

# Post Storage Hearing for Vehicles Impounded

## INFORMATION AND INSTRUCTIONS FOR REQUESTING A POST STORAGE HEARING FOR VEHICLES IMPOUNDED UNDER ARS §28-3511

### Do I need to have a Post Storage Hearing?

No, however you are entitled to a hearing to determine the validity of the impoundment.

### What is the timeframe for requesting a hearing?

A request for a Post Storage Hearing must be received by the Fredonia Police Department **within ten (10) days from the date of the vehicle impoundment notice**. If your request is received after the ten day period, we cannot grant you a hearing on this matter.

The hearing can be requested by **telephone at (928)643-7928, by FAX at (928) 643-7935 or in writing to:**

**Fredonia Police Department**

**ATTN: Vehicle Impound**

**PO BOX 538**

**Fredonia, AZ 86022**

### Who conducts the hearing?

Post Storage Hearings are conducted by The Fredonia Police Department.

### What will I have to prove in a hearing?

You must provide justification and or evidence as to why the vehicle should not have been impounded by the Fredonia Police Department. If you have any

documentation, it must be provided to the hearing officer prior to or at the hearing.

**Is there a fee to have a hearing?**

No, there is no fee for a hearing.

**Do I need an attorney for the hearing?**

No, an attorney is not needed. However, you can bring your attorney if you wish. The hearing process is informal and rather brief.

A Post Storage Hearing can only be requested by the registered owner, the owner's spouse, or the lien holder.

**Additional Information:**

The Post Storage Hearing is *solely for the purpose of determining the validity of the impoundment.*

The Fredonia Police Department will assign the hearing officer.

After the conclusion of the hearing, the hearing officer will make a determination below based on the preponderance of evidence:

- If the hearing officer determines the impoundment improperly impounded pursuant to Arizona Revised Statute, the Fredonia Police Department will be responsible for the towing and impound fees.
- If the hearing officer determines the impoundment was properly impounded pursuant to Arizona Revised Statute, the registered owner must pay the Administrative fee of \$150 to Fredonia Police Department and towing and storage charges to the towing company in order to have the vehicle released.