

**ABANDONED MOTOR VEHICLE CHECKLIST (Updated 8/2/22)
(PUBLIC TOW – KNOWN OWNER/LIENHOLDER)**

<p>Date of Tow/Removal</p>	<p>_____</p>
<p>Date of Request for Information from Dept, Auto Data Direct or Law Enforcement (collectively referred to as “Agency”) <input type="checkbox"/> Must be <i>within 3 days of tow/removal</i></p>	<p>_____</p>
<p>Response Date from Agency <input type="checkbox"/> Must be <i>within 5 days of receipt of request</i></p>	<p>_____</p>
<p>Date First Notice Sent <input type="checkbox"/> Must be sent <i>within 15 days of tow/removal</i> <input type="checkbox"/> Must use Form MAG 40-03 <input type="checkbox"/> Must include Disclaimer Form MAG 40-09 <input type="checkbox"/> Must be sent via: (1) <input type="checkbox"/> certified mail; or (2) <input type="checkbox"/> hand delivery with acknowledgment of such receipt by signature of owner <u>and</u> copy of owner’s driver’s license</p>	<p>_____</p>
<p>Date Petition Filed <input type="checkbox"/> Must use Form MAG 40-01 <input type="checkbox"/> Must be filed <i>no sooner than 10 calendar days and not later than 6 months after compliance with First Notice Requirements</i> <input type="checkbox"/> Must be accompanied by filing fee <input type="checkbox"/> Must include copy of owner/lienholder info obtained from Agency <input type="checkbox"/> Must include proof of compliance with First Notice requirements</p>	<p>_____</p>
<p>Date of Receipt of Notice of Petition by Owner/Lienholder <input type="checkbox"/> Must be sent via: (1) <input type="checkbox"/> certified mail return receipt requested; or (2) <input type="checkbox"/> statutory overnight delivery return receipt requested <input type="checkbox"/> Must send Answer Form MAG 40-02 along with Notice of Petition <input type="checkbox"/> If signed proof of service not received, or is returned as unclaimed, <i>within 10 days</i>, shall place a newspaper ad <i>within 60 days</i> that runs once a week for 2 consecutive weeks – Must use Form MAG 40-10(A) or (B)</p>	<p>_____</p>

<p>Date Answer Filed</p> <p>* <input type="checkbox"/> Must be filed <i>within 10 days after receipt of Notice of Petition or no later than 10 days after the expiration of the two-week advertisement</i></p> <p>* <input type="checkbox"/> If timely filed, Court <u>must</u> schedule hearing <i>within 10 days after receipt of Answer</i></p>	<hr/> <hr/>
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<p>If Timely Answer <u>NOT</u> Filed, Date Motion for Order Filed</p> <p>* <input type="checkbox"/> Must file Motion Form MAG 40-11(A)</p> <p>* <input type="checkbox"/> Must file Affidavit of Military Service Form MAG 40-11(B)</p> <p>* <input type="checkbox"/> Must file Proof of Service of Notice of Petition</p>	<hr/>
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<p>Date of Order</p> <p>* Court shall decide Motion <i>within 15 days of filing</i></p> <p>* <input type="checkbox"/> If GRANTED, the vehicle is considered abandoned and Court will issue an order for disposition <i>within 5 days</i></p> <p>* <input type="checkbox"/> If DENIED, a petition can be re-filed <u>once</u> <i>within 6 months after date of denial order</i></p>	<hr/> <hr/>
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