North Central Regional Transit District (NCRTD)
Resolution No. 2017-25

APPROVAL OF LOST PROPERTY POLICY

WHEREAS, the NCRTD was created through legislative enactment (NMSA 1978, Section 73-25-1 et seq.); and

WHEREAS, the NCRTD is a sub-division of the State of New Mexico; and

WHEREAS, the NCRTD was approved and certified by the New Mexico Department of Transportation on the 14th day of September 2004; and

WHEREAS, the District operates and maintains real property, buses and vehicles; and

WHEREAS, in the course of maintaining its property the District frequently finds lost property of passengers and visitors; and

WHEREAS, the property found by the District should be logged, retained and returned to its owner whenever possible; and

NOW, THEREFORE BE IT RESOLVED THAT the North Central Regional Transit District Board approves the Lost Property Policy attached hereto.

ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 7th DAY OF JULY, 2017.

Approved as to form:

Daniel Barrone, Chairman

Peter Dwyer, Counsel
# NORTH CENTRAL REGIONAL TRANSIT DISTRICT

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<tr>
<th>SUBJECT: Lost Property</th>
<th>NUMBER: Operations - 05</th>
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<tr>
<td>EFFECTIVE DATE: July 1, 2017</td>
<td>Adopted and amended by Board Resolution No. 2017-25</td>
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<td>AMENDS/SUPERSEDES:</td>
<td>APPROVED:</td>
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<td>ANTHONY J. MORTILLARIO, EXECUTIVE DIRECTOR</td>
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## 1.0 Purposes

The North Central Regional Transit District (NCRTD) ("District") holds and retains lost property left on District buses and premises. This property belongs to the person who lost it and may be claimed by the owner pursuant to this policy. However, the District is not a permanent custodian for the property of others and will from time to time dispose of property which goes unclaimed for extended periods of time.

## 2.0 Scope of Policy

This policy covers only the personal property of non-district employees that is found or left on district property and premises.

## 3.0 Oversight Responsibility:

This policy shall be administered by the Transit and Facilities Operations Director or by such other staff person as the Executive Director may designate.

## 4.0 Handling and Storage of Lost Property:

All District employees who find property on District premises or vehicles are responsible for attempting to restore the property to its rightful owner. District employees shall not claim or retain any lost property. District employees shall identify, record and store lost property pursuant to this policy.
4.01 Identification of Property.

Any property that is found on District premises or vehicles should be examined and segregated according to the following standards.

(a) Property that is Hazardous. This includes syringes, drugs, drug paraphernalia, chemicals, and paints, are deemed to constitute a risk to District employees and passengers and may be disposed of in any manner that ensures the safety of the District's employees and passengers. Such property is generally exempt from the requirements of this policy regarding storage and retention of property.

(b) Property that is unhygienic. This includes trash, empty containers, soiled, dirty or ragged clothing, toiletries, and any food products or other perishable products. This property may be disposed of in any manner that ensures the cleanliness of District facilities and property.

(c) Weapons. This includes all knives, guns, pepper sprays, and other objects which are or may be used as a weapon.

(d) Animals.

(e) Evidence in legal proceedings. Any property that is identified by a law enforcement officer or a District employee as being needed or useful in a legal proceeding shall be retained and disposed of as directed by the Executive Director and shall not be subject to the general provisions of this policy.

(f) Personal Property. This includes any property that is not listed above.

4.02 Handling of non-Personal Property.

All non-Personal Property listed above (A-E) shall be handled in such a manner as to mitigate any health or safety risks to District employees and passengers. District employees needing assistance or guidance on the handling of said property shall contact their supervisor and refrain from further contact with said property if the employee believes the object or animal poses a safety risk to them or their passengers.

4.03 Record of Property Found.

The Transit and Facilities Operations Director or her designee shall maintain a list of the Personal Property (as defined above in Section 4.01 (f)) found upon District premises or property. The list shall include a brief description of the property along with the approximate date, time and place that it was found. The log of Personal Property shall be updated at the end of each day to include all new items of Personal Property recovered on that day.

4.04 Storage of Personal Property.

The Transit and Facilities Operations Director or her designee shall secure and store all Personal Property on District premises in a place and manner reasonably calculated to ensure that the property is not stolen or damaged and is retained intact and free from alteration, or loss. However, nothing herein shall be deemed to require the District or its employees to provide special accommodations or
storage for Personal Property that would impair District operations or incur costs to the District outside of the budgeted amounts for the District's day to day operations.

4.05 Retention of Personal Property.

The District will retain Personal Property for a minimum of 30 days prior to any disposal and shall generally retain all personal property for six months.

4.06 Retention of Non-Personal Property.

The District generally will not retain non-Personal Property. Hazardous and unhygienic property will be disposed of promptly. Weapons will be turned over to local law enforcement. Animals will be turned over to an appropriate recipient for the humane treatment of animals. The District shall record any transfer of such property along with information regarding who the property was given to, so that the owner may recover the property.

4.07 Retention of Evidence.

Property that is deemed to either be evidence or is likely to be useful as evidence in a legal proceeding will be retained and stored pending resolution of any threatened or pending litigation and shall not be returned to their owner without the express written permission of the Executive Director or an order by a court of competent jurisdiction.

5.0 Notification of Found Property.

5.01 Direct Notice

If the District has information from any source that indicates who the owner of property is or may be the Transit and Facilities Operations Director or her designee shall make reasonable efforts to contact the property owner by phone or e-mail. The notice shall not identify the specific property found and shall only indicate that the District believes that it may have recovered lost property and inform the person how they can recover lost property under this policy.

5.02 Publication Notice

The District may provide notice of lost property by publishing the date time and place that property was found but shall not publish specific descriptions of the property nor pictures of the property.

5.03 Notice Prior to Disposal

Prior to disposing of any Personal Property held by the District, the District shall publish a list by general description of the items intends to auction, sell or destroy. The list shall both be published and provided to local law enforcement agencies at least thirty days prior to disposal of the property. The list shall not be so specific as to render the claims process and verification of the owner moot.
6.0 Claims for Lost Property

Anyone claiming lost property shall submit a written claim for the lost property to the Transit and Facilities Operations Director or her designee.

6.01 Claim Form

The claim form shall at a minimum include:

(a) the name of the person claiming the property;
(b) a description of the property claimed;
(c) an indication of the approximate date, time and location that the property was lost;
(d) contact information for the person claiming the property verified by way of a valid current form of identification showing the person's name, address, e-mail or other means of contacting the person.

6.02 Returned Property

If the District has lost property and determines that the person claiming it can reasonably identify the property the property shall be returned to the claimant if:

(a) the Claimant has completed a claim form;
(b) the Claimant signs a release form stating that the property in question belongs to Claimant;

7.0 Disposal of Unclaimed Property

The District may dispose of unclaimed property as follows.

7.01 Six Month Review

The Transit and Facilities Operations Director will review all claims forms from the preceding six-month period to determine if any of the property may be subject to a valid claim and shall make their best efforts to restore the property to its owner before disposal.

7.02 Notification of Intended Disposal

Notification shall be provided pursuant to section five of this policy of the District's intent to dispose of the property.

7.03 Disposal of Property

Property with no resale value may be discarded or donated to a person or entity other than the District or its employees but shall not be donated to anyone working for the District or their family members.
Property with resale value shall be sold in a manner reasonably calculated to obtain the maximum value for the property including but not limited to sale by auction. All proceeds shall be retained by the District for general District purposes such as the Employee Recognition Fund.

Regardless of the means of disposal the District shall retain a record of the property disposed of along with the value (if any) of the property along with the initial log identifying the property.