WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Vehicle Towing and Abandoned Vehicles		Policy # 5.1.19
Accreditation N/A		
Effective Date: January 1, 2008	Revised Date:	
By Authority Of: Chief A. Dale Mabry	Signature: ADMabry	

5.1.19 VEHICLE TOWING AND ABANDONED VEHICLES

A. POLICY:

Any vehicle towed or impounded (at the direction of a township police officer) from public or private property, within or outside the township is to be inventory searched for valuables. Any vehicle taken into custody for the purpose of storage or safekeeping until the owner is identified, located, or released from custody, is to be inventory searched. Custody of the vehicle must be lawful and necessary. All items in the vehicle will be listed on the "Auto Inventory and Towing Log."

B. PURPOSE:

To provide officers with uniform guidelines to follow when conducting a warrantless inventory search of a motor vehicle that is to be impounded at police direction. These guidelines are directed towards the achievement of the following:

Protection of police officers and the department from claims or dispute or dispute concerning allegedly lost or stolen property.

Protection and preservation of property for its owners while the property remains in police custody and care.

Assurance that inventory searches are conducted within the limits imposed by the courts.

C. TOW PROCEDURES

1. Accidents

   a. Whenever an officer has to tow a vehicle from an accident scene on a public highway, the officer will first inquire from the owner/operator of the vehicle if he/she has anyone in particular he/she wants to have tow his vehicle. If not, the officer will contact the police towing contractor. If the owner/operator does request a particular towing firm, and if time and conditions permit, the officer will allow the owner/operator to notify his towing contractor.

2. Private Property

a. Whenever this department receives a request from a property owner or his agent to remove a vehicle from private property, the officer will inform the owner/agent that this is outside of police jurisdiction and he will have to have the vehicle towed himself.
b. The officer may, however, assist the owner/agent in obtaining the name and address of the owner of the vehicle in question.
c. Exceptions to the above are where the vehicle in question is found to have been stolen or used in a crime, or where a dangerous condition exists and requires immediate police action.

3. Arrest

   a. Whenever a subject is arrested by this department and a vehicle was under the subject's control at the time, the vehicle shall be towed for safekeeping.

4. Stolen

   a. Whenever a stolen vehicle has been recovered and the owner is unable to take immediate control, the vehicle shall be towed for safekeeping.

5. In all cases where a vehicle is towed by the police, the officer will file an Auto Inventory and Towing Log.

D. ABANDONED VEHICLES

1. In all cases involving the handling of abandoned motor vehicles, the following procedures will be followed:

   a. Officers who observe or receive a report of an abandoned vehicle shall fill out an abandoned vehicle report.
   b. Reporting officer shall attempt to determine ownership through the registration number, serial number or inspection sticker.
   c. Reporting officer shall notify in person the owner/agent of the abandoned vehicle, if known, and note same on report.
   d. Reporting officer filling out the abandoned vehicle report shall place an abandoned vehicle sticker on the vehicle.
   e. Reporting officer will then file report following normal procedures.

2. After administration records, a copy will be forwarded to the designated TSU abandoned vehicle officer who will check the vehicle and then complete the certified letter and forward to administration for mailing.

3. Upon receiving the return receipt card or unclaimed letter, the abandoned vehicle officer will calculate the seven day period. If the vehicle is still on location and the owner/agency has not contacted this department, the abandoned vehicle officer will impound the vehicle. If the

owner/agent has contacted this department within the seven day period, the owner/agent shall be given an additional 48 hours to remove the vehicle. If at the end of the additional 48 hour period the vehicle has not been removed, the abandoned vehicle officer will impound the vehicle. A citation will then be issued by the abandoned vehicle officer.

4. When towing an abandoned vehicle, a written request will be given to the salver.

5. In the event the owner/agent of the abandoned vehicle relocates the vehicle to a location away from the original location of the abandoned vehicle and the new location is still on a street or highway in West Norriton Township, the abandoned vehicle officer shall be notified and proceed as if the vehicle had not be relocated.

6. If the owner/agent of an abandoned vehicle removes same from the highway or street and such movement is only a temporary removal wherein the vehicle is returned to the highways or streets within 60 days of the date of removal of the vehicle and the vehicle maintains abandoned vehicle status, the abandoned vehicle officer will immediately impound the vehicle and issue a citation.

7. Whenever a motor vehicle is parked legally or on the highway where it is obstructing traffic to a degree where it is a safety hazard, the officer has the discretion to have the vehicle towed.

8. Non-Motorized Vehicles

   a. Follow the procedure for abandoned vehicles except for placing a notice on the vehicle.
   b. This ordinance does not allow for towing, however, if it is a safety hazard we will have it removed after all other avenues has be tried.

E. SUSPENDED/UNLICENSED OPERATOR DISPOSITION OF VEHICLE

1. As a result of a charge in the statute of the vehicle code which permits municipal police to immediately seize the license/registration of a person unlicensed or driving under suspension, a potential for law suits has arisen in the event an officer permits the operator to continue to drive while being informed of the suspension. Therefore, officers shall, once notified of the suspension or being unlicensed, take the following steps to prevent the operator from continuing to operate the vehicle;

   a. Advise the operator of the infraction of the law and the steps you are about to take.
   b. Issue a citation for the violation.
   c. Seize the operator's license, if available, in accordance with state procedures.
   d. Where duties and time permit, have the operator secure private/public transportation. At no time will the person be transported in a police vehicle to a location outside the Township.

2. Regarding the vehicle, the officer shall;

a. Determine if a valid operator is present and if the suspended operator gives the valid operator permission to operate his vehicle, permit the vehicle to continue on.
b. Remove the vehicle from the highway by following department procedures for towing and securing the vehicle.

Exception: The vehicle may be left at the scene only if it is secured and off the travel portion of the roadway for a period not to exceed one hour in order to permit the owner to have the vehicle removed by a valid operator. However, to prevent the suspended operator from moving the vehicle after the officer leaves the scene, the officer shall take possession of the ignition key (only) until a valid operator is present to take possession of the vehicle.

Note: This does not apply to vehicles of persons taken into custody.

F. Suspended, Unlicensed Driver;

1. Determine if a properly licensed driver is present and if the driver and/or owner gives permission to operate the vehicle, permit the vehicle to continue on.

2. If a licensed driver is unavailable and the vehicle does not pose a risk to public safety, the vehicle shall be secured and immobilized. An inventory search shall not be conducted at this time. Immobilization will be accomplished by seizing the ignition key to the vehicle. The driver will be given a property report listing the key seizure. The driver will be given 24 hours from the time of the mobilization to have the owner appear at the West Norriton Police Department. The owner must produce proof of registration and financial responsibility for the vehicle. If the owner does not appear within 24 hours the vehicle will be impounded and an inventory search conducted.

3. If a licensed driver is unavailable and the vehicle poses a risk to public safety, the vehicle will be immediately impounded and an inventory search conducted. Officers shall articulate in the incident report why the vehicle posed a public safety risk.

C. Suspended, Unregistered Vehicle;

1. If a motor vehicle or combination for which there is no valid registration or for which the registration is suspended is stopped and the vehicle does not pose a risk to public safety, the vehicle shall be secured and immobilized. An inventory search shall not be conducted at this time. Immobilization will be accomplished by seizing the ignition key to the vehicle. The driver will be given a property report listing the key seizure. The owner will be given 24 hours from the time of immobilization to appear at the West Norriton Police Department. The owner must produce proof of registration and financial responsibility for the vehicle. If owner does not appear within 24 hours the vehicle will be impounded and an inventory search conducted.

2. If a motor vehicle or combination for which there is no valid registration or for which the registration the suspended is stopped and the vehicle poses a risk to public safety, the vehicle will be immediately impounded and an inventory search conducted. Officers shall articulate in the incident report why the vehicle posed a public safety risk.

Note: This does not apply to vehicles of persons taken into custody.