
Vehicle Towing and Release Policy

510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Peoria Police Department and under the authority of ARS § 28-872 and ARS § 28-3511.

510.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows:

510.2.1 COMPLETION OF VEHICLE IMPOUND AND INVENTORY REPORT

Department members requesting towing and storage of a vehicle shall do both of the following (ARS § 28-872(D)):

Provide the tow truck operator with a vehicle impound report signed by the member that includes (ARS § 28-872(D)(1)):

- The vehicle identification number.
- A number that identifies this department and the officer ordering the tow.
- The year, make and model of the vehicle.
- The license plate number if available.
- The date and time the vehicle was towed.
- The address from which the vehicle was towed.
- The name, address and telephone number, if known, of the registered owner and the primary lien holder of the vehicle to permit the towing company to notify the registered owner or the primary lien holder.

Electronically communicate to the Records Section the following (ARS § 28-872(D)(2)):

- The name and telephone number of the person towing the vehicle.
- Incident number
- The statute and subsection that authorizes the tow.
- All the information provided to the tow truck operator.

Communications Section personnel shall promptly record electronically communicated information from the completed vehicle impound report as prescribed by the Arizona Department of Public Safety (DPS) Records personnel enter the information into the National Insurance Crime Bureau (NICB) Impound/Stored Vehicle File (ARS § 28-872(F)).

Approved storage forms shall be promptly placed into the autofile so that they are immediately available for release or for information should inquiries be made.

510.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the dispatcher. When there is no

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preferred company requested, the Communications Section will dispatch a contracted tow truck.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call a contracted tow truck company. The officer will then conduct an inventory and store the vehicle.

510.2.3 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

510.2.4 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call a contracted tow truck.

510.2.5 RECORDS SECTION RESPONSIBILITIES

Records Section personnel shall promptly enter pertinent data from the completed vehicle impound report form into the stolen vehicle system. Approved forms shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Within 48 hours of recovering a stolen vehicle or receiving notification that a vehicle reported stolen through this department has been recovered, the officer on scene attempts to contact the owner through dispatch. If contact cannot be made with the owner of the vehicle, the officer mails a department-approved letter of notification. The notice must specify when the recovering law enforcement agency expects to release the vehicle to the owner and where the owner may pick up the vehicle. Upon recovery of a vehicle reported stolen to another agency, the Communications Section is to promptly inform the agency that the vehicle is recovered, where it is located and when it can be released to the owner.

510.3 TOWING SERVICES

The City of Peoria periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- When a vehicle is being held as evidence in connection with an investigation.
- When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

Nothing in this policy shall require the Department to tow a vehicle.

510.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject

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to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, a vehicle shall be towed if it would present a traffic hazard or if it would be in jeopardy of theft or damage if left at the scene in a high-crime area.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the occupant was arrested or is not subject to forfeiture proceedings.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages.

510.5 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

510.6 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, an officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.