CAE  
Executive Director**

**RE: New Statutory Authority for Removal of Abandoned Vehicles**

Thanks to AASP-MN's efforts at the State Capitol this year, repair shops now have a more streamlined process for removing vehicles which have been "abandoned" by their owners and which have little or no value to the shop.

As of August 1, 2004, when you determine that a vehicle has been abandoned by its owner, you can send a letter, by certified mail, return receipt requested, to the vehicle owner at their last known address. You must notify them of your intention to have the vehicle removed (towed away) from your property in five days' time. In your letter, you must specifically identify the vehicle by make, model, color, registration plate number and vehicle identification number (VIN). A sample letter is enclosed for your convenience.

After five days have elapsed, you can call a towing company to have the vehicle removed. Towing companies will need to see the documentation regarding this process. The towing service is not obliged to take the vehicle. Their willingness to do so will depend on your relationship with them and their assessment of the costs and benefits of removing the vehicle.

Previously, the only legal means of getting rid of these vehicles was through the sheriff's sale process (personalty in possession lien) which can be complicated, expensive and time consuming. The sheriff's sale process works just fine when there is significant value in the vehicle; however, this is often not the case. This new legislation provides a better alternative for removing those vehicles for which there is little or no market value and where the repair shop is willing to walk away from any recovery of costs it may have incurred.

If you have any questions, you may call the AASP-MN office at (612) 623-1110 or (800) 852-9071.

***(REPAIR SHOP LETTERHEAD)***

Date

**CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED**

Customer Name  
Last Known Address  
City, State, Zip

**Re: Notice of Removal of Vehicle Abandoned at *(insert shop name)***

Dear *(insert customer name)*:

On *(insert date)*, *(insert repair shop name)*, came into possession of your vehicle to estimate and complete repairs. We have now been in possession of your vehicle for more than *(insert period of time)* and intend to exercise our rights to deem your vehicle abandoned and have it removed from our premises pursuant to Minn. Stat. § 168B.

As required by statute, we are notifying you that the vehicle we have in possession and which we intend to remove from our premises is a *(insert color)*, *(insert year)*, *(insert make)*, *(insert model)* with license number \_\_\_\_\_ and vehicle identification number \_\_\_\_\_.

The statute authorizes us to have this vehicle removed from our premises within five (5) business days of receiving the return receipt for this certified letter.

You may reclaim your vehicle at any time during the next five (5) business days by coming to our shop to claim your vehicle and pay any balance owing on your account.

Sincerely,

*(Signature)*