

Annapolis Police Department



GENERAL ORDER

Number: C.21

Issue Date: March 2015

TO: All Personnel

SUBJECT: Towing and Impounding Vehicles

PURPOSE

The purpose of this General Order is to provide guidelines for towing, impounding and releasing of vehicles. It does not include provisions for vehicles towed for the purpose of forfeiture.

POLICY

It shall be the policy of the Annapolis Police Department that when towing vehicles members shall adhere to this policy and the Charter and Code of the City of Annapolis.

DEFINITIONS:

Towing - The removal of a vehicle from a scene but not from the control of its owner or operator.

Impoundment - The removal of a vehicle from a scene and from the control of its owner or operator.

I. Required Action

A. When circumstances dictate and there is no reason for impoundment, a member may have a vehicle towed. Circumstances for towing a vehicle may include, but are not limited to:

1. When the operator has been arrested.
2. When the vehicle is illegally parked.
3. When the vehicle is impeding traffic and there is no operator.
4. When vehicle(s) are involved in a collision.

B. A member shall only impound a vehicle when:

1. Someone has used it to commit a crime.

2. It is evidence of a crime or contains evidence of a crime.
 3. Someone has abandoned it on a public street or other public parking area, such as a 48 hour violation.
 4. State or local ordinances authorize its impoundment.
- C. Members are not required to tow vehicles from private property. However, if a vehicle is towed from private property the vehicle must be:
1. Abandoned as outlined in **General Order C.11**;
 2. Causing a hazard to public safety;
 3. Involved in a crime or is evidence; or
 4. Parked in a properly posted Handicap parking space.

II. Member's Responsibilities

- A. When towing a vehicle, from public or private property a member shall:
1. Secure the area surrounding the vehicle to insure public safety.
 2. Notify the tow company of the owner/operator's choice, or when the owner/operator is not present or has no preference, ask the Police Communications Operators to contact a tow service in keeping with Chapter 7.52 of the Charter and Code of the City of Annapolis.
 3. Remain at the scene until the vehicle is removed, unless otherwise ordered by a supervisor.
 4. Complete an incident report and forward to the Records Section in accordance with established policies. Notify the owner as to the location of their impounded vehicle and procedures for retrieval of the vehicle. Notification of the owner and any attempts shall be included in the report.
- B. When impounding a vehicle the member shall:
1. Check appropriate resources to verify that:
 - a. The vehicle is not stolen.
 - b. The vehicle does not appear on the sign request list or,
 - c. The vehicle has not been moved during the last 48 hours.
 - d. The vehicle--if parked over 48 hours--is **not**:
 - i) Registered to a resident within the corporate boundaries of the City of Annapolis;
 - ii) Displaying a current City of Annapolis parking sticker; or
 - iii) Displaying a State of Maryland non-residential permit.
 2. Inventory the vehicle and its contents as follows:
 - a. Document on Form K.2, Property/Evidence Inventory Form any seized evidence and place it into custody of the Police Department Property Section. Refer to **General Order K.1**.
 - b. List property remaining in the vehicle on Form C.6, Vehicle Inventory Form.

- i) List items of value separately or individually.
 - ii) List large quantities of similar items, such as clothing, small tools, documents, etc. by their grouping rather than individually.
 - c. Maintain custody of the vehicle until the inventory is complete. If the vehicle is blocking traffic flow, or causing a hazard, the member shall move the vehicle to a safe location.
 - d. Document any property of value removed from the vehicle for safekeeping on Form K.2 as well as the Vehicle Inventory Form (Form C.6) acknowledging the list of items remaining with the vehicle.
 - 3. If it is not possible to conduct an inventory the reason must be noted in the report.
 - 4. Remain at the scene until the vehicle is removed unless otherwise directed by a supervisor.
 - 5. Complete an incident report and forward to the Records Section in accordance with established policies.
 - 6. Notify the owner as to the location of their impounded vehicle and procedures for retrieval of the vehicle. Notification and any attempts shall be included in the report.
- C. In cases where a motorist needs mechanical assistance, the officer will relay the driver's preference, if known to the Communications Section. Otherwise, the local area tow company will be called in keeping with Chapter 7.52 of the Charter and Code of the City of Annapolis.

III. Communications Responsibilities

The Police Communications Operator will:

- A. Verify registration and ownership of the vehicle being towed based on information provided by the officer.
- B. Enter pertinent information in the vehicle tow log and contact a tow company.

IV. Traffic Safety Unit Responsibilities

- A. A member of the Traffic Safety Unit shall review all daily reports for towed vehicle information insuring that all owners have been notified of the location of their towed vehicles. Refer to 12.20.210.B of the Charter and Code of the City of Annapolis.
- B. If all reasonable efforts fail to locate an owner, and the vehicle has been construed as abandoned, members of the Traffic Safety Unit shall follow the procedure for dealing with abandoned vehicles as outlined in Transportation Article of the Annotated Code of Maryland, Sections 25-206 through 25-208 inclusive.

V. Release of Vehicles and Appeals Process

- A. Members shall release vehicles in keeping with provisions of the Charter and Code of the City of Annapolis Chapter 12.20.220.
- B. In keeping with provisions outlined in the Charter and Code of the City of Annapolis chapter 12.20.220B An owner or operator who desires to contest the validity of the towing of a vehicle which that person owned or operated, or the amount of any fines, towing or storage charges may request a hearing before the Chief of Police. A hearing shall be held by the Chief of Police no later than forty-eight hours following receipt of the written request.

Michael Pristoop
Chief of Police

References
1. Accreditation Standards 1.2.4, 61.4.1, 61.4.3, 82.2.5
2. Transportation Article of the Annotated Code of Maryland, Sections 25- 206 through 25-208 inclusive.
3. Charter and Code of the City of Annapolis Chapter 7.52, 12.20.210 and 20.220
4. General Order K.1 Evidence and Recovered Property

Revision: This General Order replaces General Order C.6 Towing and Impounding Vehicles dated September 2007.