

ILO Administration for B.C. Towing and Recovery Operators



Section 1 Module 4

Access to Personal Property

Opening Narration

Narrator:

In this module, we'll review one of the most frequently encountered responsibilities for Impound Lot Operators: **allowing vehicle owners to retrieve personal property from an impounded vehicle.**

This is a right protected under the *Motor Vehicle Act* and reinforced in the 2025 Procedures for Impound Lot Operators.

Understanding what must be released, what may be withheld, and what documentation is required helps avoid disputes and ensures compliance with the law.

Lesson 1 — The Legal Requirement

Narrator:

Under **Section 251.6 of the Motor Vehicle Act**, vehicle owners—or individuals authorized by

the owner—must be given a **reasonable opportunity** to retrieve their **personal possessions**, as long as those items are:

- Not attached to the vehicle, and
- Not used in the operation of the vehicle.

This means that items such as wallets, purses, mobile phones, luggage, children’s belongings, tools, medication, and loose personal effects **must** be released upon request.

Lesson 2 — What Counts as Personal Property?

Narrator:

Personal property refers to any item **not permanently attached** to the vehicle.

Examples of **items that must be released** include:

- Clothing, backpacks, handbags
- Cell phones, laptops, tablets
- Medication or medical aids
- Keys not belonging to the vehicle
- Loose tools or equipment
- Car seats (if not permanently installed)
- Food, beverages, or small containers
- Cash, documentation, and personal papers

Items You Are Not Required to Release:

- Aftermarket stereos that are bolted in
- Rims or tires attached to the vehicle
- Installed GPS or dash-mounted devices
- Vehicle components or accessories
- Parts that would require tools to remove
- Anything that could compromise safety or the vehicle’s condition

If removal would **damage** the vehicle or require **mechanical work**, it is *not* personal property.

Lesson 3 — Who May Retrieve Personal Property?

Narrator:

Access is provided to:

1. The Registered Owner

This is the person whose name appears on the vehicle registration.

2. An Authorized Individual

If the owner cannot attend in person, they may authorize another individual to retrieve property.

Authorization can be provided through:

- An RSBC authorization process (used for releasing the vehicle), or
- A written letter or email from the owner identifying the authorized person, plus
- Valid government-issued ID from the person attending the lot.

3. Peace Officers

If property is needed for investigative purposes, police may access the vehicle without owner permission, but they must document their request.

Lesson 4 — Verification and Documentation

Narrator:

Before granting access, the ILO should verify:

- The identity of the person requesting access
- Their authority to retrieve items
- The time and date of access
- What property was retrieved

These records protect the operator from conflict or liability.

Recommended Documentation:

- Photo identification
- Copy of the authorization, if applicable
- Your internal “Personal Property Release Log”
- Signature of the person retrieving the items
- Notes describing the items released

Documenting this information takes only a few minutes and prevents misunderstandings later.

Lesson 5 — Reasonable Access vs. Operational Limits

Narrator:

The law requires **reasonable** access—not unlimited access.

Reasonable access means:

- During normal business hours
- Under staff supervision
- Within safety and operational limits
- Without disrupting other yard operations

It **does not** mean:

- After-hours access
- Allowing individuals to open or dismantle the vehicle
- Allowing a person to search the yard or access other vehicles
- Allowing removal of attached components
- Allowing access without proper ID

You maintain full authority to control the process and ensure safety.

Lesson 6 — Down Payments and Access Fees

Narrator:

Older versions of RSBC guidance permitted impound lots to request a down payment before providing access to personal property.

However, **Version 7 no longer contains this language**, and in practice, RSBC expects ILOs to provide access without requiring a fee or down payment.

To align with current expectations:

- Provide access without charging a fee
- Do not require prepayment of towing or storage charges
- Continue to record all interactions in your files

This ensures consistency with RSBC's current administrative expectations.

Lesson 7 — Safety Considerations

Narrator:

For safety, access should be:

- Supervised by ILO staff
- Conducted in an area that is safe for both staff and the public
- Managed so that customers do not handle hazardous materials (e.g., spilled fluids, broken glass)
- Limited if the vehicle contains dangerous items or biohazards

If a vehicle is severely damaged, biohazardous, or unsafe to enter, you may:

- Limit access to visible belongings, or
- Retrieve the property yourself while the individual observes

Document any such limitations for your records.

Lesson 8 — Special Situations

1. Vehicles Seized for Police Investigation

If police have seized the vehicle under a warrant or for investigative reasons personal property access may be restricted until police approve.

2. Stolen Vehicles

If a stolen vehicle was impounded and recovered, access should still be supervised and documented.

3. Shared Ownership or Disputes

When ownership is unclear, require RSBC or police clarification before allowing access.

Lesson 9 — Module 4 Summary

Narrator:

To recap:

- Owners and authorized individuals must be given reasonable access to personal property.
- Only items **not attached** to the vehicle must be released.
- The ILO must verify identity and document all releases.
- Access must follow safety and operational guidelines.
- Down payments or fees for access are **not supported** under current procedures.
- Special circumstances—police holds, unsafe vehicles, or ownership disputes—may require restricted access.

Proper handling of personal property helps maintain professionalism, transparency, and compliance.

End of Module 4 — Knowledge Check (Optional)

1. What section of the Motor Vehicle Act guarantees access to personal property?
 2. Name two examples of items that must be released.
 3. Name two examples of items an ILO is *not* required to release.
 4. What documentation should an ILO keep when property is retrieved?
 5. Are down payments permitted before allowing access to belongings?
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