

PURPOSE: Officers of this Department must know when the towing of certain vehicles is authorized.

POLICY: Whenever possible, the owner or operator of a vehicle which towing is required will be encouraged to specify a towing service of their choice. When required, the officer will summons needed tow trucks on a rotation basis, unless a specific request for a particular tow service has been made by the owner or operator of the vehicle to be towed.

PROCEDURES: Officers may tow vehicles in accordance to Arkansas state law (27-22-109) and city ordinances.

I. TOWING SITUATIONS

- A. Accident: Any vehicle involved in an accident will be moved to the shoulder of the road, or elsewhere, as soon as possible after necessary accident investigation information has been obtained. Vehicles shall be removed from the shoulder without unnecessary delay. Vehicles may be pushed, at no expense to the owner, to the shoulder of the road or other legal parking spot which does not obstruct or impede vehicle travel on the roadway. If this is not possible, and a traffic hazard is potentially created, towing of the vehicle at the expense of the owner may be ordered by the investigating officer.
- B. Emergency Situation: Any vehicle found illegally parked, in the vicinity of a fire, traffic or any other area of emergency, which creates a traffic hazard or interferes with the necessary work of law enforcement, fire, or other rescue workers, may be ordered towed at the expense of the owner by a law enforcement officer.
- C. Impeding/Danger to Traffic: No vehicle will be stopped in such a manner as to impede or render dangerous the use of the highway of others, except in cases of mechanical breakdown or accident. If such disabled vehicle is not promptly removed and creates a traffic hazard the law enforcement officer may order the vehicle towed at the expense of the owner.
- D. Blocking Driveway: Any law enforcement officer discovering or having report of any motor vehicle, trailer, or other vehicle blocking a driveway or entrance from a public roadway, or interfering with the movement on any driveway may order the vehicle towed at the expense of the owner of the vehicle.
- E. Unattended Traffic Hazard/Violation of Law: Officers may tow any motor vehicle found on the public street or grounds unattended by the owner/operator that constitutes a traffic hazard or is parked in such a manner as to be in violation of the law.
- F. Abandoned Vehicle: Whenever any motor vehicle is abandoned upon public property, a law enforcement officer may order it towed at the expense of the owner of the vehicle. A vehicle may be presumed to be abandoned if it is inoperable or left unattended on public property for more than forty-eight (48) hours.
- G. Recovered Stolen Vehicles: (after hour recoveries)
 - 1. Vehicles may be processed at the recovery scene and released to the owner.
 - 2. Vehicles recovered over an approximate fifty (50)-mile radius should be towed to that agencies tow service storage lot.
 - a. The owner of the vehicle will be notified at the earliest possible moment.
 - b. The shift Supervisor will decide if anyone will respond to process the vehicle taking into account the available manpower, distance to be traveled, and seriousness of the crime.

3. The CID Sergeant will be notified by dispatch of all after hour recoveries and whether or not a suspect was arrested. In the CID Sergeant's absence, the CID Lieutenant will be notified.

II. REMOVAL FROM PRIVATE PROPERTY

- A. Property owners, etc., may act immediately to have vehicles towed which are occupying lot, area, space, building, or part thereof without the vehicle owner's permission.
- B. Evidence/Crime Involvement: Vehicles that must be processed for or as evidence, having been involved in the commission of a crime, will normally be towed at the officer's request to the Department. When all evidentiary processing has been completed, vehicles may be released to owners.

III. TOWING PROCEDURE

The law enforcement officer should know under which provision of departmental policy the vehicle will be towed.

- A. In cases other than arrest, it is always preferred to have the vehicle owner/operator name the towing company to be used.
- B. If the owner/operator does not wish to specify a towing firm or is not available to make a choice, the officer will ask the dispatcher to send the next wrecker from the wrecker rotation list.
- C. In an emergency situation involving major traffic congestion and tie up, the officer will so notify the dispatcher and will request the closest/most readily available wrecker.
- D. If the vehicles involved are larger than normal passenger vehicle or pickup size, the officer should so advise the dispatcher who has a separate list of specially equipped wrecker services.
- E. When the wrecker arrives on the scene, the officer will advise the dispatcher of the time of arrival and any subsequent problems.
- F. Officer requests will be recorded on the wrecker rotation list by dispatch.
- G. Unless directed otherwise by the owner, a towed vehicle will normally be towed to and stored at the wrecker company towing the vehicle. It is then the responsibility of the wrecker company to collect the tow bill.
- H. Towed vehicles will normally not have a "hold" placed on them by a law enforcement officer for reasons of defective equipment, altered equipment, etc., and will be released to the owner following payment of the tow bill.

IV. INVENTORY

- A. Whenever any vehicle is taken into custody or control of a law enforcement officer of this Department, the arresting officer shall be responsible for the inventory of the vehicle. The inventory must be conducted to:
 1. Protect the owner's property while it remains in the custody of the Department.
 2. Protect the Department against claims or disputes over lost or stolen property.
 3. Protect law enforcement personnel and the public from dangerous items which could pose a threat to the community.
- B. The inventory shall include all spaces within the vehicle and the trunk or bed of the vehicle and shall include an inventory of all containers therein. Closed and locked containers will follow policy as outlined in Policy 10-11: Search: Motor Vehicles, Section XII.
- C. If valuables are located inside the vehicle or a container therein which should be stored separately from the vehicle, it is the duty of the officer conducting the inventory to record the nature of the valuable item, the condition of the valuable item, and the location where this