

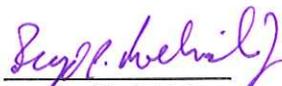


**Intermodal
Transportation
Division
Policy**

August 23, 2011
Effective Date

August 23, 2015
Review Date

PER 02-2 (8-8-02)
Supersedes


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State Engineer

PER 02-2 DISPOSITION OF LOST, FOUND, AND UNCLAIMED PROPERTY AND MONEY

PURPOSE

To present ITD's policy and provide procedures for the disposition of lost and found property and money.

BACKGROUND

There is a need to clarify "theft" and "found" as it pertains to property coming into the possession of an ITD employee. In August of 2002 ITD specified a consistent process for the proper disposition of lost and found property and money. The June 2011 revision clarifies that an employee cannot personally benefit from processing lost and found items.

SCOPE

This policy applies to all found items and money turned into an ADOT employee, regardless of the (real or perceived) value. It does not apply to the loss of state-owned property which is addressed by ADOT policy SUP-6.08 "Property Loss Reporting and Recovery Procedure for Covered ADOT Property", nor does this policy have bearing on the disposition of surplus ADOT property which is addressed in FIN-11.02 "Control and inventory of ADOT property".

AUTHORITY

Authority and direction for the proper disposition of unclaimed, or lost and found property is provided by ADOT Administrative Procedure FIN-11.02 *Control and Inventory of ADOT Property* and Arizona Revised Statutes:

12-941 *Disposal of certain unclaimed property in custody of state, county, city or town officer; disposal of found property; disposal of items to charities and museums; sale of coins,*

12-942 *Disposal of property unclaimed for ninety days,*

12-943 *Petition for disposal or sale of property,*

12-944 *Notice of sale; service and publication,*

12-945 *Sale of property, and*

12-946 *Unclaimed money*

POLICY

A. Property and/or money is considered "found" when it comes into the possession of an ITD employee.

B. It is considered "theft" for an ITD employee to keep, retain, or sell any lost and found, mis-delivered, or unclaimed money or property that comes into their possession. This applies to items received before, after, and during work hours on State property.

Some examples of “theft” include, but are not limited to:

1. Construction materials remaining at the conclusion of a project.
 2. Items found in garbage dumpsters and/or on the ground that may or may not have value.
 3. Items retrieved from the highway or right-of-way.
 4. Money or property given to an ITD employee by a customer, contractor, or another employee who has found it and is “turning it in”.
 5. Items removed from right-of-way properties.
- C. All found or unclaimed property received by ITD employees will be considered “excess property” following a reasonable attempt to locate the owner and will be disposed of through State Surplus Property. See “Disposition Procedure for Unclaimed Property” (below). Any money made as a result of an auction held by Surplus Property is transferred to the State General Fund.
- D. All found or unclaimed money received by ITD employees will be handled according to ARS 12-946 *Unclaimed money* as described in the procedure on page three of this policy.
- E. Contracts for the maintenance of highway rest areas include a provision for unclaimed articles to be delivered to the Highway Maintenance Supervisor for the district where the rest area is located. These incidents of lost and found shall be recorded on the Daily Work Report as prescribed in the contract.
- F. All actions taken regarding lost and found property and money will be with the highest standards of honesty, integrity and impartiality, free from personal consideration, personal gain or favoritism.

DISPOSITION PROCEDURE FOR UNCLAIMED PROPERTY

- A. The ITD employee receiving or finding the lost or unclaimed property shall deliver the property to the group or district Administrative Services Officer (ASO), or if in a remote area, to the Org Supervisor. If the item is too large or heavy to deliver it, the employee shall make the location of the property known to the ASO or Supervisor.
- B. Upon receipt of lost or unclaimed property, the ASO or Supervisor shall use the “Unclaimed Property and Money Disposition Log” (see Exhibit 1) to record the item(s) and the circumstances in which the ITD employee came into possession of the property. The ASO or Supervisor shall secure the property until final disposition is made. If the item has zero-value as determined by the ASO or Supervisor, it should be discarded immediately. There is no need to secure the item for 90 days and no further effort to locate its owner is necessary. Examples of zero-value items are broken furniture, torn clothing, unidentified keys, junk and other rubbish-like items.

- C. The Supervisor shall send or fax the log form to the ASO. The ASO will make a reasonable effort to find and contact the owner. If an owner is located, arrange for the return of the item(s) to the owner and record the action on the "Unclaimed Property and Money Disposition Log". The ASO also records any expense incurred to return the property (i.e. postage or delivery). If an owner is not found, record the attempt(s) to locate an owner on the "Unclaimed Property and Money Disposition Log".
- D. If an owner is not found and the property remains unclaimed after 90 days from the date of receipt, the property is deemed "excess property" and is disposed of in one of three ways:
1. The property can be returned to the finder (no matter what the value), if requested and the finder is not an employee of the Federal, State, County or City government.
 2. If the property in its present condition has a value of LESS THAN \$25.00, as deemed by the ASO or Supervisor, it may be given to an appropriate charity.
 3. If the property in its present condition has a value of MORE THAN \$25.00, as deemed by the ASO or Supervisor, the property is disposed of by State Surplus Property through ADOT Fixed Assets by following these steps:
 - a. The ASO sends a copy of the "Unclaimed Property and Money Disposition Log" to Fixed Assets who completes the SP-101 "Property Disposal Request and Authorization" form and sends the signed copy back to the ASO.
 - b. The ASO arranges for delivery of the "excess property" to DOA Surplus Property and records any expense incurred (for postage or delivery) on the "Unclaimed Property and Money Disposition Log". The signed SP-101 form is transferred to Surplus Property along with the property.
 - c. The ASO receives a copy of the SP-101 and retains it with the "Unclaimed Property and Money Disposition Log" for 3 years following the transfer of property to ADOA Surplus Property. The form may be destroyed after the 3 year retention period.

DISPOSITION PROCEDURE FOR UNCLAIMED MONEY

- A. The ITD employee receiving or finding lost or unclaimed money shall deliver the money to the group or district ASO in their area.
- B. Upon receipt of the money, the ASO shall use the "Unclaimed Property and Money Disposition Log" to record the amount and the circumstances in which the ITD employee came into possession of the money.
- C. The ASO shall keep the log and the unclaimed money in a secured area while following the next steps of this procedure.

D. The ASO shall contact the local police department or other local jurisdiction, such as the Sheriff's Department at their non-emergency number, for dispatch of an officer to the ADOT location. The officer will write a "Department Report" (DR) and will take possession of the unclaimed money. The ASO writes the DR number on the "Unclaimed Property and Money Disposition Log."

1. If the unclaimed money was found or turned-in by someone other than a government employee, the ASO will provide the finders name, address, and phone number to the police officer for the purpose of returning any unclaimed money to the finder.
2. If the unclaimed money was found and/or turned in by a government employee, the police department will deposit the money into the general fund of the local jurisdiction in possession of the money.

E. The ASO will record any expenses incurred for the disposition of unclaimed money (i.e. postage) on the "Unclaimed Property and Money Disposition Log" and will retain the log along with any receipts or copies of the Department Report (if received) for 3 years following the final action taken. The form and other documentation may be destroyed after the 3 year retention period.

Unclaimed Property and Money Disposition Log

Supervisor/ASO Name _____ Business Phone _____ Org # _____
 Business Address _____ County _____

Item Description	Date Item Found	Where Item Found	Item Received From	Circumstances
Estimated Value of Item \$ _____			Name: _____ Address: _____ City/St/Zip: _____ Phone: _____	
Attempts to Contact Owner		Final Disposition	Department Report # (DR #)	Expenses Incurred

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Estimated Value of Item \$ _____			Name: _____ Address: _____ City/St/Zip: _____ Phone: _____	
Attempts to Contact Owner		Final Disposition	Department Report # (DR #)	Expenses Incurred

The retention period for this form is three (3) years. For more information see ITD Policy - PER 02-2 Lost and Found Policy