

8.14
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

Date Issued: April 15, 1990 **Revision Date:** April 1, 2009
Subject: Vehicle Towing & Impound **Reference:** CACP STD
To: All Officers

I. Policy:

It is the policy of this Department to avoid towing vehicles at the owner's expense whenever possible. Vehicles shall only be towed when there is a need, or to comply with state law. Every reasonable attempt should be made under the circumstances at the time of the incident to resolve the situation without towing a vehicle. If no owner is available, the next towing company on the tow list (maintained by dispatch) will be used.

II. Procedure:

A. Authority

All officers of this Department possess the authority to have vehicles towed in accordance with the guidelines and regulations set forth in this policy. All situations could not be anticipated and dealt with in this policy. Therefore, officers shall consult with a supervisor when in doubt as to whether to tow a vehicle or not.

1. A vehicle may be towed for the following reasons:
 - a. If the vehicle is left in such a way that it is illegally parked and/or an immediate traffic hazard.
 - b. If the vehicle is interfering with the free movement of traffic or proper street or highway maintenance (including interfering with snow removal or special events) pursuant to City Ordinance Section 10-5, and the owner cannot be located.
 - i. For any vehicle parked in violation of this ordinance, officers will generally red tag the vehicle. The incident will be coded as an abandoned vehicle and the incident number placed on the red tag. If a patrol officer red tags a vehicle, that officer will forward a copy of the dispatch screen to Community Services. Community Services will keep a record of tagged vehicles.
 - c. If the owner/operator wants it towed.
 - d. If the owner/operator will not allow the officer to properly park the vehicle.

- e. If the vehicle is evidence, in the chain of evidence, or is needed to complete an investigation.
 - f. If the vehicle is abandoned pursuant to CRS 42-4-1602, and [General Order 8.13](#).
 - g. If the vehicle has a VIN removed or purposely modified.
2. In all cases where the vehicle is being towed for parking violations, or as abandoned, the officer will make a reasonable effort to contact the owner/operator and give them a reasonable opportunity to move the vehicle prior to towing.
 3. When impounds are ordered, the operator and any passengers should not be stranded. Officers shall take those reasonable measures necessary to ensure that the operator and any passengers of the vehicle are provided transportation.
 4. Vehicle operators, who are not under arrest, may be permitted to remove unsecured valuables of a non-evidentiary nature from the vehicle prior to its removal for impoundment. The nature of these valuables shall be noted on the appropriate reporting document.

B. Vehicle Inventory Report

1. Any vehicle that is towed for safekeeping or as evidence by an officer of this Department shall be inventoried and a Vehicle Inventory Report completed on it.
 - a. Inventories should be performed at the scene or at a safe place nearby whenever this can be done safely and effectively.
 - b. Inventories will be completed to assure the safeguarding of property, protect departmental personnel and the public against hazardous substances, and departmental integrity. All containers, boxes, bags, etc., whether open or unopened, will be searched for property, which may require inventorying. If the container is locked, care should be taken to not damage the item. Glove compartments, consoles and trunks of vehicles, either open or unopened, will also be searched for property requiring inventorying.
 - c. Any contraband discovered during the course of a property inventory shall be recorded on the inventory report and handled in accordance with procedures for handling evidence.
 - d. The completion of the Vehicle Inventory Report will not take precedence over the protection of evidence if the vehicle has been involved in a crime and is being towed for evidentiary purposes.

C. Evidence

Vehicles that may contain evidence relating to a felony or that have been involved in the commission of a crime shall be towed to the Department vehicle impound lot, or other designated place, for processing.

1. Use of Department Vehicle Impound Lot

a. Vehicles that may be held for long periods of time while the Department is conducting an investigation or otherwise responsible for the vehicle shall be towed to the department impound lot.

b. Vehicles that usually should be stored in the Department impound lot include, but are not limited to:

i. Vehicles that require evidence processing (at the direction of the Investigations Section these may be taken to the contract towers lot and sealed);

ii. Vehicles seized in major drug investigations;

iii. Vehicles involved in on-going department investigations;

c. Evidentiary Vehicles towed to the Department impound lot shall have a Vehicle Inventory Report filled out on it. An evidence tag will be placed on the inside rear view mirror -- if there is no rear view mirror, it will be placed on the steering wheel. A copy of this report shall be forwarded to the Evidence Custodian with the words "dept. lot" filled in the evidence location block. Any keys or other property taken from the vehicle shall also be booked into evidence/property.

d. The Support Services Division Commander, or his/her designee, shall be responsible for the operations of the department vehicle impound lot. He/she will coordinate with the investigating officers the release or disposing of the vehicle as soon as practical and within accordance of governing statutes.

D. Traffic Hazards

1. All vehicles that present a hazard to the public by their location or condition will be dealt with in the following manner:

a. Once an officer has identified a vehicle as a reasonable hazard, he will use his vehicle and emergency equipment to warn other traffic and reduce the hazard.

- b. The officer will not leave the traffic hazard, except in case of extreme emergency, until it has been removed or the hazardous condition has been alleviated.
- c. An attempt should be made by the officer and the Communications Center to locate the owner. If the owner is found to be enroute and can remove the vehicle in a reasonable amount of time, the officer will stand by until the owner has removed the vehicle.
- d. If the owner cannot be located in a reasonable amount of time, the officer will advise the Communications Center to send the next wrecker service on the list to tow the vehicle. A Vehicle Inventory Report will be completed by the officer on the vehicle being towed.
- e. If a traffic hazard is located on a highway or street that is the jurisdiction of another agency, that agency will be notified to respond. If the appropriate agency cannot respond in a timely manner, the officer may tow the vehicle only after authorization from that agencies supervisor.
- f. The vehicle may be pushed out of the lane of traffic if the owner is present and gives his permission.

E. Arrest of Vehicle Operators

1. Officers arresting the driver of a vehicle for any offense shall use the following procedure:

- a. If there is a passenger in the vehicle who has a valid driver's license and is capable of safely operating the vehicle, the driver may grant permission for that person to take control of the vehicle.
- b. If there is no other licensed driver available, the officer will tell the driver being placed under arrest that his vehicle will be parked and locked at that location if they wish and give recorded verbal authorization or in absence of a recording are willing to sign a roadside authorization, unless he wants a wrecker to tow the vehicle at his expense. If the owner/driver wants the vehicle towed, they may select the tow company or the officer will then request the Communications Center to send the next wrecker service. If the owner chooses a company they must be able to respond within 20 minutes. No vehicle inventory will be required as the vehicle is being towed at the owner's request.
- c. Officers should ensure the vehicle is legally parked and secured. The officer will return the vehicle keys to the owner after parking the vehicle.

F. Motor Vehicle Accidents

Officers investigating accidents will attempt to locate the owners of the vehicles involved and determine if they have made arrangements for the removal of the vehicles. If the owners cannot be located or are unable to arrange for their removal, the officer will have the Communications Center call the next wrecker service and have the vehicle towed. If the owner isn't present a Vehicle Inventory Report must be completed.

G. Illegally Operated Vehicles

1. If a vehicle is stopped by an officer and it is learned that the driver is operating the vehicle illegally (improper or no vehicle registration, invalid or no driver's license, etc.), the driver will be informed that it is unlawful for him to operate the vehicle until the cause for the violation has been corrected. The driver shall be warned, arrested, or issued the proper citation or other paper work and the vehicle left at the scene legally parked.
2. A reasonable effort will be made to ensure the operator is able to get safely to his residence or a location from which he can obtain transportation. Officers are allowed to transport the driver and his passengers if it appears the only method of resolving the problem. Officers can also, at the driver's request, have the Communications Center contact a wrecker, or other persons that may be able to assist the driver.
3. If, after the officer leaves the scene he later finds the driver operating the vehicle illegally again, the officer will repeat the procedure listed above. Officers will not tow vehicles for being illegally operated.

H. Police Vehicle Holds

1. Police holds will only be placed on vehicles for investigative purposes. Holds will not be placed on vehicles for the purpose of establishing registration, driver's license, proof of insurance or other operating requirements. Persons attempting to collect vehicles that can be released need only prove ownership of the vehicle involved.
2. Once a vehicle has been towed and a police hold placed on it, the vehicle may be released by one of the following personnel:
 - a. The officer who placed the hold;
 - b. The officer in charge of the case in which the vehicle has been involved;
 - c. By the supervisor on duty at the time of the request to release the vehicle;or,

d. If the vehicle was towed as evidence of a crime, the Investigative Technician or his/her supervisor may release it after approval of the District Attorney.

3. The officer impounding the vehicle will clearly write out on the Vehicle Inventory Report the conditions that must be met before the vehicle can be released.

J. Department Vehicles

The next tow company on the list (if the city shops are closed), or the city shops will tow any vehicle owned by the Department that needs to be towed.

K. Abandoned Vehicles

The officer that has the vehicle towed will complete a Vehicle Inventory Report and an Incident report for all vehicles towed as an abandoned vehicle. All abandoned vehicles will be placed in the department impound lot.

Authorized By:



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Chief of Police