



COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TOWING OF MOTOR VEHICLES**

NEW REVISED RESCINDS

APPROVED: *GM*
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

Effective Date 8/22/2018

I. POLICY

- A. Officers are authorized to tow a vehicle if it is in violation of the law and presenting a hazard to public safety, interfering with the flow of traffic, or when the vehicle itself is evidence or may contain evidence.
- B. Officers may also tow vehicles pursuant to the provisions of the Cottage City Code of Ordinances, Chapter 9-2 and Chapter 9-7A.
- C. Officers may tow vehicles parked in fire lanes on public or private property.
- D. An operator/owner/agent's may have the vehicle towed under a private arrangement with a licensed towing company. The officer is not obligated to do anything as this is strictly an agreement with the tow service and the owner/driver.

II. PROCEDURES FOR REQUESTING A TOW TRUCK

- A. Officers requesting tow service shall make their request for a tow truck via the police radio through communications and must provide a description of the vehicle to include the make, model, color and registration, location of the vehicle to be towed, and reason for the tow, e.g. parking violation, disabled, accident, etc. Police Teletype will maintain records of all vehicles removed, stored, or towed at the direction of an officer.

1. Officers requesting tow service within the Cottage City boundaries will first utilize McDonald Towing via the police dispatcher. If McDonald Towing is unavailable then follow the procedures in II. A. above.
 2. Officers will notify teletype of the full details of all vehicles towed involving the police.
- B. Vehicles will be towed by the nearest available tow service unless circumstances dictate otherwise. Request by the owner/operator for a specific towing service may be honored based upon the existing traffic conditions and the proximity of the desired towing service.
1. If the MILES/NCIC system is up, a stolen check should be requested.
 2. Officers shall complete a CCPD Impound Form on all towed vehicles including vehicles involved in accidents.

III. STOLEN VEHICLES

- A. When a stolen vehicle is recovered, the recovering officer will make every effort to process the vehicle unless specific instructions in the "HIT" confirmation dictate otherwise, i.e. hold for processing, etc.
- B. It is the responsibility of the recovering officer to notify the vehicle's owner. If the vehicle can be claimed in a short period of time at the location of discovery, the recovering officer will stand by and wait for the owner to arrive. The officer will conduct an evidence search before the vehicle is released to the owner. Any evidence seized will be taken to the station and stored in accordance with Department policy.
- C. If the owner is unable to respond to the recovery location, the vehicle will be towed by McDonalds Towing if available or the nearest available tow service who will tow the vehicle directly to their storage lot. The officer will complete a CCPD Impound Form and an Event Report.
- D. If the vehicle was reported stolen in another jurisdiction, the recovering officer is responsible for having a teletype sent to the police agency that entered the vehicle into NCIC, either by calling teletype or notifying the owner/agent directly by phone.

IV. ABANDONED VEHICLES

When it has been determined that a motor vehicle is abandoned in accordance with the Transportation Article (TA) Section 25-201, disposition of the vehicle will be made in the following manner:

- A. The officer handling the complaint will obtain a listing and a stolen check. If the owner can be contacted, advise him of the complaint and request him to move the vehicle.
- B. If unsuccessful in making contact with the owner, the officer should mark the vehicle for any law violations or violations of Cottage City ordinances and attach both the red copy of the CCPD "Warning Notice" and a parking citation, as appropriate, in the vicinity of the window or door of the driver's side and take appropriate action, to include the towing of the vehicle, in accordance with County, State, or local ordinances.
 - 1. The name, address, and telephone numbers (home and work) of the property owner/complainant will be entered on the impound form.
 - 2. If the vehicle is on private property, the officer handling the complaint will advise the property owner/agent of the ordinance requirements and direct the property owner/complainant to contact a towing company of their choice directly.

V. VEHICLES BEARING DIPLOMATIC REGISTRATION

Prior to towing a vehicle bearing diplomatic registration, the officer will attempt to locate the owner or operator and solicit his cooperation in moving the vehicle. If unsuccessful, the officer will:

- A. Have the vehicle towed by the closest available towing service to the nearest legal parking space or adjacent side street and issue the appropriate violation notice. Communications will be notified of the new location.
- B. Accept the tow bill from the towing service and prior to the end of that shift, initiate a memorandum via the chain of command to the Chief of Police, detailing the facts surrounding the incident. Attach the tow bill to the memorandum. In the event the identity of the registered owner is ascertained prior to his claiming the vehicle, the officer will notify the owner or embassy by telephone of the location of the vehicle.

VI. INVENTORY SEARCHES

- A. It shall be the policy of the Department for officers to conduct an inventory search of every vehicle they tow or seize to:
 - 1. Identify and take possession of valuable property for safekeeping;
 - 2. Protect officers from danger; and,
 - 3. Protect the towing/seizing officer and the Department from claims of lost, stolen, or vandalized property.

- B. This inventory policy does not include those vehicles driven or owned by a person who has diplomatic immunity as defined in General Order 5-48.