



**Maryland-National Capital Park Police  
Prince George's County Division**



**DIVISION DIRECTIVE**

|  |                              |   |                                    |
|--|------------------------------|---|------------------------------------|
| TITLE<br><b>VEHICLE IMPOUNDS</b>   |                              |   | PROCEDURE NUMBER<br><b>PG430.0</b> |
| SECTION<br><b>Operational Procedures</b>                                   | DISTRIBUTION<br><b>A</b>     | EFFECTIVE DATE<br><b>09/01/19</b>                                   | REVIEW DATE<br><b>05/01/21</b>     |
| REPLACES<br><b>PG430.0 "Vehicle Impounds", issued 03/18/17</b>             |                              |   |                                    |
| RELATED DIRECTIVES<br><b>PG430.1, 432.1<br/>Field Report Writer Manual</b> | REFERENCES<br><b>CALEA 1</b> | AUTHORITY<br><i>S.R. Johnson</i><br><b>Chief Stanley R. Johnson</b> |                                    |

**I. PURPOSE**

The purpose of this directive is to establish guidelines for the towing, release, storage and inventory of all impounded and seized vehicles.

**II. POLICY**

It shall be the policy of this Division to tow a vehicle that is disabled or in violation of the law (State, county, local), or if it is creating a health or safety hazard, impeding the flow of traffic, or for other reasons as may be prescribed herein.

**III. PROCEDURE**

When officers impound a vehicle they shall:

- A. Contact Communications and have the dispatcher request the nearest contract crane to respond.
- B. Advise vehicle make, model, color, registration information, location and reason for impound.
- C. Complete a vehicle report, and vehicle release in Field Report Writer accessed in Police Mobile.

## **VEHICLE IMPOUNDS**

### **PG430.0**

- D. Inventory the vehicle using the vehicle impound report in Field Report Writer. Any property taken from the vehicle will be listed on a property report.
- E. Make a notification attempt to the owner if a release is to be issued. If notification is not made by the officer before the end of his/her shift, the officer will note that fact in the body of the report.
- F. The officer will continue to make notification attempts to the owner. When the officer is unable to make notification after several attempts, the officer will contact Records Management Personnel who will send a certified letter to the last known address of the owner.
- G. In the event that an owner is not known at the time of the impound, the officer will attempt to locate an owner for the vehicle. The officer shall make every effort to notify the owner of a vehicle of its impound. This notification attempt should be made either by phone or in person, or through the assistance of another police department. The officer shall contact Records personnel when they have an owner's name and have made notification. If the owner is not located, the officer will contact Records personnel and they will dispose of the vehicle according to procedures set forth by the State of Maryland.
- H. In all cases, the officer will notify Records personnel within 14 days of the owner's name and notification date, or of the fact that there is no owner to be found.

## **IV. GUIDELINES**

Owners/operators in attendance of vehicles subject to impound may request a specific tow service. Traffic conditions and proximity of the tow service must be considered by the officer. If such a request is unreasonable, the nearest tow service shall respond.

### **A. Illegally Parked Vehicles**

Vehicles shall not be routinely impounded for parking violations unless the violation is such that the officer feels impoundment cannot be delayed. Impoundment is authorized in the following circumstances:

1. Vehicles parked or standing that impede traffic, block driveways, or entrances, or are left unattended in such a manner as to constitute a threat to public safety.
2. A vehicle parked in a fire lane or interferes with access to a fire hydrant or passage of any emergency vehicle.
3. A vehicle parked so as to impede snow removal efforts or impedes traffic during a snow emergency.

## **VEHICLE IMPOUNDS**

### **PG430.0**

4. A vehicle parked over 72 hours following the issuance of a warning notice of violation.

#### **B. Vehicles with Defective Equipment**

Vehicles with defective or altered equipment should not be impounded unless the continued operation of such a vehicle poses an immediate danger to persons or property.

#### **C. Diplomatic Vehicles**

Vehicles displaying diplomatic tags and vehicles owned by a person with diplomatic immunity will not be impounded unless requested by the diplomat. If necessary, a contract crane will be used to move any diplomatic vehicle creating a safety or traffic hazard. However, it will be moved no further than the closest available legal parking place.

1. Accept the tow bill from the towing service. Prior to the end of the tour of duty, initiate a memorandum, via the chain-of-command, to the Area Operations Assistant Chief, dictating the facts and circumstances surrounding the event. The tow bill should accompany this memorandum. In the event the identity of the registered owner is ascertained prior to them claiming the vehicle, the officer shall notify the owner or embassy via the telephone of the vehicle's location.

#### **D. Arrested Person's Vehicle**

If an operator of a vehicle is arrested and the vehicle can be left lawfully parked, or if the operator/owner can arrange legal removal of the vehicle, it will not be impounded. If the vehicle is left lawfully parked, the owner/operator should be advised of the 72-hour parking limit and also the vehicle should be left parked in a secure fashion so as to protect the vehicle and the officer.

#### **E. Recovered Stolen Unauthorized Use Vehicles**

Vehicles recovered in stolen or unauthorized use cases may be impounded. If the owner of the vehicle lives in close proximity to the scene and the vehicle is of operable condition, attempt to contact them and have them respond to the scene to remove the vehicle. If they are unable to do so, the vehicle shall be impounded.

#### **F. Abandoned Vehicles**

Vehicles that meet the definition as per Section 25-201 of the Maryland Transportation Article will be issued a warning notice, and after 72 hours will be impounded. If an abandoned vehicle presents a traffic or health hazard it shall be immediately impounded.

## **VEHICLE IMPOUNDS**

### **PG430.0**

#### **G. Identification of Vehicles**

Vehicles should not be impounded solely because the owner or operator cannot produce a registration card or title, unless there is no reasonable means of establishing ownership or authorized possession to the satisfaction of the officer.

#### **V. INVENTORY OF IMPOUNDED VEHICLES**

An inventory is conducted to identify and take possession for safekeeping of valuable property from a towed vehicle. The scope of an inventory is limited to those unsecured or readily accessible areas within the vehicle. A locked trunk or glove box will be within the scope of an inventory, only if the keys to those areas are in the officer's possession. An inventory should be conducted prior to towing of the vehicle from the place of impound. Any evidence, contraband, fruits or instrumentalities of a crime found during an inventory search may be admissible in a subsequent prosecution. OFFICERS WILL NOT CONDUCT AN EVIDENCE SEARCH UNDER THE GUISE OF AN INVENTORY.

Elements of a valid inventory:

- A. Lawful basis for taking custody of the vehicle.
- B. The inventory is non-investigative.
- C. The scope of the inventory is limited to valuables for storage for future protection of officers and the Department, as well as the owner.

#### **VI. NARCOTICS-RELATED IMPOUNDS (FORFEITURES)**

When a vehicle is impounded for a narcotics-related violation which is believed to meet the forfeiture criteria set forth in Criminal Procedure Article 12-204, the impound officer shall:

- A. Notify Communications to dispatch a crane for impound.
- B. Have the vehicle towed to the police impound lot.
- C. Complete a vehicle report and include a detailed vehicle inventory list and statement regarding the officer's request for forfeiture.
- D. Submit to their supervisor a detailed memo describing the total circumstances of the arrest and the justification for recommending forfeiture. This memo will then be forwarded to the Park Police Division Chief for consideration.

## **VEHICLE IMPOUNDS**

### **PG430.0**

#### **VII. RELEASE OF IMPOUNDED VEHICLES**

- A. When releasing an impounded vehicle, proper identification must be furnished by the individual seeking the release. Vehicles will be released only to the legitimate owner or a person authorized to assume control of the vehicle. Reasonable proof of ownership or authorization of control, and proper personal identification must be shown.
  
- B. The Records Department will process all vehicle releases.

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