

REQUEST FOR VEHICLE IMPOUND HEARING

TODAY'S DATE: _____ TIME: _____

DR #: _____

NAME: _____

DATE OF IMPOUND: _____

ADDRESS: _____

VEH LIC #: _____

CITY: _____

YEAR: _____ MAKE: _____

PHONE: _____

MODEL: _____ STYLE: _____

PHONE: _____

COLOR: _____

NOTICE OF HEARING RIGHTS

PURPOSE OF HEARING. As a vehicle owner or other person entitled to possession of an impounded vehicle, you have the right to a hearing if you believe your vehicle should not have been impounded. The purpose of the hearing is to determine whether there was probable cause to impound the vehicle, that is, whether the impounding officer was legally authorized to remove your vehicle.

WHEN AND WHERE HEARING WILL BE HELD. The hearing will be held within forty-eight (48) hours of the request, excluding weekends and holidays. The hearing will consist of a meeting with a hearing officer at the City of Irvine Police Department. You may present any witnesses or any other evidence you believe will show that your vehicle should not have been impounded. You must establish that you are the owner of the vehicle or that you have some other right to possession of the vehicle.

ATTENDANCE BY IMPOUNDING OFFICER. At the time you request a hearing, you *may* also request that the police officer who directed the impound appear and answer your questions at the hearing.

CONDUCT OF THE HEARING. If the Hearing Officer determines that your vehicle should not have been impounded, it will be released to you without charge, or you will be repaid after processing by mail for the charges you paid to the Official Police Garage. If the Hearing Officer determines that the vehicle was properly impounded, you must pay the impound and storage

charges to the Official Police Garage (if you have not done so already), or the garage will have a lien placed on the vehicle.

HOW TO REQUEST A HEARING. Request must be done within ten (10) business days of the date of mailing of the "Notice of Stored Vehicle". *Failure to request a hearing within ten (10) days of the notice, or failure to attend a scheduled hearing will end your right to a hearing.*

- (1) Telephone the Traffic Bureau at (949) 724-7036 during normal business hours.
- (2) Write or appear in person at the Irvine Police Department, One Civic Center Plaza, Irvine, CA 92606-5208.

NOTE: Your right to a hearing within forty-eight (48) hours does not affect your right to seek an immediate release of your vehicle, without waiting for a hearing, by obtaining a written release from the Irvine Police Department and paying the impound and storage charges of the Official Police Garage. In this event, the Hearing Officer will determine whether you are entitled to a refund of the charges.

RESULTS OF HEARING: A written reply will be provided by the Hearing Officer. The time within which to file a judicial challenge of the Hearing Officer's decision is governed by section 1094.6 of the California Code of Civil Procedure.

ANSWER BOTH QUESTIONS AND SIGN:

1. REQUEST IMPOUND HEARING: Request vehicle be released immediately, not challenging validity of impound. Officer who impounded vehicle need not be present.

YES NO PHONE REQUEST

Signature: _____

2. REQUEST IMPOUND HEARING: Request cross-examination of impounding officer to determine validity of vehicle storage. Officer who impounded vehicle must be present.

YES NO

Signature: _____

DATE/TIME OF HEARING: _____

HEARING OFFICER: _____

IMPOUND UPHELD IMPOUND REVERSED IMPOUND VALID – RELEASED OTHER

COMMENTS: _____

