OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 24 **July 31, 2006**

SUBJECT: PAYMENT OF SELECTED VEHICLE TOWING AND STORAGE FEES AND ORDER RELEASE/REIMBURSEMENT REQUEST FORM - REVISED

PURPOSE: This Order outlines the revision to Department procedures regarding payment of vehicle towing and storage fees, under specific conditions, by the Department. The use, completion and distribution of the Order Release/Reimbursement Request, Form 15.23.04, has also been revised. This Order supercedes Office of Operations Order No. 15, 1987, *Payment of Selected Vehicle Towing and Storage Fees.*

PROCEDURE:

I. **VEHICLES SEIZED AS EVIDENCE.** When a vehicle has been seized as evidence, under the authority of California Vehicle Code (CVC) Section 22655.5, Fiscal Operations Division may pay certain towing and storage fees which have accrued, from the time of seizure until 24 hours after the registered or current owner is notified that the vehicle is available for immediate release. Fiscal Operations Division (FOD) will directly reimburse the concerned Official Police Garage (OPG).

The Department employee (e.g., Area Vehicle Coordinator, Collision Investigation Follow-Up Investigator, etc.)responsible for authorizing the release of a vehicle, which has been seized as evidence, shall:

* Ensure that the registered or current owner is immediately notified (telephonic or in person if practicable) that their vehicle is available for immediate release, at no cost to them;
* Ensure that the registered or current owner is provided with the explanation that they will be responsible for any storage fees which will begin to accrue 24 hours after such notification;
* Complete and obtain approval of the Order Release/Reimbursement Request, Form 15.23.04;
* Upon completion, provide a copy to the registered or current owner to present to the OPG; and,
* Ensure that all related reports are properly distributed.

II. **VEHICLE STORED FOR AN UNREASONABLE TIME PERIOD.** If a vehicle has been towed and stored under the authority of a CVC Section other than 22655.5, FOD may directly reimburse the concerned OPG for certain fees which have accrued when a vehicle remains stored for an unreasonable amount of time, at no fault of the registered or current owner (i.e., internal administrative errors resulting in the registered or current owner not receiving timely notification regarding the status or location of the vehicle).

The Department employee (e.g., Area Vehicle Coordinator, Collision Investigation Follow-Up Investigator, etc.) responsible for authorizing the release of a vehicle which was towed and stored under the authority of a vehicle code section (not evidence related) for an unreasonable amount of time, at no fault of the registered or current owner shall:

* Ensure that the registered or current owner is immediately notified (telephonic or in person if practicable) that their vehicle is available for immediate release;
* Ensure that the registered or current owner is provided with the explanation stating that they are responsible for payment of fees to cover the towing and the first two days of storage only;
* Ensure that the registered or current owner is provided with the explanation stating that the Department is responsible for payment of storage fees accruing from the third day of storage;
* Complete and obtain approval of the Order Release/Reimbursement Request, Form 15.23.04;
* Upon completion, provide a copy to the registered or current owner to be presented to the OPG; and,
* Ensure that all related reports are properly distributed.

III. **AREA DETECTIVE DIVISION/TRAFFIC DIVISION COMMANDING OFFICERS' RESPONSIBILITIES.** The Area Detective Division/Traffic Division Commanding Officer shall ensure that the copies of the related reports are properly distributed.

IV. ORDER RELEASE/REIMBURSEMENT REQUEST, FORM 15.23.04 – REVISED. The use, completion and distribution of this form has been revised.

A. Use of Form. This form is used to document whether probable cause existed when a vehicle was impounded, if the vehicle was seized as evidence, or if the vehicle was stored for an unreasonable period of time due to an administrative error.

Note: Include a narrative that briefly explains why the City is responsible for payment and to whom payment is to be made. Also, if an error was made when the vehicle was towed and impounded without probable cause, it should be documented that the officer who made the error received training.

B. Completion. This form shall be completed by the supervisor conducting a vehicle impound hearing. Only those supervisors who have received Department approved training and certification for vehicle impound hearings shall complete this form and conduct a vehicle impound hearing as defined by Section 4/226.05 of the Department Manual.

Note: In certain situations, this form may be completed without holding an impound hearing (e.g., robbery coordinator may complete the form to reimburse a victim of a car jacking incident whose vehicle was impounded as evidence).

C. Distribution.

1 – Original with narrative, shall be attached to and retained with the Vehicle Report, CHP Form 180, in the Area's records unit.

1 - Copy with a copy of the Vehicle Report, CHP Form 180, and a copy of the OPG impound invoice shall be forwarded to FOD.

1 – Copy with a copy of the Vehicle Report, CHP Form 180, and a copy of the OPG impound invoice shall be forwarded to Commission Investigation Division.

1 – Copy of page one shall be sent to the registered or current owner for retrieval of their vehicle.

4 – TOTAL

FORM AVAILABILITY: The Order Release/Reimbursement Request, Form 15.23.04, will be available for ordering from the Department of General Services, Distribution Center, in about 60 days. A copy of the revised form is attached for immediate duplication and use.

AMENDMENTS: This Order amends Sections 4/226.05 and 5/15.23.04 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Commission Investigation Division, shall be responsible for monitoring compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

Attachments

DISTRIBUTION "D"