

CAMBRIDGE POLICE DEPARTMENT

Title: *TOWING VEHICLES*

Procedure: 4.608

Date Issued:

Revised:

PURPOSE:

To provide guidelines for the towing, safeguarding and disposing of vehicles.

To establish guidelines for the inventory of property from vehicles searched incident to a custodial arrest.

POLICY:

Officers are encouraged to provide assistance to motorists when the need arises for towing services, and institute enforcement action when they observe illegally parked vehicles, traffic obstructions and abandoned vehicles or when towing a vehicle incident to an arrest. The towing of vehicles from City streets is done in accordance with applicable State statutes and City ordinances

PROCEDURE:

GENERAL GUIDELINES

1. When a vehicle left unattended upon a street or highway is found in violation of any of the provisions regulating stopping, standing, or parking, and constitutes a definite hazard or obstruction to normal movement of traffic, officers may remove such vehicle, or require the driver or other person in charge of the vehicle to remove it from the roadway.

2. Officers may remove and/or impound or cause to be removed promptly to an authorized impound yard or other place of safety, any vehicle found upon a street or highway under the following circumstances:

A report has been made that the vehicle was stolen or taken without the owner's consent; or

The vehicle is so disabled as to constitute an obstruction to traffic and the person in charge of the

vehicle is unable to provide for its custody or prompt removal i.e., motor vehicle crashes; or

The driver of the vehicle is taken into custody by the Police Department and the vehicle would be left unattended.

Removal of the vehicle is necessary in the interest of public safety because of fire, flood, storm, snow, or other emergency reasons.

3. For every vehicle towed or impounded an Incident report will be completed.

4 All vehicles towed or impounded shall be checked through MILES and NCIC.

5. All vehicles towed shall be entered in the tow log by communications personnel.

6. The officer shall notify communications upon the arrival of the tow truck so that it may be logged in the tow book.

7. Officers shall report to their immediate supervisor the name of any tow company who either renders poor service or is incapable of providing quality service because of inadequate equipment or personnel.

CUSTODIAL ARREST

1. Following a custodial arrest, the officer will determine if the arrestee's vehicle is to be impounded. If it is, the officer will:

Request permission from the on duty Supervisor

Request that a tow truck be dispatched to the location.

Perform a thorough search of the vehicle, including the glove compartment, any unlocked containers, and the trunk.

An Incident Report will be completed documenting any items removed from the vehicle

2. When an officer makes a custodial arrest, the vehicle will be towed unless it can be released to a properly licensed driver in an appropriate amount of time. The permission to release the vehicle must be given by the owner of the vehicle.

MOTORIST ASSIST

1. Anytime an officer encounters a motorist who requires the services of a tow company, the officer will:

Check with the motorist to ascertain if he has a preference for a local tow company and request the Police Communications Officer to make notification.

Advise the motorist that if their choice of a tow company cannot provide timely service, and the vehicle presents a hazard, the Department has arrangements with local tow companies to provide services.

The motorist shall have the opportunity to select the tow company desired from those authorized by the Department to tow vehicles.

If the motorist has no preference the officer will advise the Police Communications Officer to contact the tow service next on the list.

2. While awaiting the arrival of the tow truck, the officer will provide protection for the vehicle by pushing the vehicle to a safe location or placing a police vehicle, with

emergency lights on, between the disabled vehicle and traffic.

3. The officer will remain in such position until a tow truck arrives or if the officer feels his presence is not necessary, he may place safety flares behind the disabled vehicle and resume patrol. Communications should be advised of the location and pending arrival of services for the disabled vehicle.

4. If necessary, the officer will provide transportation for the motorist and passengers to a place of safety.

WRECKED, NON-OPERATING And ABANDONED VEHICLES

1. The term "abandoned motor vehicle" means a motor vehicle that is inoperable and is left unattended on public property for more than 48 hours or a motor vehicle that has remained illegally on private property without the consent of the owner or person in control of the property for more than 48 hours, or a motor vehicle on private property that is inoperable and on which no repair or attempt to make it operable is being made.

2. Any partially dismantled, non-operating, wrecked, or junked vehicle on any street or highway within the City shall be considered abandoned.

3. Any vehicle in a state of disrepair rendering the vehicle incapable of being safely driven or one that does not have a current registration while parked on a City highway or street shall be considered abandoned.

4. A police officer who observes a vehicle which is wrecked, non-operating or abandoned as defined above will:

Make an attempt to contact the registered owner to have the vehicle moved after properly marking the tires.

After 48 hours the officer will affix a yellow "warning...impound" tag to the vehicle in an obvious location. A parking citation will be issued at this time. An Incident Report will then be completed.

5. After 24 hours has past and the vehicle has not been removed, the next scheduled wrecker service will be called and the vehicle will be impounded. A Supplemental Report will then be completed.

6. A police officer towing an abandoned vehicle will, in all cases, complete an Incident Report.

7. If all attempts to contact the owner fail, the vehicle will be disposed of according to law.

RELEASING IMPOUNDED VEHICLES

1. All vehicles which are impounded and indicated as eligible for release may be released to the owner or his agent upon showing proof of ownership.

2. Vehicles which are impounded and indicated as NOT eligible for release may not be released without approval of the officer in charge of the case, or a supervisor.