



TOW PROCEDURES

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I. TOW POLICY

The Police Department may tow vehicles for legitimate governmental purposes. Examples of legitimate governmental purposes include:

- A. A motor vehicle that has been damaged and rendered inoperative as a result of a motor vehicle traffic accident and; the owner or operator is unable to obtain towing services in a timely manner and; it is a traffic hazard.
- B. An abandoned motor vehicle that obstructs the free flow of traffic or as otherwise defined in the County Code or the Maryland Vehicle Law.
- C. A recovered stolen vehicle when the owner is unable or unwilling to provide towing services.
- D. A vehicle that is held for investigation or is otherwise retained for a lawful purpose (e.g., forfeiture, evidence).
- E. Vehicles that are illegally stopped, standing or parked in a roadway.
- F. Vehicles operated by arrested persons, if they refuse to assume responsibility for them.
- G. Vehicles requiring mechanical repair.

II. REQUESTING TOW SERVICE

- A. Officers will advise their dispatcher of the vehicle's exact location and request that the *next* tow company *in the tow rotation* respond.
- B. *Officers will inform their dispatcher of the number and kind of vehicles involved and any other pertinent information regarding the tow situation.*

C. ***In particular, the tow company will need to know if a vehicle is oversized, immovable due to flat/no tires or accident damage, or needs to be winched prior to towing.*** The dispatcher will provide this information to the tow company so that they will send the appropriate equipment to the scene. ***Officers are not to request a particular type of tow vehicle.*** It is the responsibility of the area tow operator, not the officer, to determine whether or not he/she can handle the job, based on the information provided by the dispatcher. If the tow operator can not handle the case the dispatcher will contact the next available tow company.

D. ***Whenever an officer requests a tow truck, he/she is required to await the arrival of that truck. Once the tow truck has arrived and the operator has signed the tow slip, the officer may clear the scene provided the vehicle being towed is not a traffic hazard and the tow truck operator concurs.***

E. The owners/operators of vehicles are permitted to request specific tow companies. Officers will honor these requests, provided that the requested tow company is able to respond to the officer's location within twenty minutes.

F. ***In cases where a motorist needs mechanical assistance, the officer will relay the driver's preference, if known, to the dispatcher, unless AAA is requested. If the request is for AAA, the citizen is to be taken to the nearest pay phone. Otherwise, the next tow company in the tow rotation will be called. The dispatcher will not call to discuss pricing information with the tow company for the citizen.***

III. TOWING PROCEDURES

A. In cases where an officer of this department requests a tow truck outside of the County (e.g., pursuit of vehicle into another jurisdiction) the tow company whose area is closest to that area will be called.

B. Tow company phone numbers provided to this department will not be given to the public. The public should be referred to or provided numbers from phone directories.

C. When a vehicle is towed to the Headquarters facility or to a district station, the department is responsible for payment of the tow charges. If the vehicle is claimed by the victim/owner within a reasonable amount of time, generally twenty-four hours unless otherwise approved by the facility commander, it will be released to the owner without cost. If, however, the vehicle is not claimed in a timely fashion the tow company performing the original tow should be contacted and instructed to remove the vehicle to the company storage lot. Payment for the second tow is the responsibility of the vehicle owner.

D. Tow charges are set by the Department of Inspections and Permits. If anyone has a question about a tow fee they should be instructed to contact Inspections and Permits for an explanation. Members of the department are to refrain from offering personal comments about the tow fees.

E. Tow service from the Central Garage will be used whenever possible to tow department vehicles or vehicle seizures.

F. ***Whenever a tow company is utilized to remove a non-vehicle item, such as a safe, the item must be towed to the District's bulk storage facility and processed as recovered property. A copy of the report and tow slip must be forwarded to the Traffic Safety Section.***

IV. PROBLEMS WITH A TOW SERVICE

It is the officer's responsibility to *inform* the Traffic Safety Section of any problems with a licensed tow company *that responds to a scene*, to include:

- A. Response time. Acceptable response times are 20 minutes from 0800 to 2000 hours, and 30 minutes between 2000 and 0800 hours.
- B. Inadequate tow equipment.
- C. Attitude of the driver.
- D. Information concerning the poor quality of tow service.
- E. ***Inadequate clean up of accident debris.***

This notification to Traffic Safety can be made through a notation directly on the tow slip or via inter-office correspondence.

V. CANCELED TOWS

The Police Department is billed by tow companies for cancellations. Therefore, officers should make every attempt to carefully evaluate the need for a tow truck before making such a request. **In any case where the tow must be canceled, the affected officer will submit a tow report detailing the circumstances of the incident.**

VI. INVENTORY OF TOWED VEHICLES REQUIRED

A. It is the policy of the Anne Arundel County Police Department to conduct an inventory of the contents of every vehicle towed, except vehicles that are released directly to owners in the officer's presence. The purpose of the inventory is to protect the owner, operator, or legal possessor's property while it remains in the Department's custody, and to protect the officer and the Department from claims or disputes about lost, damaged, or stolen property.

B. The inventory will encompass all areas and containers within the vehicle that may contain valuables: the interior, including glove compartments and consoles and the trunk; and containers, such as luggage or briefcases that also may contain valuables.

C. Officers will not break open locked containers in order to inventory them. Locked containers will be listed on the Vehicle Inventory Report as "one locked/sealed container" with a description of the container. Money, jewelry, and valuables will be listed on the Vehicle Inventory Report form and will be stored for safe keeping in accordance with procedures outlined in *Index Code 1201*.

VII. VEHICLE INVENTORY AND TOW REPORT

A. Officers will complete a Vehicle Inventory Report form (tow report) on all towed vehicles.

B. The Vehicle Inventory Report will not be used in lieu of any report required to explain the circumstances of the tow *except for recovered stolen autos, towed police vehicles, drivers arrests violations (except DWI/DUI), and abandoned autos, as provided in Index Code 2201 Apx A*. This form will be filled out completely. It is essential that the vehicle identification number (VIN) is included. Attach a supplement report if additional space is needed. ***It is not necessary to complete a tow slip on an owner's request.***

C. Distribution of the Vehicle Inventory Report is in the following order:

1. Original - Central Records
2. Yellow copy - Traffic Safety
3. Pink copy - Tow Company
4. Gold copy - *Vehicle Owner/Operator*

VIII. NOTIFICATION OF OWNER

In all towed vehicle cases, except recovered autos reported stolen from another jurisdiction, it is the responsibility of the towing officer to notify the owner/operator of the name and, if possible, the location and telephone number of the company towing the vehicle. Notification is considered made when the owner/operator is contacted in person, or directly by telephone. (Notification is not considered made when notes are left on doors; messages are left on answering machines, etc.) If the officer is unable to make the notification, he/she will note this fact on the Vehicle Inventory (tow) report. The officer will then mail the gold copy of the tow report to the registered owner's last known address. If notification is not made, the towing officer must make this notation in the "OWNER NOTIFIED" block on the tow report.

IX. INVESTIGATIVE TOWS/HOLDS

A. **Vehicles may be held for investigation only after obtaining permission from a supervisor.** Supervisors are responsible for determining that there is a legitimate investigative need for holding the vehicle, such as in the investigation of a fatal automobile accident, homicide or rape. The supervisor will monitor the progress of the investigation so that neither the owner nor the department will become responsible for unnecessary storage fees.

B. In cases where it is anticipated that the vehicle will be held for an extended period of time (such as in the case of a fatal accident investigation) the vehicle should be towed to Headquarters or a district station. The investigating officer is responsible for contacting the owner or manager of the tow company when the vehicle is ready for release.

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C. Vehicles may not be "held for investigation" to force the owner to come forward to accept a traffic citation.

X. TOW RECORDS

A. Vehicle Inventory (tow) reports will be submitted to and filed by Central Records according to the retention schedule determined by the custodian of records.

B. The Communications Section is responsible for maintaining a log of vehicles towed by the department.

C. The Traffic Safety Section will monitor the departmental tow procedure, ensuring that the department complies with all provisions of the law.

XI. PROPONENT UNIT: Traffic Safety Section.

XII. CANCELLATION: This directive cancels Index Code 1909, dated 03-01-96.