

**JUSTICE AND PUBLIC SAFETY CABINET**  
**Department of State Police**  
**(Amended at ARRS Committee)**

**502 KAR 15:020. Abandoned vehicles.**

RELATES TO: KRS 189.450, 189.751, 189.752, 189.753, 376.275

STATUTORY AUTHORITY: KRS 189.753(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.753(3) requires the Department of Kentucky State Police to promulgate administrative regulations to carry out the provisions of KRS 189.753, relating to abandoned vehicles . This administrative regulation establishes the procedures for location, removal, notification of owners and sale of abandoned vehicles.

Section 1. Definitions.

- (1) "Department" is defined by KRS 16.010(8).
- (2) "Presumed abandoned" means a vehicle that has been left upon the right-of-way of a state highway, county road, or city street for a period of three (3) consecutive days.
- (3) "Rights-of-way" means, in addition to the actual width of a state highway and the area between any separated highway, those areas lying outside the shoulders and ditch lines and within any landmarks, such as fences, fence posts, cornerstones, or other similar monuments indicating the boundary line.

Section 2. The department shall locate, order removal of, and send notification to the owner of vehicles that are abandoned on the rights-of-way of state highways, county roads, or city streets. This administrative regulation shall not affect vehicles abandoned on toll roads, interstate highways, or other fully controlled access highways as defined in 603 KAR 5:025.

Section 3. Location of Abandoned Vehicles. The department, upon a determination that a vehicle is presumed abandoned on a state highway, county road, or city street shall affix a notice to the vehicle documenting the date and location.

Section 4. Removal and Storage of Abandoned Vehicles.

- (1) If a vehicle is presumed abandoned, the department may order any person engaged in the business of storing or towing motor vehicles to remove the abandoned vehicle to a site chosen by the person removing the vehicle.
- (2) As soon as practicable, the department shall, if possible, notify the owner by certified mail:
  - (a) That the vehicle was illegally upon public property;
  - (b) The present location of the vehicle;
  - (c) Retrieval will require payment of towing and storage charges; and
  - (d) The vehicle may be sold if not claimed within sixty (60) days.
- (3) A notification shall not be required if ownership cannot be determined.
- (4) Notice by the department shall constitute substantial compliance of the notice requirement by the towing and storing business.

Section 5. Sale of Abandoned Vehicles.

- (1) If after a period of sixty (60) days the reasonable charges for towing and storing the vehicle have not been paid, the vehicle may be sold by the owner of the towing or storing facility to pay the charges.
- (2) Prior to setting any date for sale, the towing or storage facility shall:
  - (a) Contact the state police and determine if the vehicle is part of an ongoing investigation that would preclude sale; and
  - (b) Inform the state police of any anticipated date of sale.

(3) Ten (10) days prior to the sale, the towing or storing facility shall send a certified letter to the owner stating the time and place of the sale.

(4) If the owner fails to respond to this second notice or make provisions to pay the towing and storage charges, the vehicle may be sold pursuant to KRS 376.275.

(5) In the event of such sale, the state shall receive any proceeds after the satisfaction of all liens placed on the vehicle.

(6) The towing or storage facility selling any vehicle shall by affidavit inform the department of the towing and storage charges, the proceeds of the sale, and transmit any excess funds which shall be deposited in the state police agency fund account.

(13 Ky.R. 601; eff. 10-2-1986; 48 Ky.R. 1301, 2405; eff. 5-31-2022.)

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