

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing.

502.2 POLICY

The Plymouth Township Police Department will tow vehicles when appropriate and in accordance with the law.

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard or is otherwise blocking the roadway, the owner or operator should arrange for the towing or remove the vehicle from the roadway. Officers may assist by communicating requests through Dispatch to expedite the process.

If the owner or operator is unable to arrange for towing or remove the vehicle from the roadway and the vehicle presents a hazard or is otherwise blocking the roadway, the vehicle may be towed at the direction of the officer (73 P.S. § 1971.3; 75 Pa.C.S. § 3352). Officers should obtain supervisor approval prior to towing any vehicle.

Vehicles that are not the property of the Township should not be driven by officers unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs (75 Pa.C.S. § 3745.1).

502.6 RECORDS

Records Division members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate report.

502.6.1 VEHICLE STORAGE REPORT

Officers towing a vehicle shall complete a vehicle tow report and tow release no later than the end of their shift.

502.6.2 NOTICE OF TOW

It shall be the responsibility of the Records Division to send a notice of tow, by the most expeditious means, to all registered owners and others having a recorded interest in the vehicle. Notice shall be sent to all such individuals by first-class mail with proof of service or certified mail with return receipt requested. The notice shall include (75 Pa.C.S. § 6109; 75 Pa.C.S. § 6309; 75 Pa.C.S. § 6309.1; 75 Pa.C.S. § 6309.2; 75 Pa.C.S. § 7305):

- (a) The name, address and telephone number of the Plymouth Township Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle, including:
 1. Color.
 2. Manufacturer year.
 3. Make and model.

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4. License plate number and/or Vehicle Identification Number (VIN).
 5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle.

502.7 TOWING SERVICES

The system established by the Department for the selection of tow services shall be followed by the officer directing removal of vehicles.

502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of officers shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

502.10 TOWING OR IMMOBILIZATION

If an officer finds that the driver's operating privilege is suspended, revoked, canceled, recalled or disqualified; that the driver is unlicensed; or that there is no valid vehicle registration or the registration is suspended, the officer shall immobilize the vehicle or, in the interest of public safety, direct that the vehicle be towed and stored (75 Pa.C.S. § 6309.2).

502.10.1 IMPOUNDMENT

When appropriate, a vehicle shall be rendered temporarily inoperable by an officer, or, in the interest of public safety, the officer shall have the vehicle towed and stored (75 Pa.C.S. § 6309; 75 Pa.C.S. § 6309.1).

502.10.2 ABANDONED

Officers shall process all vehicles presumed to be abandoned (on public or private property) by completing the appropriate report and removing the vehicle from the roadway, if applicable (75 Pa.C.S. § 7303.1; 75 Pa.C.S. § 7310). If an officer can determine in advance that the vehicle has been abandoned, examination of the interior of the vehicle shall be conducted only in accordance with the procedures set forth in the "Vehicle Inventory" section of this policy. The contents of all motor vehicles that are lawfully seized and or impounded by the Plymouth Township Police Department shall be subject to an administrative inventory search. Highway Patrol Supervisor is responsible for developing the appropriate guidelines, procedures and training for the regular processing of abandoned vehicles.

502.11 RELEASE OF VEHICLES

The following sets forth the policy and procedures for the release of towed vehicles from the custody of the Plymouth Township Police Department.

- (a) Any vehicle being held as a matter of a criminal investigation will not be released without the approval of the investigating Officer /Detective or the Detective Supervisor and the Montgomery County District Attorney's Office, if applicable. Approval for the release of the vehicle will not be given until it is a virtual certainty that no other evidence can be obtained and the release of the vehicle will not in any way compromise the investigation.

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- (b) Any vehicle that was towed as a result of a motor vehicle accident, or as a result of being disabled or abandoned, shall be released as soon as possible to any owner or authorized person who comes to claim it.
- (c) Any vehicle towed as a result of a motor vehicle violation(s), or an arrest, will only be released under the following conditions:
 - 1. Any motor vehicle violations that led to the vehicle being towed have been corrected and proper documentation has been provided (valid operator, valid registration, valid financial responsibility).
 - 2. It is believed that the vehicle and the operator are not a hazard should the vehicle be released.
 - 3. Any vehicle towed by the Plymouth Township Police Department can be released to an owner's towing company even if the violations have not been corrected. The tow release shall have a notation for the impound yard indicating that the vehicle may only be towed away.