

AN ORDINANCE RELATING TO THE IMPOUNDMENT OF VEHICLES AND UNLICENSED DRIVERS.

WHEREAS, The Town of Coosada establishes an impoundment fee of \$50, which said fee shall be paid by the registered owner, or his/her representative, and

WHEREAS, driving a motor vehicle on the public streets and highways is a privilege not a right, and

WHEREAS, of all drivers involved in fatal accidents, a driver with a suspended license is more likely to be involved in a fatal accident than a properly licensed driver, and

WHEREAS, Alabamians who comply with law are frequently victims of traffic accidents caused by unlicensed drivers. These innocent victims suffer considerable and property loss at the hands of people who flaunt the law, and

WHEREAS, a large number of people whose driving privileges have been suspended or revoked continue to drive regardless of the law, and

WHEREAS, the Town has a critical interest in enforcing its traffic laws and in keeping unlicensed drivers from illegally driving, and

WHEREAS, it is necessary and appropriate to take additional steps to prevent abandonment of vehicles and unlicensed drivers from driving. Seizing abandon vehicles and vehicles used by unlicensed drivers serves a significant governmental and public interest, namely the protection of the health, safety, and welfare of the citizens of the Town, from the harm of unlicensed drivers who are involved in destruction and damage to lives and property, and

WHEREAS, this Ordinance is consistent with the due process requirements of the United States in Calero-Toledo V. Pearson Yacht Leasing Co.. (416 U.S. 683).

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COOSADA, ALABAMA AS FOLLOWS:

Section 1. Definitions

For purposes of this Ordinance, the following words and phrases shall have the following meanings

“Impounding Agency” means the Town of Coosada Police Department police officers

AN ORDINANCE RELATING TO THE IMPOUNDMENT OF VEHICLES AND UNLICENSED DRIVERS.

“Legal Owner” means a lien holder, person with a security interest in a motor vehicle, a lessor of a motor vehicle, assignee of the lessor or the person who is the registered owner of the motor vehicle.

Section 2. Impoundment of Vehicles

- (1) Notwithstanding any other provision of law, and except as otherwise provided in this section, a motor vehicle is subject to impoundment as a nuisance if it is driven on a highway or other public roadway in the Town of Coosada Police Jurisdiction and any of the following conditions exist:
 - (a) The motor vehicle is driven by a person who is unlicensed or whose license or license privilege is suspended, revoked, or cancelled by the Alabama Department of Motor Vehicles at the time he or she was stopped or involved in an accident.
 - (b) If a driver is unable to produce a valid drivers license of the demand of the law enforcement officer, the vehicle shall be impounded regardless of ownership, unless the police officer is reasonably able by other means, to verify that the driver is properly licensed. Prior to impounding the vehicle, a law enforcement officer shall make a reasonable attempt to verify the license status of a driver who claims to be properly licensed, but who is unable to produce the license on demand of the law enforcement officer. A notation of the officer’s attempt to verify that the driver is properly licensed shall be noted on the impound report. The driver and occupants of the vehicle will be transported to a place of safety by the impounding officer and an impound report made with a full inventory of items in the vehicle.

AN ORDINANCE RELATING TO THE IMPOUNDMENT OF VEHICLES AND UNLICENSED DRIVERS.

- (c) The motor vehicle driver is arrested at time of stop for a On-view arrest or Misdemeanor/Felony arrest.
- (d) A law enforcement officer shall not impound a vehicle pursuant to this section if the license of the driver expired within the preceding ninety (90) day and the driver would otherwise have been properly licensed.
- (e) If the owner of the vehicle is present in the vehicle and has a valid license, the vehicle shall not be impounded and towed.
- (f) If there is a medical necessity jeopardizing life or limb, the law enforcement officer may elect not to impound the vehicle.
- (g) Any vehicle that has been abandoned on the roadway shall be stickered by a law enforcement officer. The sticker will be good for seventy-two (72) hours in which time the vehicle will be declared a nuisance and impounded.
- (h) If the law enforcement officer excises his/her discretion not to impound vehicle or officer supervisor advise not to impound vehicle, the vehicle shall not be impounded and towed.

Section 3. Release of Impounded Vehicles.

A vehicle impounded pursuant to this section shall be released if:

- (a) The registered owner, or his/her representative, or a representative with written notarized authorization from the registered owner, appears at the Coosada Police Department and presents a valid driver's license, proof of valid insurance, a copy of the title, tag

AN ORDINANCE RELATING TO THE IMPOUNDMENT OF VEHICLES AND UNLICENSED DRIVERS.

receipt, or notarized bill of sale, and a copy of the written authorization, if applicable, to be copied by the Coosada Police Department.

- (b) The registered owner or his/her representative will be responsible for paying a \$50.00 processing fee to the Town of Coosada.
- (c) If the registered owner does not have a valid driver's license, he/she may bring someone with them who has a verified valid license and the vehicle may be released without written notarized permission, or the owner may have the vehicle towed by a private towing service upon proof of ownership.
- (d) The person redeeming the vehicle at the wrecker lot will be responsible for paying the set towing and storage fee,
- (e) If authorized by the Chief of Police or his/her designee
- (f) Any vehicle impounded that is not redeemed pursuant to the section within sixty (60) days may be sold by the wrecker company for fees owed according to State Law. Therein the wrecker company will be responsible for paying the towing fee of \$50 prior to sale of the vehicle.

Section 4. All sections of this ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the

AN ORDINANCE RELATING TO THE IMPOUNDMENT OF VEHICLES AND UNLICENSED DRIVERS.

remaining words, phrases, clauses, sentences, paragraphs, and sections of this ordinance.

Section 5. Effective Date

This Ordinance shall become effective upon its passage and publication as provided by law.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the Town Council of the Town of Coosada, Alabama on the 25 day of NOVEMBER, 2025

ATTEST:

Jasmine Pullom
Town Clerk

Mayor:

Art F. Ridd



TOWN OF COOSADA

5800 COOSADA ROAD
PO BOX 96
COOSADA, ALABAMA 36020

CHIEF OF POLICE
LEON SMITH JR *LS*

To: All Wrecker Services doing Business in the Town of Coosada

From: Coosada Police Department

Date: 12-05-2025

Subject: Vehicle Release

Dear Sir or Madam,

First, I would like to thank you for your continued service and partnership with the Coosada Police Department. Your cooperation and professionalism are greatly appreciated.

This letter is to inform you that, effective **January 1, 2026**, any vehicle towed at the request of the Coosada Police Department will require a **signed tow release form** issued by the Coosada Police Department before the vehicle may be released.

This requirement is being implemented following the passage of a Town of Coosada ordinance approved by the Town Council on **Tuesday, November 24, 2025**.

If you have any questions, please feel free to contact the Coosada Police Department at **(334) 285-3700**, or through our non-emergency number at **(333) 848-0001**.

Thank you in advance for your cooperation.

Sincerely,

Leon Smith Jr

Chief Leon Smith Jr
Coosada Police Department