

**RULES  
OF  
THE TENNESSEE DEPARTMENT OF SAFETY  
HIGHWAY PATROL DIVISION**

**CHAPTER 1340-03-01  
IMPOUNDMENT OF VEHICLES**

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**1340-03-01-.01 PURPOSE.**

To establish uniform procedures for appeals under Tennessee Code Annotated (T.C.A.) § 55-31-301 for abandoned or immobile vehicles towed by the Tennessee Highway Patrol (THP).

**Authority:** T.C.A. §§ 4-3-2009, 4-7-112, and 55-31-301. **Administrative History:** Original rule filed December 18, 1981; effective April 1, 1982. Amendments filed February 13, 2023; effective May 14, 2023. Amendments filed February 24, 2026; effective May 25, 2026.

**1340-03-01-.02 NOTICE TO OWNER.**

Upon taking a motor vehicle into custody, the Department shall provide notice as required in T.C.A. § 55-31-302.

**Authority:** T.C.A. §§ 4-3-2009, 4-7-112, and 55-31-301. **Administrative History:** Original rule filed December 18, 1981; effective April 1, 1982. Amendment filed October 25, 1995; effective February 28, 1996. Amendments filed February 13, 2023; effective May 14, 2023. Amendments filed February 24, 2026; effective May 25, 2026.

**1340-03-01-.03 APPEAL REQUEST.**

- (1) An owner or lienholder of an abandoned or immobile vehicle may appeal a determination that the vehicle was abandoned or immobile within twenty (20) days from receipt of the notice.
- (2) The appeal must be filed with the THP District Headquarters responsible for the county where the vehicle was located.
- (3) Within two (2) business days of the receipt of the appeal, the THP District Headquarters shall set a date for the hearing.
  - (a) The hearing is not required to be held within the two (2) business days.
  - (b) The hearing may not be set for a date more than two (2) weeks after the receipt of the appeal, unless agreed to by the appealing party.

**Authority:** T.C.A. §§ 4-3-2009, 4-7-112, and 55-31-301. **Administrative History:** Original rule filed December 18, 1981; effective April 1, 1982. Amendments filed February 13, 2023; effective May 14, 2023. Amendments filed February 24, 2026; effective May 25, 2026.

**1340-03-01-.04 CONDUCT OF APPEAL HEARING.**

- (1) The hearing shall be conducted by the THP District Captain, either by telephone conference or video conferencing. An in-person hearing may be conducted if requested by the appealing party.
- (2) At the hearing, the THP District Captain shall take testimony and accept records from the THP officer who made the determination and the appealing party. The hearing shall be audio recorded.
- (3) The THP District Captain shall reduce their findings of fact and conclusions of law to writing within two (2) business days after the hearing.
- (4) If the THP District Captain determines that the vehicle should not have been towed or that the charges were unreasonable, the vehicle shall be released to the owner without charge or for a reasonable amount to be determined by the captain upon the District Captain's written determination.
- (5) If the THP District Captain determines that the vehicle should have been towed or that the charges were reasonable, then the appealing party shall have twenty (20) days from the date of the written determination to retrieve the vehicle and pay all towing, preservation, and storage charges resulting from placing the vehicle in custody.
- (6) If the appealing party requests an appeal, they must request a review of the adverse decision by the THP Field Operation Lieutenant Colonel within five (5) business days of the date of the THP District Captain's written determination. The THP Field Operations Lieutenant Colonel will review the audio recording of the hearing, any documents submitted by both parties, and render a written determination within ten (10) days of the receipt of the appeal.
- (7) The appealing party may appeal an adverse decision of the THP Field Operations Lieutenant Colonel to Chancery Court pursuant to T.C.A. § 4-5-322.

**Authority:** T.C.A. §§ 4-3-2009, 4-7-112, and 55-31-301. **Administrative History:** Original rule filed December 18, 1981; effective April 1, 1982. Amendments filed February 13, 2023; effective May 14, 2023. Amendments filed February 24, 2026; effective May 25, 2026.