

80IB. Impounding expenses, payment of before vehicle released

- (1) When a vehicle has been impounded under Subdivision 2 or on an impounding order and the impounding period ends, the Commissioner may refuse to release the vehicle until the Commissioner has been paid an amount specified by the Commissioner as being equivalent to all reasonable expenses of the Commissioner in impounding the vehicle.
- (2A) If the vehicle impounded under Subdivision 2 is a substitute vehicle impounded under section 79BCB, the expenses referred to in subsection (1) are both the expenses incurred in impounding the substitute vehicle and any unpaid expenses incurred in impounding the initially impounded vehicle (as defined in section 79BCA(1)).
- (2) Subsection (1) applies even if the person seeking the release of the vehicle is not the person suspected of having committed, or found to have committed, the offence for which the vehicle was impounded.
- (3) The Commissioner may release the vehicle without requiring payment of the amount described in subsection (1) if the Commissioner considers it appropriate in the circumstances to do so.
- (4) If payment of the amount described in subsection (1) is made for the release of the vehicle, that payment extinguishes any liability under section 79E or 80H, as the case requires, to pay the Commissioner for expenses of the impounding even though the payment may not have been made by the person who was liable under that section.
- (5) In the case of a vehicle impounded under Subdivision 2 the Commissioner has to refund, to the person who made the payment, an amount described in subsection (1) that was paid to the Commissioner for the release of the vehicle if —
 - (a) no charge of committing the offence for which the vehicle was impounded is laid during the period of one year after the day on which the offence is suspected to have been committed; or
 - (b) during the period described in paragraph (a) a person is charged with committing the offence but the person is acquitted of that offence, or the charge is withdrawn or dismissed.