

**Procedure Number: 105.3**  
**Procedure: Abandoned Vehicles**  
**Effective Date: 08/01/2011**  
**Revision Date: 01/01/2014**  
**Approved by: Chief Scott Forshee**

#### **AUTHORITY**

The statutory authority for the identification and removal of abandoned vehicles located on the MSU Billings property and adjoining roadways is defined in the Montana Codes Annotated.

#### **MONTANA CODE ANNOTATED 61-8-356. Prohibition against parking or leaving vehicles on public property -- presumption of ownership.**

- (1) A vehicle may not be parked or left standing upon the right-of-way of a public highway for a period longer than 48 hours or upon a city street or state, county, or city property for a period longer than 5 days.
- (2) The abandonment of a vehicle, other than a bicycle, on a public highway, a city street, public property, or private property creates a prima facie presumption that the last-registered owner of the vehicle is responsible for the abandonment and is liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less the amount realized if the vehicle is sold.
- (3) The filing of a theft report with a law enforcement agency prior to the abandonment relieves the last-registered owner of liability under subsection (2).

#### **PROCEDURE:**

- I. Once a vehicle has been identified as having been abandoned or being stored on university property:
  - A. An Officer will be notified and assigned to investigate the circumstances and the officer will:
    1. Initiate an ARMS report,
    2. Run the vehicle license plate, or campus registration permit to determine the owner,
    3. The owner will be informed in writing:
      - a. They have thirty (30) days to remove the vehicle, or
      - b. The vehicle will be towed at their expense.
    4. If the owner is not identified, after thirty (30) days the vehicle will be towed from university property following the guidelines delineated in policy #105.4, Towing of Vehicles.

#### **REFERENCE:**

Montana Board Of Regents Policy 1002.1 (PHYSICAL PLANT) - Vehicle Regulations and Parking