

Legislative Analysis



TOWED VEHICLE INFORMATION IN LEIN SYSTEM

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4960 as introduced
Sponsor: Rep. Andrew Fink
Committee: Transportation
Complete to 10-4-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4960 would amend the Michigan Vehicle Code to require a police agency to enter certain vehicles into the Law Enforcement Information Network (LEIN)¹ at specified times after the vehicles have been ordered towed or deemed abandoned.

The act currently allows a police agency or a governmental agency designated by the police agency to provide for the immediate removal of a vehicle from public or private property to a place of safekeeping at the expense of the owner under certain circumstances (e.g., the vehicle is parked in a way that obstructs traffic). Seven or more days after authorizing the vehicle's removal, the police agency must enter the vehicle into LEIN as abandoned unless the vehicle was impounded for any of the following reasons:

- There is reasonable cause to believe that the vehicle or any part of it is stolen.
- The vehicle must be seized to preserve evidence of a crime or there is reasonable cause to believe that it was used in the commission of a crime.
- The vehicle has been involved in a traffic crash and cannot be safely operated from the scene of the crash.

A vehicle that was impounded for any of the reasons listed above must be released by the police agency that authorized the removal before the towing agency or custodian can release the vehicle to its owner. If the impounded vehicle has not been redeemed by the owner after at least 20 days after its release by the police agency, the towing agency or custodian must, before 30 days after the vehicle's release, notify the police agency to enter the vehicle as abandoned.

Under the bill, except for vehicles impounded for any of the reasons listed above, the police agency would have to enter a vehicle into LEIN as an impounded vehicle after waiting at least 24 hours after the vehicle was ordered to be impounded. If the owner had not redeemed the vehicle seven days after its impoundment, the police agency would have to deem the vehicle abandoned and enter it as abandoned into LEIN within 24 hours after doing so.

For a vehicle that was impounded for any of the reasons listed above and not redeemed by the owner 20 days after its release by the police, the towing agency or custodian would still have to notify the police agency to enter the vehicle as abandoned before 30 days after the vehicle's release by the police.

¹ LEIN is a statewide computerized information system that was established July 1, 1967, as a service intended to provide and maintain a computerized filing system of accurate and timely documented criminal justice information readily available to all criminal justice agencies. Access is restricted to criminal justice agencies or agencies granted authorization under law.

However, the bill would add that the police agency must enter the vehicle into LEIN as abandoned within 24 hours after receiving such a notice.

MCL 257.252d and 257.252e

FISCAL IMPACT:

House Bill 4960 would not have a significant fiscal impact on any unit of state or local government.

Legislative Analyst: E. Best
Fiscal Analyst: Marcus Coffin

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.