

TABLE OF CONTENTS

**Hearings Procedures for Motor Vehicles Taken into
Custody Pursuant to Section 14-150**

Definitions 14-150-1

Qualifications, appointment and removal of hearing officers 14-150-2

Hearing procedures 14-150-3

Final decision 14-150-4

Report of sale of an unclaimed motor vehicle 14-150-5

Towers Acquiring Title to Abandoned Towed Motor Vehicles

Towers in compliance 14-150-6

Issuance of certificate of title 14-150-7

Value of vehicle; issuance of certificate of title 14-150-8

Acquired title to abandoned motor vehicle 14-150-9

Hearings Procedures for Motor Vehicles Taken into Custody Pursuant to Section 14-150

Sec. 14-150-1. Definitions

(a) "Hearing officer" means that person duly and properly appointed, according to these regulations and Section 14-150 to conduct hearings under the provisions of Sections 14-150 and 14-307 of the General Statutes.

(b) "Appointing official" means that person or persons authorized to appoint hearing officers pursuant to Section 14-150 of the General Statutes.

(Effective January 26, 1977; amended December 8, 1997)

Sec. 14-150-2. Qualifications, appointment and removal of hearing officers

(a) Hearing officers shall be appointed by the chief executive officer of each town, except that when two or more towns join in making such appointment they shall appoint one hearing officer among the several towns involved.

(b) No person shall be appointed to the position of hearing officer unless such person is:

(1) At least eighteen years of age;

(2) In the opinion of the appointing official, a person capable of fairly administering the applicable provisions of law based on such person's background and experience, including but not limited to his education, special skills and training, and history of criminal and motor vehicle violations.

(c) The names and addresses of the hearing officers shall be sent by the appointing official to the commissioner of motor vehicles.

(d) Any hearing officer whose personal interests do or may give the appearance of conflict with his official responsibilities herein enumerated shall remove himself from presiding over any such hearing, and in such case the appointing official shall appoint a substitute hearing officer for that hearing.

(e) Any hearing officer may be removed at any time by the appointing official for whatever reason such official deems sufficient.

(Effective January 26, 1977)

Sec. 14-150-3. Hearing procedures

(a) Upon receipt of an application for hearing pursuant to subsection (e) of section 14-150 of the general statutes, or section 14-307 the hearing officer shall promptly schedule a hearing.

(b) Any party may for good cause request a continuance of a hearing, but the decision to allow such continuance will be at the reasonable discretion of the hearing officers.

(c) At the hearing, the owner of the motor vehicle may produce any relevant evidence to show that the towing of his vehicle was not authorized by section 14-150 or 14-307 of the General Statutes.

(d) At the hearing, the authority which made the decision to tow the motor vehicle may produce any relevant evidence to show that such towing was authorized by section 14-150 or 14-307 of the General Statutes.

(Effective April 27, 1988; amended December 8, 1997)

Sec. 14-150-4. Final decision

(a) The hearing officer shall proceed with reasonable dispatch to conclude any matter pending before him and render a decision.

(b) The hearing officer shall provide both parties with written notice of his decision, which shall state the reason for his determination.

(Effective January 26, 1977)

Sec. 14-150-5. Report of sale of an unclaimed motor vehicle

Any garage owner, keeper, bailee for hire, tower or storage facility reporting the sale of an unclaimed motor vehicle to the commissioner of motor vehicles pursuant to section 14-150, 14-307 or section 49-61 of the General Statutes, shall include the following information:

(a) The sales price;

(b) The charges for storing, towing, repairs, if any, any other charges, and the total of all charges;

(c) The buyer's name and address;

(d) The make, model and vehicle identification number of the motor vehicle, and the number plate, if any;

(e) The name and address of the motor vehicle owner on the records of the Department of Motor Vehicles, if available, at the time the motor vehicle came into possession of the garage owner, keeper, bailee for hire, tower or storage facility; and

(f) The name and address of the publication in which a notice of auction or advertisement of sale was published, the date of such publication, and a copy of the notice.

(Effective November 26, 1980; amended December 8, 1997)

Towers Acquiring Title to Abandoned Towed Motor Vehicles

Sec. 14-150-6. Towers in compliance

The provisions of Sec. 14-150-6 to 14-150-8, inclusive, of this regulation shall apply to a tower who is the operator of a motor vehicle wrecker business who is in compliance with the provisions of section 14-66 of the General Statutes who:

(a) Tows and stores a motor vehicle abandoned within the limits of a highway as provided in section 14-150 of the General Statutes.

or

(b) Tows a motor vehicle abandoned within the limits of a highway as provided in section 14-150 to a storage facility for which the storage operator has filed a schedule of storage charges pursuant to section 14-66.

(Effective April 24, 1987)

Sec. 14-150-7. Issuance of certificate of title

Any tower, as provided in section 14-150-6, who complies with the provisions of section 14-150-6 and this section shall be entitled to the issuance of a Connecticut certificate of title to such towed motor vehicle provided the tower submits to the commissioner of motor vehicles certification that such tower or storage operator towed such motor vehicle from within the limits of a highway and has complied with the provisions of subsection (g) of section 14-150 of the General Statutes as amended by Section 1 of Public Act No. 87-372 governing the sale of an abandoned motor vehicle. The certification shall include a statement as to the reasons why the public sale pursuant to section 14-150 did not result in the abandoned motor vehicle being sold. In addition, if the value of the motor vehicle exceeds the storage charges, the certification shall include a statement that any amount in excess of the storage charges has been paid to the owner of the motor vehicle or if the owner cannot be identified or located, that such excess has been deposited in a bank licensed to do

business in this state. Any amount so deposited shall remain on deposit for a period of one year during which the motor vehicle owner may make demand on the depositor for the payment of such funds and any accrued interest. If a period of one year elapses without such funds being paid to the owner they shall escheat to the state.

(Effective April 27, 1988)

Sec. 14-150-8. Value of vehicle; issuance of certificate of title

No title to any motor vehicle with a value in excess of \$500.00 shall be issued in the name of any tower if such tower claimed to have more than one hundred and fifty days of storage charges due the tower at the time such motor vehicle was offered at auction pursuant to section 14-150-7 have been complied with, the vehicle has been presented for and passed the same inspection as is required of used motor vehicles not previously registered in Connecticut and a hearing held by the commissioner or his designee for the purpose of determining that the applicable requirements of section 14-150 of the general statutes and sections 14-150-6 to sections 14-150-8, inclusive, of the Regulations of Connecticut State Agencies have been met. If the commissioner or his designee conducting such hearing determines that the current market value of the motor vehicle on the date of the advertised auction sale was at least \$2,500.00, he or she shall order such motor vehicle to be auctioned at a "dealer to dealer auction" as provided in section 14-65-2 of the Regulations of Connecticut State Agencies. In the event the motor vehicle is not sold at such auction, the commissioner or his designee shall order that a certificate of title be issued in the name of the tower.

(Effective April 24, 1987)

Sec. 14-150-9. Acquired title to abandoned motor vehicle

When any municipality that has acquired title to an abandoned motor vehicle pursuant to subsection (d) of section 14-150 of the General Statutes, as amended by section 1 of Public Act 87-372, transfers the ownership of said vehicle, it shall complete the form H-109 supplied by the commissioner and furnish the same to the transferee in lieu of a certificate of title.

(Effective April 27, 1988)