Republic of Latvia

Cabinet

Regulation No. 748

Adopted 4 October 2005

**Regulations Regarding Declaring End-of-Life Vehicles to be Abandoned and Procedures for Transferring Abandoned End-of-Life Vehicles to a Treatment Facility**

*Issued pursuant to*

*Section 7, Paragraph one of the End-of*

*Life Vehicles Management Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the procedures for declaring an end-of-life vehicle to be an abandoned end-of-life vehicle;

1.2. the procedures and requirements for transferring abandoned end-of life vehicles to a treatment facility.

2. Expenses related to forced movement of an end-of-life vehicle and transfer thereof to a treatment facility shall be covered by a vehicle owner. If it is not possible to collect such expenses from the vehicle owner, expenses related to forced movement of an abandoned end-of-life vehicle and transfer thereof to a treatment facility shall be covered by the institution which took the decision to declare the end-of-life vehicle to be abandoned.

3. If it is not possible to collect the expenses referred to in Paragraph 2 of this Regulation from the vehicle owner and they are covered by the institution which took the decision to declare the end-of-life vehicle to be abandoned, the abovementioned institution shall recover the funds for picking up the abandoned end-of-life vehicle and transfer thereof to a treatment facility in accordance with the laws and regulations governing natural resources tax.

**II. Declaring a Vehicle to be an Abandoned End-of-Life Vehicle**

4. A vehicle shall be declared an abandoned end-of-life vehicle, if:

4.1. it is located outside the road, at a place which is not intended for vehicle parking, as well as outside immovable property of the vehicle owner for more than 30 days, and it is certified by a warning label on the vehicle (Annex 1);

4.2. it is parked in a special parking place in the cases laid down in this Regulation or Cabinet Regulation No. 767 of 7 September 2004, Regulations Regarding Forced Movement of a Vehicle and Declaring a Vehicle to be Left Continuously on the Road, for more than 30 days;

4.3. the vehicle owner has refused in writing to take it out from a special parking place.

5. A warning label shall be attached to the vehicle in the case referred to in Sub-paragraph 4.1 of this Regulation by an official of the State Police, an official of the State Environmental Service, or an authorised official of the local government.

6. An official who in the case referred to in Sub-paragraph 4.1 of this Regulation has attached a warning label to the vehicle shall immediately notify thereof the watch division of the territorial unit of the State Police, indicating the vehicle registration number, make and model (for non-identified vehicles – also colour and special features), as well as the time of attaching the warning label and the location of the vehicle. The official shall inform the regional environmental board of the State Environmental Service regarding attaching of the label.

7. A decision to declare an end-of-life vehicle to be abandoned in the case referred to in Sub-paragraph 4.1 of this Regulation shall be taken by an official of the State Police, an official of the State Environmental Service, or an authorised official of the local government.

8. If it is possible to ascertain the vehicle owner, in the case referred to in Sub-paragraph 4.1 of this Regulation not later than within three working days after attachment of the label the institution, the official of which attached the warning label to the vehicle, shall send a warning (Annex 2) to the owner that the vehicle has been declared to be abandoned and transferred to a treatment facility, if the vehicle owner does not move it to the place intended for parking or to his or her property territory within the time period laid down in Sub-paragraph 4.1 of this Regulation.

9. If the vehicle is in a complete set, is not burnt, suffered from an accident, vandalized, and State technical inspection has been carried out for it, the vehicle shall be moved to a special parking place 30 days after attaching the warning label.

10. If the vehicle is not in a complete set, is written-off, burnt, suffered from an accident, vandalized, or State technical inspection has not been carried out for it, it shall be declared to be abandoned 30 days after attaching the warning label and transferred to a treatment facility in accordance with the procedures laid down in Chapter III of this Regulation.

11. If the owner does not want to allow movement of the vehicle to a special parking place or treatment facility, he or she shall inform the regional environmental board of the State Environmental Service that the vehicle is not abandoned and move it himself or herself to a place intended for vehicle parking or to the territory of his or her property within the time period laid down in Sub-paragraph 4.1 of this Regulation.

12. If it is not possible to ascertain the vehicle owner, an official of the State Environmental Service shall act in accordance with Cabinet Regulation No. 188 of 19 May 1998, Regulations Regarding Record-keeping, Assessment and Marketing of Property Under the Jurisdiction of the State, (except the case referred to in Paragraph 9 of this Regulation).

13. A decision on forced movement of the vehicle to a special parking place shall be taken by the official referred to in Paragraph 5 of this Regulation who attached the warning label and in accordance with Paragraph 8 of this Regulation declared the vehicle to be abandoned.

14. The official who took the decision on forced movement of the abandoned vehicle to a special parking place shall:

14.1.call a special vehicle;

14.2. without opening the interior, boot, and engine room of the abandoned vehicle, carry out a visual inspection and determine damages, set, and material values;

14.3. draw up a statement regarding forced movement of the vehicle to a special parking place (hereinafter – movement statement) (Annex 3) in four copies (one – for the institution the official of which drew up the movement statement, second – for the driver of a specialised vehicle, third – for the responsible person on duty of the parking place, fourth – for the abandoned vehicle owner or his or her authorised person);

14.4. transfer the abandoned vehicle to the driver of a specialised vehicle, indicating the nearest parking place to where it should be delivered, and three copies of the movement statement.

15. The official who took the decision on forced movement of the vehicle to a special parking place shall immediately notify the watch division of the territorial unit of the State Police (Operative Management Division) regarding forced movement of the vehicle, indicating the vehicle registration number, make and model (for non-identified vehicles – also colour and special features), time and place from where the vehicle was moved, as well as the special parking place where it is placed.

16. The institution, the official of which took the decision on movement of the abandoned vehicle to a special parking place, shall send a notification to the vehicle owner (possessor, holder) within 24 hours from the time of movement regarding placement of the vehicle in a special parking place.

17. The driver of a specialised vehicle who is assigned to move the abandoned vehicle shall:

17.1. when accepting the vehicle, carry out a visual inspection, examine and compare the information provided for in the movement statement;

17.2. sign in the movement statement regarding receipt of the abandoned vehicle;

17.3. deliver and transfer the abandoned vehicle to the nearest special parking place indicated by the official;

17.4. transfer two copies of the movement statement to the responsible person on duty of the special parking place.

18. If the driver of the abandoned vehicle arrives before movement of the vehicle is commenced, the vehicle shall not be moved to a special parking place. In such case the driver of the abandoned vehicle has a duty to move immediately the vehicle to the place intended for parking of vehicles or to the territory of his or her property.

19. The responsible person on duty of a special parking place, when accepting the vehicle, shall carry out a visual inspection, examine and compare the information provided for in the movement statement and sign regarding acceptance of the vehicle.

20. The responsible person on duty of a special parking place shall hand over the vehicle:

20.1. to the vehicle owner (holder, possessor) who is indicated in the movement statement, if he or she presents a personal identification document or a driving licence and a document attesting the payment;

20.2. to a person authorised by the owner (holder), who presents a registration certificate (or foreign registration documents) of the vehicle indicated in the movement statement, a personal identification document or a driving licence and a document attesting the payment.

21. When transferring the vehicle, the responsible person on duty of a special parking place shall indicate in the movement statement the time of handing over, and the recipient shall sign regarding receipt of the vehicle. One copy of the movement statement shall be returned to the recipient. In order to receive the vehicle, the person who will drive the vehicle shall present a valid driving licence.

22. Expenses related to forced movement of the vehicle to a special parking place and storage in the special parking place shall be covered by the vehicle owner or his or her authorised person. The abovementioned expenses shall be covered before removing the vehicle from the special parking place.

**III. Transfer of an Abandoned End-of-Life Vehicle to a Treatment Facility**

23. If a vehicle before being recognised to be an abandoned end-of-life vehicle has been delivered to a special parking place, it shall be transferred to a treatment facility by the head of that special parking place where it was placed.

24. In the cases referred to in Paragraph 10 of this Regulation the vehicle shall be transferred to a treatment facility by the official of the State Environmental Service.

25. Before transfer of the vehicle a statement regarding transfer of an abandoned end-of-life vehicle to a treatment facility (Annex 4) shall be drawn up in four copies:

25.1. the first copy — for the State Environmental Service;

25.2. the second copy — for the responsible person on duty of a special parking place;

25.3. the third copy — for a treatment facility;

25.4. the fourth copy — for the vehicle owner or his or her authorised person.

26. If the vehicle is transferred to a treatment facility in accordance with the procedures laid down in Paragraph 10 of this Regulation, the second copy of the statement need not be completed.

27. The driver of a specialised vehicle who is assigned to move the abandoned vehicle shall:

27.1. carry out visual inspection, examine and compare the information provided in the statement regarding transfer of an abandoned end-of-life vehicle to a treatment facility, when accepting the vehicle;

27.2. deliver and transfer the vehicle to a treatment facility;

27.3. transfer the statement regarding transfer of an abandoned end-of-life vehicle to a treatment facility to the treatment facility.

28. The treatment facility shall send the relevant copies of the statement to the persons referred to in Sub-paragraphs 25.1, 25.2, and 25.4 of this Regulation.

29. The treatment facility shall write off the vehicle in the Road Traffic Safety Directorate in accordance with Cabinet Regulation No. 241 of 6 April 2004, Procedures for Completing a Vehicle Liquidation Certificate and Issue Thereof.

Prime Minister A. Kalvītis

Minister for Environment R. Vējonis

**Annex 1**

Cabinet Regulation No. 748

4 October 2005

**Warning Label Regarding Declaring of an End-of-Life Vehicle to be Abandoned**

|  |  |  |  |
| --- | --- | --- | --- |
| Series |  | No. |  |

|  |  |
| --- | --- |
| Drawn up |  |
|  | (name of the populated area) |

\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ 200\_ at\_\_\_\_\_\_\_ o'clock

|  |  |  |
| --- | --- | --- |
| I, |  | , |
|  | (institution, position, given name, and surname of the official) |  |
| have drawn up this warning because the vehicle |  | , |
|  | (make, registration number) |  |
| which is located at |  | , |
|  | (exact location) |  |

has been parked outside the road at the place other than intended for parking of vehicles and it is not being used for an extended period of time, therefore, on the basis of Section 7 of the End-of Life Vehicles Management Law and Cabinet Regulation No. 748 of 4 October 2005, Regulations Regarding Declaring End-of-Life Vehicles to be Abandoned and Procedures for Transferring of Abandoned End-of-Life Vehicles to a Treatment Facility, it will be declared to be abandoned and moved to a special parking place, if the vehicle is not used and this label is not removed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(date and time)

|  |  |
| --- | --- |
| Official |  |
|  | (signature) |

Minister for Environment R. Vējonis

**Annex 2**

Cabinet Regulation No. 748

4 October 2005

**Warning Regarding Declaring of an End-of-Life Vehicle to be Abandoned**

|  |  |
| --- | --- |
| Drawn up |  |
|  | (name of the populated area) |

on \_\_\_ \_\_\_\_\_\_\_\_\_\_ 200\_\_

|  |  |  |
| --- | --- | --- |
| We hereby warn that the vehicle |  | , |
|  | (make, registration number) |  |
| which is located at |  | , |
|  | (exact location) |  |

has been parked outside the road at the place other than intended for parking of vehicles and it is not being used for an extended period of time, therefore, on the basis of Section 7 of the End-of Life Vehicles Management Law and Cabinet Regulation No. 748 of 4 October 2005, Regulations Regarding Declaring End-of-Life Vehicles to be Abandoned and Procedures for Transferring of Abandoned End-of-Life Vehicles to a Treatment Facility, it will be declared to be abandoned and moved to a special parking place, if the vehicle is not used and the warning label is not removed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(date and time)

|  |  |
| --- | --- |
| Official |  |
|  | (institution, position, signature and full name) |

Minister for Environment R. Vējonis

**Annex 3**

Cabinet Regulation No. 748

4 October 2005

**Statement Regarding Forced Movement of a Vehicle to a Special Parking Place**

|  |  |  |  |
| --- | --- | --- | --- |
| Series |  | No. |  |

|  |  |
| --- | --- |
| Drawn up |  |
|  | (name of the city (town) or other populated area) |

on \_\_\_ \_\_\_\_\_\_\_\_\_\_ 200\_\_

|  |  |  |
| --- | --- | --- |
| I, |  | , |
|  | (institution, position, given name, and surname of the official) |  |

on the basis of Section 43.3 of the Law On Road Traffic hereby take a decision to forcibly move the vehicle to a special parking place

|  |
| --- |
|  |
| (address) |

|  |  |  |
| --- | --- | --- |
| Vehicle's | make, model |  |
|  | registration number |  |
|  | registration certificate number |  |
|  | colour, special features |  |
|  |  | (to be completed, if the vehicle has not been identified) |
| Vehicle owner's | given name, surname |  |
|  | personal identity number |  |

Exact location of the vehicle before moving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
|  |

Reason for forced movement – Section 43.3, Paragraph one, Clause \_\_\_ of the Law On Road Traffic.

|  |
| --- |
|  |
| (decision to declare a vehicle to be left continuously outside the road) |
|  |
|  |
|  |
|  |
|  |

Visual inspection of the vehicle

|  |
| --- |
|  |
| (damages, accessories, material values) |
|  |
|  |
|  |

I transferred the vehicle for moving at \_\_\_\_\_\_ o'clock

|  |  |
| --- | --- |
| I notified the watch division |  |

at \_\_\_\_\_ o'clock

The decision may be contested within 30 days by submitting a written decision to the higher institution (official) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(the name of the institution or official,

|  |
| --- |
|  |
| phone number and address) |

The decision of the higher institution (official) may be contested to the court.

|  |  |
| --- | --- |
| Official |  |
|  | (signature) |

**Information regarding a special vehicle with which movement was carried out**

|  |  |
| --- | --- |
| State registration number |  |
| Owner (holder) of the special vehicle |  |
| Number and date of the contract entered into with the local government |  |

**Receipt of the vehicle for movement**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
| Driver of the special vehicle |  |
|  | (signature and full name) |

**Information regarding the special parking place**

|  |  |
| --- | --- |
| Owner |  |
| Address of the parking place |  |
| Number and date of the contract entered into with the local government |  |
| Time of accepting the vehicle |  |

**Acceptance of the vehicle for storage**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
| Responsible person |  |
|  | (signature and full name) |

**Information regarding return of the vehicle**

|  |  |  |
| --- | --- | --- |
| Given name, surname | of the recipient |  |
| personal identity number |  |

|  |  |
| --- | --- |
| Driving licence or personal identification document was presented |  |
|  | (series, number) |

|  |  |
| --- | --- |
| Status of the recipient |  |
|  | (owner, possessor or authorised person) |

Registration certificate of the vehicle presented (if the vehicle is received by the authorised person) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(number)

The vehicle will be driven by (to be completed if the recipient does not have a driving licence and the vehicle will be driven by another person) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(given name, surname, driving licence number)

|  |
| --- |
|  |

**Receipt of the vehicle**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
|  |  |  |
| (date and time) |  | (signature and full name) |

Minister for Environment R. Vējonis

**Annex 4**

Cabinet Regulation No. 748

4 October 2005

**Statement Regarding Transfer of an Abandoned End-of-Life Vehicle to a Treatment Facility**

|  |  |  |  |
| --- | --- | --- | --- |
| Series |  | No. |  |

|  |  |
| --- | --- |
| Drawn up |  |
|  | (name of the populated area) |

on \_\_\_ \_\_\_\_\_\_\_\_\_\_ 200\_\_

|  |  |  |
| --- | --- | --- |
| I, |  | , |
|  | (institution, position, given name, and surname of the official) |  |

on the basis of Section 7 of the End-of Life Vehicles Management Law, take a decision to transfer the vehicle to a treatment facility

|  |
| --- |
|  |
| (address) |

|  |  |  |
| --- | --- | --- |
| Vehicle's | make, model |  |
|  | registration number |  |
|  | registration certificate number |  |
|  | colour, special features |  |
|  |  | (to be completed, if the vehicle has not been identified) |

|  |  |  |
| --- | --- | --- |
| Vehicle owner's | given name, surname |  |
|  | personal identity number |  |

Exact location of the vehicle before moving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
|  |

Reason why the vehicle is transferred to the treatment facility – the decision to declare the vehicle to be abandoned

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

Visual inspection of the vehicle

|  |
| --- |
|  |
| (damages, accessories, material values) |
|  |
|  |
|  |

I transferred the vehicle for moving at \_\_\_\_\_\_ o'clock

|  |  |
| --- | --- |
| I notified the watch division |  |

at \_\_\_\_\_ o'clock

The decision may be contested within 30 days by submitting a written decision to the higher institution (official) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(the name of the institution or official,

|  |
| --- |
|  |
| phone number and address) |

A decision of the higher institution (official) may be contested in the court.

|  |  |
| --- | --- |
| Official |  |
|  | (signature) |

**Information regarding a special vehicle with which movement was carried out**

|  |  |
| --- | --- |
| State registration number |  |
| Owner (holder) of the special vehicle |  |
| Number and date of the contract entered into with the local government |  |

**Receipt of the vehicle for movement**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
| Driver of the special vehicle |  |
|  | (signature and full name) |

**Information regarding the treatment facility**

|  |  |
| --- | --- |
| Firm name, registration number |  |
| Address of the point of acceptance |  |
| Number and date of the contract entered into with the local government |  |
| Time of accepting the vehicle |  |

**Acceptance of the vehicle**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
| Responsible person |  |
|  | (signature and full name) |

**Information regarding return of the vehicle**

|  |  |  |
| --- | --- | --- |
| Recipient's | given name, surname |  |
|  | personal identity number |  |

|  |  |
| --- | --- |
| Driving licence or personal identification document was presented |  |
|  | (series, number) |

|  |  |
| --- | --- |
| Status of the recipient |  |
|  | (owner, possessor or authorised person) |

Registration certificate of the vehicle presented (if the vehicle is received by the authorised person) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(number)

The vehicle will be driven by (to be completed if the recipient does not have a driving licence and the vehicle will be driven by another person) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(given name, surname, driving licence number)

|  |
| --- |
|  |

**Receipt of the vehicle**

|  |  |
| --- | --- |
| Notes |  |
|  |  |
|  |  |  |
| (date and time) |  | (signature and full name) |

Minister for Environment R. Vējonis