

Case Number:.....

**REQUEST FOR PAYMENT –
IMPOUNDMENT, IMMOBILIZATION OR REMOVAL**

Commonwealth of Virginia VA. CODE §§ 46.2-301.1, 46.2-1209, 46.2-867.1

- Circuit Court
- General District Court

.....
CITY OR COUNTY

.....
NAME OF PERSON/ENTITY SEEKING PAYMENT

.....
ADDRESS

.....
PAY TO THE ORDER OF: FIRM, COMPANY, OR INDIVIDUAL

.....
CITY, STATE, ZIP

Vehicle Information:

.....
MAKE AND MODEL

.....
LICENSE PLATE NUMBER

Date of immobilization, impoundment, or removal:.....

A vehicle was impounded, immobilized or removed, and payment by the Commonwealth is requested in accordance with Virginia Code §§ 46.2-1209, 46.2-301.1, or 46.2-867.1.

§ 46.2-1209. (Immobilized or unattended vehicle on or adjacent to roadway.)

A motor vehicle, trailer, semitrailer, or part or combination thereof that was immobilized or unattended on or adjacent to a roadway was removed to a storage area for safekeeping.

The vehicle was stolen or illegally used by a person other than the owner of the vehicle at the time of the theft or was used without the owner’s express or implied authorization.

I am the **towing operator or storage facility**, and the owner removed the vehicle within five (5) business days after the owner’s receipt of written notice by certified mail, return receipt requested. I have attached a copy of the police report, which includes the report number and the name of the law-enforcement agency receiving the report, indicating that the vehicle was stolen, illegally used or used without permission. I have attached a statement or receipt from the person who incurred the cost of the impoundment, immobilization, or removal.

I am the **owner**, or the owner’s successor in interest (other than an insurance company), and I removed the vehicle more than five (5) business days after my receipt of written notice by certified mail, return receipt requested. I have attached a copy of the police report, which includes the report number and the name of the law-enforcement agency receiving the report, indicating that the vehicle was stolen, illegally used or used without permission. I have attached a statement or receipt from the towing operator and/or storage facility for the cost of the impoundment, immobilization, or removal.

The owner’s successor in interest is an **insurance company** requesting reimbursement for the costs of the daily storage, towing and recovery fees paid to the towing operator or storage facility. I have attached a receipt showing payment of these costs.

I am the **towing operator or storage facility** and the identity of the person who left the vehicle immobilized or unattended on or adjacent to a roadway cannot be determined or a court found that there was not a violation of § 46.2-1209. I am requesting payment for the costs of daily storage, towing and recovery fees. I have attached the necessary statement supporting this request.

§ 46.2-301.1. (Driving after license or privilege to drive was revoked or suspended.)

I am the **owner** of a motor vehicle that was impounded or immobilized after I was arrested for driving after my driver's license, learner's permit or privilege to drive had been revoked or suspended, or driving without an operator's license in violation of 46.2-300 having been previously convicted of such an offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction. I am requesting reimbursement or payment for all reasonable costs of impoundment or immobilization, including removal or storage costs paid or incurred by me. I have attached either a receipt showing my payment of these costs, or a statement showing costs incurred by me.

The court found that there was no probable cause for my arrest or the issuance of a warrant. I have attached a copy of the court order, specifically form DC-499, MOTION AND ORDER FOR RELEASE OF VEHICLE.

OR

I have attached documentation showing that I was found not guilty of the violation, or the charge was dismissed.

I am a **person or entity providing impoundment or immobilization services** to the Commonwealth. I am requesting payment for all reasonable costs of impoundment or immobilization, except for costs or expenses already paid by the person charged with the violation of 46.2-301.1. I have attached documentation indicating that a lienholder repossessed or removed a motor vehicle from storage pursuant to an existing security agreement.

§ 46.2-867.1. (Exhibition driving.)

I am the **owner** of a motor vehicle that was impounded or immobilized after I was arrested for a violation of exhibition driving pursuant to Virginia Code 46.2-865(C) or (E). I am requesting reimbursement or payment for all reasonable costs of impoundment or immobilization, including removal or storage costs paid or incurred by me. I have attached either a receipt showing my payment of these costs, or a statement showing costs incurred by me.

The court found that there was no probable cause for my arrest or the issuance of a warrant. I have attached a copy of the court order, specifically form DC-499, MOTION AND ORDER FOR RELEASE OF VEHICLE.

OR

I have attached documentation showing that I was found not guilty of the violation, or that the charge was dismissed.

I certify that the above claim is true and accurate, and I have submitted all relevant documents to the court.

.....
DATE

.....
PRINTED NAME OF PERSON SEEKING PAYMENT

SIGNATURE

.....
COMPANY/ENTITY NAME, IF APPLICABLE

(For Court Use Only)

Payment authorized, and Form DC-40 submitted to the court.

Payment not authorized

.....
DATE

.....
JUDGE

NOTICE TO THE PERSON/ENTITY SEEKING REIMBURSEMENT:

No reimbursement from the Criminal Fund will be made unless Form DC-40 has been submitted with this form and the following supporting documentation:

A statement from the towing operator and/or the storage facility or a receipt from the person who incurred the cost of impoundment, immobilization, or removal;

AND ONE OF THE FOLLOWING:

- (1) A copy of the court order, Form DC-499, indicating that the court has granted the petition for release of the impounded or immobilized vehicle due to "lack of probable cause for arrest or warrant" (Va. Code §§ 46.2-301.1 or 46.2-867.1 **ONLY**);

OR

- (2) Documentation indicating that the charges were dismissed or resulted in an acquittal (Va. Code §§ 46.2-301.1 or 46.2-867.1 **ONLY**);

OR

- (3) Indication that a lienholder repossessed or removed the motor vehicle from storage pursuant to an existing security agreement (Va. Code § 46.2-301 **ONLY**);

OR

- (4) A copy of the police report providing that the motor vehicle was stolen, illegally used, or used without permission (Va. Code § 46.2-1209 **ONLY**).