810.05 COMPLAINTS - CONDITIONS OF ACCEPTANCE. Complaints shall be accepted from any source: written, verbal, in person or telephonic (or TTY), by mail, facsimile transmission, or electronic means, or anonymously; at the Police Administration Building; any bureau, Area station or substation; at the offices of the Board of Police Commissioners and the Office of the Inspector General; or any other police facility accessible to the public.

Exception: A complaint shall not be initiated when the **sole** reason consists of one or more of the following issues, unless the initial conversation with the complainant identifies attributable misconduct:

- Disputed traffic citation;
- Delay in service;

Note: The delayed response of a patrol unit or a detective failing to conduct a follow up interview due to workload, is not considered a complaint, but rather a delay in providing service and no Complaint Form, Form 01.28.00, is required. If the preliminary investigation discloses there was negligence rather than a delay in providing service due to workload (e.g., call lost when passed from one unit to another at change of watch), a Complaint Form shall be completed.

- Low-flying airship; or,
- Complaint by an inmate regarding accommodations, cell assignment, quantity/quality of food, etc.

Traffic Citations. Supervisors shall conduct a preliminary investigation of the violator's complaint about the issuance of the traffic citation. If no error was identified in the issuance of the citation, the complainant should be directed to the appropriate court for resolution, and no Complaint Form is required. However, if misconduct was alleged or discovered during the interview, then a Complaint Form is required.

Vehicle Impound Complaints. Supervisors shall interview the complainant regarding the incident that resulted in the vehicle being impounded. If no other allegation(s) is made regarding the vehicle impound itself, no Complaint Form is required and the complainant may be referred to the Vehicle Impound Hearing process as delineated in Manual Section 4/266.05. If the interview discloses an allegation(s), a Complaint Form shall be initiated regarding the allegation(s) outside of the vehicle impound, and the referral of the Complainant to the Vehicle Impound Hearing process documented on the Complaint Form.

220. VEHICLE REPORTING PROCEDURES.

220.10 VEHICLE INVESTIGATION DETERMINATION. Vehicle Report, CHP Form 180 shall be completed to report the following when stolen, lost, recovered, found, or impounded:

- Motor vehicles (all types) including:
  - Motorcycles, motor-driven cycles, mopeds, mini-bikes, go-carts, and motor scooters;
  - Off-highway vehicle, including construction equipment, dune buggies, and racing vehicles;
  - Trailers (all types);
  - Separate vehicle motors;
  - Separate vehicle transmissions;
  - Major component vehicle parts;
  - License plates (Except found);
  - Campers; and,
  - Aircraft (all types).

In addition, this form shall be used as an order to release a vehicle impounded with a hold, and as a Garage Report of Release or Sale of an impounded vehicle.

Note: Officers shall continue to report found license plates on the Property Report, Form 10.01.00, as delineated in Manual Section 5/10.01.0.

220.85 PLACING HOLD ON IMPOUNDED VEHICLE AND/OR VESSEL. When circumstances require that a vehicle and/or vessel be held for investigation, the impounding employee shall:

- Caution the tow truck operator if there is danger of destroying evidence;
- Place a hold for the appropriate investigative unit by entering information in the proper space on the Vehicle Report, CHP Form 180 and/or the Vessel Report, Form 12.08.00;

Note: Do ***Not*** hold for Burglary Auto-Theft Section unless specifically requested. Hold for Area detectives.

- In the "Not Available for Release" space of the Vehicle Impound Notice, Form 15.23.00, indicate the responsible investigative unit, and the anticipated date of release (normally two business days);
- If practicable, telephonically notify the responsible investigative unit of the hold. If telephonic notification cannot be made at the time of impound, that fact shall be recorded on the Vehicle and/or vessel Investigation, and the Area Vehicle Control Clerk shall make such notification during the next business day; and,
- If a vehicle and/or vessel wanted for investigation cannot be impounded under authority of the Vehicle Code, contact the investigating officer of the concerned unit for advice.

220.90 MOTOR OR OTHER IDENTIFYING NUMBER. An employee shall, at the scene examine and record on appropriate reports, the Vehicle Identification Number (VIN), and if possible, the motor number, or the number stamped on the frame. Number locations may be obtained from:

- Area investigating officers;
- Burglary Special Section, Commercial Crimes Division; or,
- Detective Support and Vice Division.

Any indication that a number has been altered shall be reported on the Vehicle Report, CHP Form 180, and/or the Vessel Report, Form 12.08.00 the vehicle and/or vessel shall be impounded, and a hold shall be placed on the vehicle and/or vessel for the ***Area*** investigating officer, ***not*** Burglary Special Section, Commercial Crimes Division. During normal business hours the Area investigating officer shall be notified telephonically (see also Conveyances Subject to Seizure, Manual Section 4/222.16.)

Prior to impounding ***any*** vehicle and/or vessel, the employee shall check the vehicle identification number ***and*** license number through the Stolen Vehicle System (SVS) or Automated Boat System (ABS). Prior to submitting the Vehicle Report, CHP Form 180, and/or the Vessel Report, Form 12.08.00 for approval, an SVS teletype shall be attached for retention in the Area.

220.95 REPORTING OF PRIVATE-PERSON IMPOUNDED VEHICLE. When a private person notifies the Department that he/she intends to cause the removal of a vehicle from private property pursuant to Section 22658 V.C., the employee receiving the notification shall transfer the call to the Automated Vehicle and Property Section, Records and Identification Division. Any written notices received by the Department shall be forwarded to the Automated Vehicle and Property Section.

221. FIELD RELEASING VEHICLES.

221.10 RELEASING RECOVERED STOLEN VEHICLES AND/OR VESSEL. When feasible, a recovered stolen vehicle and/or vessel which does not require a hold shall be released to the owner (or

the owner's agent) without impounding.

Determining Feasibility. Officers who recover a vehicle and/or vessel which appears to be available for field release shall immediately contact a supervisor. The supervisor shall determine the feasibility of making a field release based on the following factors:

- The practicability of immediately contacting the owner (e.g., availability of owner's telephone number, local dialing area); and,
- The time required for the owner to arrive at the recovery location; and,
- The owner's willingness to receive the vehicle; and,
- The current unit call load and need for police service.

Signature on Recovery Report. After verification of identity, the employee shall obtain the signature of the person receiving the vehicle and/or vessel in the "Person Reporting" box on the Recovery Report.

Victim's Report Memo. The person receiving the vehicle and/or vessel shall be given a completed Victim's Report Memo, Form 03.17.00, and shall be advised of the necessity for caution if stopped by a police unit.

Recovered Vehicle Broadcast. The employee shall immediately notify Communications Division of the release of the vehicle and/or vessel. The operator shall, without delay, broadcast a cancellation of the want on the vehicle and/or vessel.

Notification to Automated Vehicle and Property Section. The employee shall telephonically notify the Automated Vehicle and Property Section of the recovery as soon as practicable.

Latent Prints. When there is information or evidence regarding a possible suspect, consideration must be given to the desirability of attempting to lift fingerprints prior to releasing the vehicle and/or vessel.

Special Instruction. The recovering employee shall not leave the vehicle and/or vessel unattended except under unusual or emergency conditions. To preclude removal of the vehicle and/or vessel during the employee's unanticipated absence, upon initial contact the owner shall be instructed not to remove the vehicle and/or vessel if the employee is not at the scene.

221.20 FOUND VEHICLES. A found vehicle normally shall not be impounded.

Notifications. An employee discovering a vehicle which is reported lost and which does not appear to have been stolen or used in a crime shall:

- Complete a "Found" Vehicle Report, CHP Form 180;
- Notify the Automated Vehicle and Property Section, Records and Identification Division;
- If practicable, notify the reporting person of the vehicle's location. Indicate date, time, and person notified in the narrative portion of the "Found" Report; and,
- If the employee discovering a lost vehicle is unable to notify the owner or person reporting the lost vehicle, he/she shall note in the Vehicle Report, CHP Form 180, that a notification has not been made. The notification shall then be the responsibility of the investigating officer.

222. IMPOUNDING VEHICLES.

222.05 COMMUNITY CARETAKING DOCTRINE AND THE VEHICLE IMPOUND

PROCEDURES.

COMMUNITY CARETAKING DOCTRINE OVERVIEW. Officers shall be guided by the Community Caretaking Doctrine and the procedures set forth in this Order when deciding whether to impound a vehicle driven by an unlicensed driver, or a driver with a suspended or revoked license. The courts have ruled that this doctrine allows officers to impound a vehicle when doing so serves a community caretaking function. An impoundment based on the Community Caretaking Doctrine is likely warranted:

- When the vehicle is impeding traffic or jeopardizing public safety and convenience, such as when a vehicle is disabled following a traffic collision;
- When the vehicle is blocking a driveway or crosswalk or otherwise preventing the efficient movement of traffic (e.g., vehicle, pedestrian, bicycle);
- When the location of the stopped vehicle may create a public safety hazard (e.g., vehicle, pedestrian, bicyclist);
- When the location of the vehicle, if left at the location, may make it a target for vandalism or theft; or,
- To prevent the immediate and continued unlawful operation of the vehicle (e.g., licensed driver not immediately available).

The totality of circumstances, including the factors listed above, should be considered when deciding whether impoundment is reasonable under the Community Caretaking Doctrine and the Fourth Amendment. The decision to impound any vehicle must be reasonable and in furtherance of public safety.

UNLICENSED DRIVER AND DRIVER WITH A SUSPENDED/REVOKED LICENSE IMPOUND AUTHORITIES.

Unlicensed Driver – No Priors. Section 22651(p) VC shall be used as the impound authority for all vehicles being impounded when it has been determined that the driver was involved in the following and the officer issues a Traffic Notice to Appear citation, Form 04.50.00:

- Driving without a valid California Driver's License (unless the driver is a nonresident with a valid license or otherwise exempt under the Vehicle Code); or,
- Driving with an expired, withheld, or out-of-class California Driver's License.

Officers shall release the vehicle in lieu of impound provided **all** of the following conditions are met:

- The registered owner or his/her designee has a valid California Driver's License or is a nonresident with a valid license or otherwise exempt under the Vehicle Code;
- The registered owner and licensed driver are immediately available;
- The registered owner authorizes the licensed driver to drive the vehicle; and,
- The vehicle's registration is not expired over six (6) months.

Note: If the traffic stop is conducted in the registered owner's residential driveway or a legal parking space in the immediate vicinity of the owner's residence, impounding the vehicle **would not** be appropriate. However, if the traffic stop is conducted in the driver's residential driveway or in the immediate vicinity of the driver's residence but the driver is not the registered owner, officers must consider the totality of the circumstances to

determine if impoundment is reasonable.

The name and driver's license number of the licensed driver that the vehicle is being released to shall be documented in the narrative portion of the Traffic Notice to Appear that is issued to the unlicensed driver. If it is determined that the registered owner knowingly allowed an unlicensed driver to operate the vehicle, he or she may be cited for Section 14604(a) VC, "Non-Owner Driver of Vehicle."

When the vehicle cannot be released to a licensed driver, the vehicle shall be impounded pursuant to Section 22651(p) VC or, if the vehicle's registration is expired over six (6) months, pursuant to Section 22651(o) VC, to prevent the immediate and continued unlawful operation as warranted under the Community Caretaking Doctrine. The Official Police Garage (OPG) tow should be requested when it is determined that the vehicle cannot be released.

Note: If it is determined that the vehicle will be impounded, use impound authority Section 14602.6(a)(1) VC (30-Day Hold) if **all** of the following conditions are met:

- The driver has never been issued a driver's license by any jurisdiction (foreign or domestic); **and,**
- The driver is unable to show proof of insurance **or** at-fault in the traffic collision **or** lacks proof of identification.

The reason to impound the vehicle shall not be based on whether the vehicle is properly insured.

Unlicensed Driver - With Prior(s). Section 14602.6(a)(1) VC (30-Day Hold) shall be used as the impound authority when it has been determined that the driver has never been issued a driver's license by any jurisdiction (foreign or domestic) **and** has a prior misdemeanor conviction, failure to appear, or warrant for Section 12500(a) VC.

Note: Section 22651(p) VC shall always be used as the impound authority if it has been determined that the driver has an expired, withheld or out of class driver's license and has a prior misdemeanor conviction, failure to appear, or warrant for 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5 VC.

If the driver is the registered owner and has a prior **misdemeanor conviction**: Officers shall document in the "Remarks" or "Narrative" section of the impound Vehicle Report, CHP 180 form, that the vehicle is eligible for vehicle forfeiture as delineated in Section 14607.6 VC, except if the driver's license expired within the preceding 30 days, then no such notation shall be made.

Driver with Suspended/Revoked License – No Priors. Section 14602.6(a)(1) VC (30-Day Hold) shall be used as the impound authority for all vehicles being impounded when it has been determined that the driver was involved in any of the following:

- Driving with a suspended or revoked license; or,
- Driving with a restricted license pursuant to Sections 13352 or 23575 VC, and the vehicle is not equipped with a functioning, certified interlock device.

Officers shall release the vehicle in lieu of impound provided **all** of the following conditions are met:

- The registered owner or his/her designee has a valid California Driver's License or is a nonresident with a valid license or is otherwise exempt under the Vehicle Code;

- The registered owner and licensed driver are immediately available;
- The registered owner authorizes the licensed driver to drive the vehicle; and,
- The vehicle's registration is not expired over six (6) months.

Note: If the traffic stop is conducted in the registered owner's residential driveway or a legal parking space in the immediate vicinity of the owner's residence, impounding the vehicle **would not** be appropriate. However, if the traffic stop is conducted in the driver's residential driveway or in the immediate vicinity of the driver's residence but the driver is not the registered owner, officers must consider the totality of the circumstances to determine if impoundment is reasonable.

Officers impounding a vehicle under Section 14602.6(a)(1) VC shall either effect a custodial arrest of th
or
issue a Traffic Notice to Appear citation in the field. Vehicles impounded under this Section shall be im
for 30 days, unless earlier release is authorized by the Area Auto detectives in accordance with Section 1
VC.

The name and driver's license number of the licensed driver that the vehicle is being released to shall be documented in the narrative portion of the Traffic Notice to Appear that is issued to the unlicensed driver. If it is determined that the registered owner knowingly allowed an unlicensed driver to operate the vehicle, he or she may be cited for Section 14604(a) VC, "Non-Owner Driver of Vehicle."

Driver with Suspended/Revoked License – With Prior(s). Section 14602.6(a)(1) VC (30-Day Hold) shall be used as the impound authority for all vehicles being impounded when it has been determined that the suspended/revoked/restricted violator has a prior misdemeanor conviction, failure to appear, or warrant for Sections 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5 VC.

Note: If the driver is the registered owner and has a prior **misdemeanor conviction:** Officers shall document in the "Remarks" or "Narrative" section of the impound Vehicle Report, that the vehicle is eligible for vehicle forfeiture as delineated in Section 14607.6 VC.

MISCELLANEOUS IMPOUNDS.

Impounding Vehicles Driven by Habitual Driving Under the Influence Offenders. Section 14602.8(a)(1) VC authorizes an officer to impound a vehicle from a driver when it is determined that a person has been convicted of Section 23140 VC, Juvenile Driving Under the Influence of Alcohol; 23152 VC, Driving Under the Influence of Drugs or Alcohol; or 23153 VC, Causing Bodily Injury While Driving Under the Influence of Drugs or Alcohol, within the past 10 years **and** one or more of the following circumstances applies.

The officer shall immediately cause the removal and seizure of the vehicle that such a person was driving, under either of the following circumstances:

- The person was driving a vehicle with a blood alcohol content of 0.10 percent or more; or,
- The person driving the vehicle refused to submit to or complete a chemical test.

A vehicle impounded pursuant to the aforementioned section shall be impounded for one of the following time periods:

- 5 Days – If the person has been convicted once for violating Sections 23140, 23152 or 23153 VC, and the violation occurred within the preceding 10 years; or,

- 15 Days – If the person has been convicted two or more times for violating Sections 23140, 23152 or 23153 VC or any combination thereof, and the violations occurred within the preceding 10 years.

The vehicle shall be released to the registered owner or his or her designee prior to the end of the impoundment period only under conditions set forth in Section 14602.8(d) VC.

Citing or Arresting Unlicensed Drivers at Traffic Collision Scenes and Related Vehicle Impounds. For an unlicensed driver or driver with a suspended/revoked license at traffic collision scenes, the appropriate impound authority or release-at-scene protocol shall be utilized in accordance with Section II in this Order.

A driver involved in a traffic collision may be cited or placed under custodial arrest when the officer determines that the involved vehicle was operated by an unlicensed driver or a driver whose driving privilege was suspended or revoked.

The officer's determination shall be based upon witnesses' statements, a driver's admission and/or physical evidence. The related impound Vehicle Report shall contain the following:

- A full narrative listing all of the information/elements to establish the driver's offense; and,
- Names, addresses, telephone numbers and statements of witnesses that can establish the driver operating the vehicle.

If the traffic collision results in injuries, officers shall complete the Traffic Collision Report, CHP 555 form. However, if the traffic collision does not result in injuries and one of the parties is unlicensed, a Traffic Collision Report **shall not** be completed. The officer shall ensure an exchange of information is completed between the involved parties. Officers shall issue a Traffic Notice to Appear citation to the unlicensed driver and document the name, address and telephone number of the witnessing party or parties on the back of the "Golden Rod" copy of the issuing officer's Traffic Notice to Appear citation.

If the violator challenges the citation during a subsequent court proceeding, the issuing officer shall be responsible for contacting the witnessing parties and requesting their attendance in court.

When the unlicensed driver does not possess valid identification, officers shall advise the other involved party of the option to effect a private person's arrest. When a private person's arrest is made, officers shall indicate a charge of Section 12500(a) VC or 14601(a) VC, or other appropriate VC section(s) for driving when the privilege is suspended or revoked.

Impounding Vehicles at Driving Under the Influence Checkpoints. The following procedures apply if the driver's only offense is a violation of Section 12500 VC, even if the driver has a prior misdemeanor conviction, failure to appear, or warrant for 12500 VC. Officers shall make a reasonable attempt to identify the registered owner of the vehicle driven by an unlicensed driver. When the registered owner is present or able to respond to the scene prior to the conclusion of the DUI checkpoint operation, or the officer is able, without delay, to identify the registered owner and obtain his/her authorization to release the vehicle to a licensed driver at the scene, the vehicle shall be released to either the registered owner or the authorized licensed driver provided the following conditions are met:

- The registered owner or his/her designee has a valid California Driver's License or is a

nonresident with a valid license or is otherwise exempt under the Vehicle Code; and,
- The registered owner authorizes the licensed driver to drive the vehicle.

The name and driver's license number of the licensed driver the vehicle is being released to shall be documented in the narrative portion of the Traffic Notice to Appear citation issued to the violator.

When the vehicle cannot be released to the registered owner or his or her designee, officers shall impound the vehicle under the authority of Section 22651(p) VC.

When the violator has a suspended or revoked driver's license, officers shall impound or release the vehicle as outlined in Section II "Unlicensed and Suspended/Revoked Driver Impound Authorities" of this Order.

Impounding Vehicles When the Driver is Arrested. Section 22651(h)(1) VC authorizes an officer to impound a vehicle from a driver who has been arrested and taken into physical custody. However, as noted in Section I of this Order, officers must also determine if the totality of the circumstances supports impoundment of the vehicle under the Community Caretaking Doctrine.

When a driver is arrested, the vehicle **should not** be impounded under the following circumstances:

- If the arrestee is the registered owner and the vehicle is parked in the arrestee's residential driveway or a legal parking space in the immediate vicinity of the arrestee's residence;
- If the vehicle is parked in a legal parking space where it is not posing a traffic hazard and is not likely to be a target of vandalism or theft; or,
- If a licensed passenger is present and not impaired or otherwise unable to lawfully operate the vehicle and is given permission by the registered owner.

Note: In situations other than those above, when community caretaking warrants impoundment, Section 22651(h)(1) VC shall be used as the impound authority. If the driver arrested has prior DUI convictions, officers shall be guided by Section 14602.8(a)(1) VC.

222.10 RESPONSIBILITY FOR ARRESTEE'S VEHICLE. Arresting officers shall be responsible for the reasonable care of a vehicle in the immediate physical possession of the arrestee.

Note: Outside agency officers shall care for the arrestee's vehicle when they are responsible for completing the investigation.

222.15 IMPOUNDING VEHICLE INVOLVED IN AN ACCIDENT. Employees shall impound a vehicle involved in a traffic collision when:

- The vehicle is on a traffic way, cannot readily be moved, and is obstructing traffic; and,
- The driver of the vehicle is injured to the extent that he/she is unable to care for the vehicle or provide for its care.

It is the responsibility of the tow truck operator to remove all broken glass and other debris from the street at the scene of the accident.

222.16 IMPOUNDING CONVEYANCES USED IN DRUG TRAFFICKING. Officers impounding conveyances in accordance with Section 11470 Health and Safety Code (H&S)(1) shall:

- Obtain impound and storage approval from the Forfeiture Coordinator, Gang and Narcotics Division, or Detective Support and Vice Division;
- Hold the conveyance for Gang and Narcotics Division;
- Indicate in the "Not Available for Release" space of the Vehicle Impound Notice, Form 15.23.00, the phone number of Gang and Narcotics Division;
- Indicate in the "Vehicle Release Order" portion of the Vehicle Report, CHP Form 180, "Release to Gang and Narcotics Division Only";
- Accurately describe in the Arrest Report, Form 05.02.00, the conveyance, its involvement in the case, and its disposition; and,
- Forward copies of all related reports to the Forfeiture Coordinator, Gang and Narcotics Division.

Conveyances Subject to Seizure. Section 11470 of the Health and Safety Code allows officers to seize certain involved conveyances pending forfeiture proceedings if the conveyances are used in the possession or transportation of a controlled substance for sale and the owners or operators are arrested for 11351, 11352, 11355, 11359, 11360, 11378, 11379, or 11382 Health and Safety Code, or if an attempt is made to arrest the owner or operators on these charges. This option is limited to those cases involving the below described conveyances:

- Any two-axle vehicle;
- Any motorcycle or motor-driven cycle;
- Any three-axle house car;
- A tractor trailer vehicle;
- A heavy duty vehicle, (i.e., three-axle truck or privately owned bus over 6,000 pounds gross weight);
- Any airplane; and,
- Any boat or ship.

Note: Implements of husbandry and common carriers are not subject to forfeiture.

222.18 IMPOUNDING VEHICLES PURSUANT TO VEHICLE CODE SECTION 22651(o) OR (p) - OFFICER RESPONSIBILITY. In addition to completing all necessary reports and notifications, an officer who causes the impound of a vehicle under authority of Section 22651(o) or (p) VC shall place a "HOLD" on the vehicle for the concerned Area Vehicle Coordinator.

222.19 IMPOUNDING VEHICLES PURSUANT TO LAMC SECTION 80.73.2 AS AUTHORIZED BY VEHICLE CODE SECTION 22561(k) OF THE CALIFORNIA VEHICLE CODE. If a vehicle remains parked in the same location and the chalk marks remain unchanged for 72 consecutive hours or longer, officers who choose to impound the vehicle shall:

- Issue the vehicle a parking citation for violation of LAMC Section 80.73.2;
- Impound the vehicle as authorized by 22651(k) of the California Vehicle Code;
- Record the information detailing the location of the chalk marks and tire valve stems (mentioned above) in the narrative portion of the Vehicle Impound Report;
- Record the date and time the vehicle's tires were originally marked with chalk along with the date and time the tire valve stem positions were originally observed, in the narrative section of the Vehicle Impound Report.

Note: If the officer citing and impounding the vehicle is different from the officer that originally observed and marked the tires of the vehicle, the impounding officer shall include the name and serial

number of the officer making the initial observations in the narrative of the impound report.

222.20 ILLEGALLY PARKED VEHICLE. An employee may impound an illegally parked vehicle when it:

- Obstructs the normal movement of traffic;
- Is left standing upon a street or highway; and,
- Is impracticable to move the vehicle to a legal parking space in the near vicinity. A police vehicle shall not be used to move an illegally parked vehicle except as provided in Manual Section 4/223.40.

A citation shall be issued when an illegally parked vehicle is impounded or moved.

222.25 SPECIAL EVENTS. Instructions for impounding illegally parked vehicles in the vicinity of a special event shall be given prior to the event.

222.30 VEHICLE INVOLVED IN NATIONAL FIRE ARMS ACT INVESTIGATION. A vehicle in which there has been transported, or in which there is found an illegal weapon as defined by the National Firearms Act, shall be impounded in conjunction with a lawful arrest and held for Detective Support and Vice Division. A teletype shall be sent to Detective Support and Vice Division containing the following information:

- Reason for placing hold;
- The name, booking number, and charge of arrestee;
- Year, make, model, and license number of the impounded vehicle; and,
- DR number of the Vehicle Report.

Detective Support and Vice Division shall coordinate the release of the vehicle to the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Treasury Department.

222.35 ABANDONED VEHICLES. Generally, all requests for the removal of abandoned vehicles should be forwarded to the Department of Transportation. However, should officers choose to take enforcement action, they shall:

- Mark the vehicle's tires with chalk;
- Mark the pavement around the vehicle's tires with chalk;
- Indicate the location of the valve stems of the tires as they relate to a clock face, (i.e., left front tire valve at 2 O'clock, right rear tire valve at 6 O'clock); and,
- Ensure this information is later documented in the narrative section of the Vehicle Impound Report CHP 180 Form.

Note: Pre-impound hearings are no longer required.

222.38 ABANDONED VEHICLES WITH ALTERED IDENTIFICATION NUMBERS. When the identification number(s) on an impounded abandoned vehicle are missing, have been altered, or do not correspond with those on file with the Department of Motor Vehicles, Vehicle Report, CHP Form 180, shall be completed and a hold placed on the vehicle.

Investigators in the Area where the vehicle has been impounded shall be responsible for the investigation of the vehicle and its disposition.

222.40 REMOVAL OF DISMANTLED VEHICLES. The Bureau of Street Maintenance is responsible for removing a dismantled vehicle from public property when the vehicle lacks evidence of registration or an identification number. The commanding officer of the concerned Area shall request its removal by forwarding a letter, in triplicate, to the Department of Transportation.

The letter shall contain the following information:

- Location of the vehicle;
- Extent of dismantling;
- Estimated length of time abandoned;
- Names and addresses of witnesses interviewed in attempting to locate the owner; and,
- Statement regarding lack of evidence of registration or identification.

222.42 REMOVAL OF MAJOR COMPONENT VEHICLE PARTS.

Impounding Officer's Responsibility. Generally, officers should not remove vehicle parts in the field. When an officer determines that a vehicle has a part with an altered or removed vehicle identification number, or has stolen parts attached which require removal, the officer shall comply with Section 4/220.90 of the Department Manual.

Note: If the officer recovers a major component part only (e.g., recovered engine), the officer shall obtain tow service as outlined in Manual Section 4/223.10. When practicable, the officer may transport the major vehicle component to an Official Police Garage (OPG) for storage. The impoundment of major component vehicle parts shall be reported on the Vehicle Report, CHP Form 180.

Detective's Responsibility. When a detective determines that an impounded vehicle has a vehicle part with an altered or removed vehicle identification number, or has stolen parts attached which require removal the detective shall:

- List the parts to be removed and the reason for removal on the Vehicle Report, CHP Form 180;

Note: Non-matching serialized parts which are stolen or have an altered or removed vehicle identification number require a separate report and DR and shall be stored at an Official Police Garage (OPG).

Exception: Non-matching serialized parts may be listed on one report if recovered at the same time and location. Employees shall obtain a general DR for the non-serialized parts and note where the property is stored in the narrative of the report.

- Request that the concerned detective commanding officer prepare correspondence on Department letterhead identifying the parts to be removed and directing the OPG storing the vehicle to remove and store the identified parts;
- Request that the concerned OPG forward an invoice, listing the parts removed, to the concerned detective commanding officer;
- Request that the concerned detective commanding officer prepare an Intradepartmental Correspondence, Form 15.02.00, requesting Fiscal Operations Division to remit payment to the OPG;
- Forward the original OPG invoice and the request for payment (Intradepartmental Correspondence, Form 15.02.00) to Fiscal Operations Division; and,
- Authorize the release of the recovered parts as soon as practicable (Manual Section 4/550).

Note: The detective commanding officer shall ensure that the concerned Detective III audits vehicle parts stored at OPG facilities every 30 days to ensure timely disposition of such parts.

222.50 NOTIFICATION TO OWNER OF IMPOUNDED VEHICLE.

Impounding Employee Responsibility. Any member of this Department impounding a vehicle shall cause notification to be made to the registered and legal owners of record within 48 hours of the impound. Notification shall be made by mailing or personally delivering a Notice of Stored/Impounded Vehicle, Form 15.23.00, immediately following approval of the Vehicle Report, CHP Form 180.

Exception: The new notification procedures do not apply to vehicles impounded for investigation by authority of Section 22655 V.C. (Hit and Run vehicle impounded for investigation), vehicles removed from private property by authority of 22658 V.C., or vehicles seized for forfeiture (Manual Section 4/222.16). Procedures for impounding vehicles by authority of the above sections remain unchanged.

Obtaining Information. Owner information is available through SVS, Department records, or records in the vehicle. If complete owner information is unavailable from these sources, the ***impounding employee*** shall cause a teletype request to be sent to the Department of Motor Vehicles, Sacramento, or, for a vehicle registered out of state, a teletype request through the National Law Enforcement Telecommunications System.

Upon receipt of the return teletype, the ***supervisor approving*** the Vehicle Investigation shall ensure that the information is entered and that any appropriate notices are mailed. If the return teletype is not received by the end of the business day following the impound, the report shall be forwarded to the Area Vehicle Control Clerk who shall obtain the information, complete the report processing, and make appropriate notifications.

Notification by Mail. Notification by mail shall be accomplished as follows:

- **Abandoned Vehicles-$200 or Less.** If an abandoned vehicle is appraised at two hundred dollars or less, the impounding employee shall cause a Notice of Stored Impounded Vehicle, Form 15.23.00, and all required notifications related to post-storage vehicle impound hearings (Manual Section 4/226.05) to be mailed to the present, legal, and registered owners.
- **Other Impounded Vehicles.** The impounding employee shall cause a Notice of Impounded Vehicle, Form 15.23.00, and all required notifications related to post-storage vehicle impound hearings (Manual Section 4/226.05) to be sent to the present, registered, and legal owners ***and***, if the vehicle, was reported stolen, the person reporting.

Note: When a vehicle is impounded as a result of the driver's arrest, "22651 (h) V.C.," (***NOT*** "driver arrested") shall be entered as the reason for impound. (See also Conveyances Subject to Seizure, Manual Section 4/222.16.)

Telephonic Notifications.

No Hold. When ***no hold*** is placed on the vehicle, the present owner, in addition to being notified by mail, shall, when practicable within the local or ATSS dialing area, be notified telephonically by the impounding employee. Such notification, or the reason for not notifying, shall be documented on the bottom line of the "Narrative" section of the Vehicle Investigation.

Holds. When a hold is placed on an impounded vehicle, the impounding employee shall not telephonically notify the owner or reporting party. (In these instances, telephonic notification is the responsibility of the Area Vehicle Control Clerk).

222.51 VEHICLE IMPOUND NOTICE.

Officer's Responsibility. An officer impounding a motor vehicle pursuant to Section 22651 (o) or (p) of the California Vehicle Code shall complete and serve a copy of the Vehicle Impound Notice, Form 16.27.6, to the driver of the vehicle. Officers shall attach the original Vehicle Impound Notice to the Vehicle Report, CHP Form 180. Additionally, the officer shall inform the driver of the vehicle that:

- The vehicle will only be released at the specified police facility and will not be released in the field;
- The vehicle will be released at the specified police facility and only to the registered owner or a notarized agent;
- To obtain a release for the vehicle, a valid driver license and current vehicle registration must be produced at the time of release;
- The registered owner or notarized agent must appear in person with the above documents at the specified police facility indicated on the reverse side of the Vehicle Impound Notice.

Note: If at the time of requesting a vehicle release at the specified police facility the vehicle registered owner is unlicensed but is accompanied by a licensed driver, the registered owner must produce a valid form of identification with photo to obtain the vehicle. Examples of acceptable forms of identification include, but are not limited to:

- California Identification Card;
- Valid out-of-state identification card with a picture;
- Federal immigration card (green);
- Department of Justice identification card; and,
- Passport with photo.

Area Records Unit's Responsibility. Area records unit personnel shall ensure that a copy of the Vehicle Impound Notice, Form 16.27.6 is attached to each copy of the Vehicle Report, CHP Form 180.

222.55 FINGERPRINTS ON IMPOUNDED VEHICLE AND/OR VESSEL. When a vehicle and/or vessel is held for prints (Manual Section 4/220.85), the impounding officer shall:

- Notify by telephone the Latent Print Section, Scientific Investigation Division, or the Valley Section, Scientific Investigation Division, if the vehicle was impounded in a Valley Area; and,
- Place in the Vehicle Report, CHP Form 180, and/or the Vessel Report, Form 12.08.00 the name, serial number, and division of assignment of the person notified that the vehicle and/or vessel is held for prints.

222.59 INVENTORY OF PROPERTY FROM VEHICLES TAKEN INTO LAWFUL POLICE CUSTODY.

Officers shall inventory the contents of all vehicles that are taken into lawful police custody.

A vehicle inventory is not intended to be a search for items of evidence, but is intended to identify and list all property that is contained within the vehicle being taken into lawful police custody.

The inventory shall include property contained within the vehicle's passenger compartment, glove compartment, console, trunk, and any other compartment or box that may contain property. All property located in these areas shall be listed in the "Remarks" section of the CHP Form 180.

All unlocked containers found in the vehicle shall be opened and their contents listed in the "Remarks" section on the CHP Form 180.

Exception: If the glove compartment, console, trunk, or unsecured container is locked, and there is no key or mechanical/electrical mechanism to open that area of the vehicle, officers shall not force entry into the locked area to inventory its contents. However, officers shall note that the particular area or item in the vehicle was locked, with no means to open it, in the "Remarks" section of the CHP Form 180.

Note: Items of contraband or evidence, which are discovered during the inventory, shall be seized and booked as outlined in the Manual (4/501-590.10) and detailed in corresponding reports.

The supervisor reviewing and approving the CHP Form 180 shall ensure that officers have inventoried and documented all property discovered during the vehicle inventory search.

222.60 PROPERTY IN A VEHICLE AND/OR VESSEL TAKEN INTO POLICE CUSTODY. When a vehicle and/or vessel is taken into police custody, the following items shall be removed and booked in accordance with established procedures:

- All property of evidential value;
- Property that is estimated by the employee to have a market value of more than $50 per item or a total value of more than $100 when these items cannot be locked in the driver's compartment, glove box, or trunk;
- All money; and,
- Any item declared to be of value by the person in apparent lawful control of the vehicle and/or vessel if the person insists.

All property which is left in an impounded vehicle and/or vessel shall be listed on the Vehicle Report, CHP Form 180 and/or the Vessel Report, Form 12.08.00.

Los Angeles Department of Transportation (LADOT) employees shall be permitted to book property removed from impounded vehicles and/or vessel into the Department's property system under the following condition:

- Property estimated by the employee to have a market value of more that $50 per item or to have a total value of more than $100; and,
- The items cannot be secured in the driver's compartment, glove box, or trunk.

The LADOT employee shall be responsible for the completion of the property report and the proper packaging of the item(s) to be booked.

Note: Items deemed to be of evidentiary value shall be booked by a sworn employee.

222.61 PROPERTY IN A VEHICLE TO BE LEFT PARKED. When a vehicle is left legally parked at the scene of a police investigation, the following items shall be removed and booked in accordance with established procedures:

- All property of evidential value, whether in plain sight or found as a result of a legal search;
- Property that is estimated by the employee to have a market value of more than $50 per item or a total value of more than $100 when these items cannot be locked in the driver's compartment, glove box, or trunk;
- Any items of evidential value in the trunk or glove box of the vehicle that come into the sight of employees securing property from the driver's compartment;
- All money found, whether in plain sight or a result of a legal search; and,
- Any item declared to be of value by the person in apparent lawful control of the vehicle if the person insists.

All property, whether in plain sight or found as a result of a legal search, which is left in the vehicle shall be listed on the Vehicle Report, CHP Form 180.

222.62 IMPOUNDED VEHICLE REPORT - CRIME REPORT INFORMATION. The impounding employee shall not complete items relative to witnesses, suspects, arrestees and narrative (other than impound remarks) until the garage copies have been detached.

222.65 KEYS AND REGISTRATION CERTIFICATE IN AN IMPOUNDED VEHICLE. Neither the ignition keys nor the registration certificate shall be removed from an impounded vehicle unless they are to be booked as evidence.

222.80 VEHICLE APPRAISERS. Any regular employee may be appointed to appraise vehicles for this Department. The selection and appointment of vehicle appraisers shall be accomplished as follows:

Selecting Appraisers. The commanding officer of each traffic division, or Area which regularly uses appraisers, shall select employees in his/her command to appraise vehicles. A sufficient number of appraisers shall be appointed to ensure availability during normal working hours.

Maintaining Roster of Appraisers. The names of all persons selected by commanding officers as Vehicle Appraisers shall be forwarded to the Commanding Officer, Commercial Crimes Division, on an Intradepartmental Correspondence, Form 15.02.00. The Commanding Officer, Commercial Crimes Division, shall be responsible for maintaining a current list of vehicle appraisers.

Note: Only employees whose names appear on the current roster maintained by Burglary Special Section are authorized to appraise abandoned vehicles.

Termination of Authority to Act as an Appraiser. When an appraiser is transferred or reassigned to a new position, his/her authority to act as an appraiser shall be terminated. The commanding officer of any employee designated as a Vehicle Appraiser may terminate the employee's appraiser status at any time. When a change is made to an employee's status as an appraiser, his/her commanding officer shall notify Burglary Special Section of the changes by submitting an Intradepartmental Correspondence, Form 15.02.00, to the Commanding Officer, Commercial Crimes Division.

Vehicle Appraiser's Responsibility. Vehicle appraisers shall be responsible for appraising all vehicles impounded by this Department, including vehicles stored at Official Police Garages (OPG). Appraisers shall also be responsible for completing the applicable portions of the Department of Motor Vehicles (DMV) Form 4.62, ***Notice of Vehicle to be Dismantled or Junked*** and Form 256, ***Statement of Facts.*** These forms are utilized during OPG lien sale proceedings.

Training of Appraisers. Commanding officers of employees selected as vehicle appraisers shall

ensure that the appraisers have been properly trained. All training shall be coordinated by Training Division to ensure Departmentwide uniformity.

223. TOW SERVICE.

223.10 TOW SERVICE - OBTAINING. Prior to impounding any vehicle, an employee shall check the identification number ***and*** license number through SVS. ***All*** requests for tow service shall be made through the communications control operator. The request shall include the license, motor, or identification number, when available. Additionally, moped identification numbers shall be checked through the Automated Property System (APS).

226. VEHICLE IMPOUND HEARINGS.

226.05 TYPES OF HEARINGS.

Pre-Impound Hearings. A pre-impound hearing is held to determine if probable cause exists to remove a parked vehicle in violation of Section 80.77(a) of the Los Angeles Municipal Code (LAMC) 72-hour parking restriction or 22669(a) California Vehicle Code (CVC) abandoned vehicle.

Post-Impound Hearings. Post impound hearings are held to determine whether probable cause existed to impound a particular vehicle and to determine who is responsible for the payment of the impound and/or storage fees.

Note: Supervisors shall conduct hearings only for those vehicles impounded by employees of this Department.

Time Limit. Unless mutual arrangements are made to the contrary, all post-storage vehicle impound hearings shall be held within 48 hours of receipt of a written, telephonic, or personal request by the registered or legal owner of an impounded vehicle or their agent.

The outcome of the post-storage hearing shall not affect any related traffic citation or other criminal proceedings which may be brought against the owner or claimant of the impounded vehicle. The Department and/or the citizen ***may*** present witnesses and evidence at a post-storage vehicle impound hearing.

All vehicle impound hearings shall be conducted and available to the appellant (i.e., legal owner, registered owner, or their agent) Monday through Friday, excluding holidays. The hearing times shall be conducted during normal business hours as established by each Area.

Note: Refer to section 4/780.50 for vehicle Impound hearings regarding vehicles seized as evidence or vehicles stored for an unreasonable time period.

226.20 IMPOUND HEARINGS - EMPLOYEE'S RESPONSIBILITY.

Pre-Impound Hearings. A Department employee receiving a request for a pre-impound hearing shall:

- Check the duplicate Warning of Parking Violation File to determine if the request is within the 24-hour time limit; and,
- Direct the appellant to the Area Vehicle Impound Hearing Coordinator to schedule a hearing and provide the Area Vehicle Impound Hearing Coordinator a copy of the Vehicle Report, CHP Form 180.

Post-Impound Hearings. A Department employee receiving a request for a post-impound hearing shall:

- Determine if the vehicle was impounded from within the employee's Area/division. If not, direct the citizen to the appropriate Area or division, contact the appropriate Area Vehicle Impound Hearing Coordinator and schedule a hearing for the appellant;

- If impounded from within the Area of the request, obtain a copy of the Vehicle Report, CHP Form 180;
- Confirm that the request is within the 10 day time limit;

Note: The 10-day period may be extended by the Area Vehicle Impound Hearing Coordinator.

- Direct the appellant to the Area Vehicle Impound Hearing Coordinator to schedule a hearing; and,
- Provide the Area Vehicle Impound Hearing Coordinator with a copy of the Vehicle Report, CHP Form 180.

226.25 IMPOUND HEARINGS - COMMANDING OFFICER'S RESPONSIBILITY.
Area/division commanding officers shall ensure that:

- An adequate number of supervisors within their command receive Probable Cause Vehicle Impound Hearing Procedures training; and,
- Only those supervisors who have received Department approved training and certification conduct vehicle impound hearings.

226.30 IMPOUND HEARINGS – AREA VEHICLE IMPOUND HEARING COORDINATOR'S RESPONSIBILITY.

The auto theft detective coordinator is designated as the Area Vehicle Impound Hearing Coordinator and shall monitor and supervise impound hearing procedures. All vehicle impound hearings shall be conducted at the Area where the impound occurred. Hearings shall only be conducted by employees of a supervisory rank, who have received Probable Cause Vehicle Impound Hearing Procedures training and are assigned to the Area Detective Section, Auto Theft Unit.

Exception: If the impounding employee is assigned to the Area Detective Section, Auto Theft Unit, a detective supervisor trained in impound hearing procedures, other than a supervisor assigned to the Area Detective Section, Auto Theft Unit, shall conduct the hearing.

Impound hearings for vehicles impounded by traffic division units or non-patrol units shall be conducted within the Area of impoundment.

Upon receiving a request for an impound hearing, the Area Vehicle Impound Hearing Coordinator shall:

- Schedule an impound hearing within 48 hours of the request unless mutually waived by the requesting party and the Department; and,
- Notify the impounding officer(s) of the hearing date, time, and location. Inform the impounding officer(s) that he/she shall be present at the impound hearing. Notification shall be attempted first in person by serving the officer(s) with the Impound Summons and Notice, Form 16.27.04 (Service of the Impound Summons and Notice shall be in accordance with Manual Section 3/210). Department procedures governing court and administrative hearing appearances (e.g., sick, training) shall apply to impound hearings. Additionally, appearance by a sworn employee of the rank of Lieutenant or below at an impound hearing outside of normal duty hours shall be in accordance with the court time provisions of the current Memorandum of Understanding. When in-person notification is not possible, telephonic notification shall be attempted.

Note: Telephonic notification should be accompanied by a facsimile of the Impound Summons and Notice form, when possible.

226.32 DOCUMENTATION OF VEHICLE IMPOUND HEARINGS. All vehicle impound hearings shall be conducted in person and tape-recorded to facilitate the testimony and cross-examination of the impounding officer(s) and witnesses.

Recordings shall be retained in accordance with established Department procedures outlined in Manual Sections 3/569.20 and 3/569.40.

The Area Vehicle Impound Hearing Coordinator shall retain all material in accordance with record retention guidelines and a roster of those participating in the impound hearing. These records shall be stored at the Area where the impound hearing occurred for a period of **three years.**

780. VEHICLES - INVESTIGATION AND RELEASE.

780.10 AREA OF IMPOUNDMENT - DEFINED. The area of impoundment is defined as the area in which the vehicle is actually stored.

780.15 PRESENT OWNER - DEFINED. The present owner of a vehicle is defined as the registered owner on the records of the Department of Motor Vehicles.

Exception: When the registered owner on record has transferred his/her ownership rights, the present owner is the last person to whom equity or ownership of the vehicle has been transferred.

780.17 INVESTIGATING OFFICER'S RESPONSIBILITY - LOST VEHICLES. Lost vehicle information is automatically purged from the Stolen Vehicle System (SVS) thirty days from the date entered. When a lost vehicle has not been found or reported stolen before the SVS purge date, the follow-up investigator shall:

- Contact the present owner or reporting person and, when appropriate, reclassify the report to "Stolen" by completing a Follow-up Report, Form 03.14.00, and notifying the Vehicle Information Processing Unit, Records and Identification Division; and,
- When reclassification is not appropriate, cause the "Lost" information to be reentered into the SVS.

Note: There is no limit on the number of times lost vehicle information may be reentered into the SVS. However, each reentry requires follow-up prior to the thirty-day automatic purge.

INVESTIGATING OFFICER'S RESPONSIBILITY - FOUND VEHICLE. When a vehicle which was reported as lost has been found, has not been impounded, and no notification has been made to the registered owner or person reporting the lost vehicle (4/221.20), it shall be the responsibility of the Area investigating officer to contact the owner or person who made the lost report. The investigating officer shall notify the victim within 48 hours, excluding weekends and holidays. The victim must be advised of the location and condition of the vehicle.

780.19 INVESTIGATING OFFICER'S RESPONSIBILITY - DISPOSAL OF UNIDENTIFIABLE VEHICLES AND VEHICLE PARTS. Upon determining that an unidentifiable vehicle or normally serialized vehicle part is of no value in a criminal proceeding, or when the court having jurisdiction does not order disposition of the unidentifiable vehicle or normally serialized part, the investigating officer shall:

- Immediately notify Commercial Auto Theft Section, Commercial Crimes Division to determine if disposal by civil court action is appropriate;
- If directed by Commercial Auto Theft Section, complete and distribute the Notice of Impoundment of Vehicle and/or Component Part, L.A.P.D. Form 15.23.01; and,
- Record the action taken as a result of Commercial Auto Theft Section's advice, and include the disposition of the item on a Follow-Up Report, Form 03.14.00.

780.20 INQUIRIES CONCERNING THE STATUS OF STOLEN, LOST, OR IMPOUNDED VEHICLES.

Employee Receiving Inquiry-Responsibility. When a person who has a legitimate interest in a vehicle makes an inquiry concerning its status, the employee receiving the inquiry shall check the Stolen Vehicle System (SVS).

If the vehicle is impounded, determine the Area of impoundment from the SVS and:

- If stored only, refer the person to the tow garage. The person shall be advised that, to secure the release of the vehicle, from the garage, he/she must present proof of ownership or written authorization from the present owner to receive the vehicle. If the owner is in custody of the Department, the authorization may be on a Property Release Authorization, Form 06.08.00; and,
- If held, refer the person to the appropriate Area Vehicle Control Clerk.

780.24 INSPECTION OF VEHICLES - VEHICLE THEFT INVESTIGATIONS. Pursuant to Section 2805 VC, member of a city police department whose primary responsibility is to conduct vehicle theft investigations (auto detective) may inspect vehicles required to be registered under the Vehicle Code, or any identifiable vehicle component part thereof, for the purpose of locating stolen vehicles. These inspections shall be conducted only when the vehicle or component part thereof is in on one of the locations outlined in Section 2805 VC. The officer may inspect the title or registration of those vehicles in order to establish rightful ownership or possession of the vehicle or identifiable vehicle component. Detective commanding officers shall:

- Ensure vehicle inspections pursuant to Section 2805 VC are conducted regularly;
- Ensure Detectives III report the results of each inspection conducted during the previous month; and,
- Approve the wearing of the official Department jumpsuit in accordance with Manual Section 3/619.20.

Exception: Officers are cautioned that Section 2805 VC shall only be used by personnel whose primary assignment is the investigation of vehicle theft crimes. Under no circumstance shall Section 2805 VC be used to circumvent a search warrant or to search for non-vehicle theft-related evidence. Whenever sufficient probable cause exists, a search warrant shall be obtained.

780.30 AUDIT OF IMPOUND REPORTS.

Area Detectives. The concerned detectives in the Area of impoundment are responsible for ensuring the accuracy and completeness of reports pertaining to vehicles impounded from their Area.

Area Vehicle Coordinator. The Area Vehicle Coordinator shall cause a weekly audit to be made of Vehicle Impound Reports. Reports that indicate a vehicle has been impounded and stored in excess of ***five*** days shall be reviewed. The review shall include, but not be limited to:

- Verification that the person reporting, and the present, registered, and legal owners of the impounded vehicle were notified. If prior notifications were incorrect, appropriate notifications shall be made in writing and, if practicable, telephonically;
- Verification of the status of any holds placed on a vehicle as the result of a Subrogated Property Notification, Form 10.17.00. (When a claim has been paid to the owner of a stolen vehicle, the insurance company becomes the legal owner); and,
- Verification that all notifications and vehicle status information have been documented on the Area Vehicle Control Clerk's copy of the Impound Report.

Note: If a DR number from a related report is to be as signed to a Vehicle Report, CHP Form 180, VIPU shall be apprised of all pertinent information regarding the impound.

780.35 VEHICLE REPORTED STOLEN OUTSIDE CITY.(4/765.52) When a vehicle which has been reported stolen outside the City is recovered in Los Angeles, an investigating officer of the Area in which the vehicle was impounded shall notify the law enforcement agency which reported the theft.

780.40 INVESTIGATING OFFICER'S RESPONSIBILITY - VEHICLES RECOVERED OUTSIDE THE CITY.(4/765.54) When an investigating officer responsible for the investigation of a vehicle stolen ***inside*** the City receives information from another agency that the vehicle has been recovered ***outside*** the City, the officer shall:

- Notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle;
- Notify the registered and legal owners, in writing, concerning the status of the vehicle;
- When a Subrogated Property Notification, Form 10.17.00, is on file, notify the subrogator that the vehicle has been recovered; and,
- Document the notification information on the vehicle report work copy.

780.45 VEHICLE RECOVERED BY OWNER. When a person requests the cancellation of a Vehicle "Stolen" Report, CHP Form 180, by telephone, he or she shall be advised to make a written report at the nearest police station.

780.50 RELEASING VEHICLE HELD FOR INVESTIGATION. (A vehicle impounded and stored only shall be released by the tow garage storing the vehicle.)

The assigned detective of the division ***for*** which the vehicle was held shall be responsible for releasing the hold. When the vehicle is no longer needed, the detective shall ensure that the following information is blocked out on the release copy of the Vehicle Investigation at the Area of Impoundment:

- Juvenile suspect/arrestee names and addresses;
- Items which would endanger the safety of a witness or other person; and,
- Items which would interfere with the success of the investigation or any other investigation.

The detective shall then complete the release authorization portion on the release copy of the Vehicle Investigation at the Area of Impoundment. (Indicate "OK to Release.")

Exception: If the vehicle is impounded in an Area other than the investigator's Area of assignment, an "O.K. to Release" teletype may be sent to the Area Vehicle Control Clerk in the Area of impoundment. The Area Vehicle Control Clerk may accept a telephonic release from an investigator when there is no doubt concerning its authenticity. In these cases, it shall be the responsibility of the Area Vehicle Control Clerk to block out the above listed items (Name of juvenile arrestee, etc.)

The Area Vehicle Control Clerk shall complete all required notices of impounded vehicle and telephonically contact the person to whom the vehicle is to be released, unless notified by the investigator that such notification has already been made.

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 (FOD) 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. 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.

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.

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.

780.60 RELEASE OF VEHICLES IMPOUNDED PURSUANT TO VEHICLE CODE SECTION 22651 (O) OR (P).

Area Vehicle Coordinator or Releasing Officer's Responsibility. An employee releasing a vehicle shall determine if the vehicle was impounded from within his or her Area/division. If not, the employee shall refer the citizen to the appropriate Area, division, or governmental agency.

An employee authorizing the release of a vehicle which has been impounded pursuant to Section 22651 (o) (p) VC shall:

- Refer the person requesting the release to the Department of Motor Vehicles when reasons exist which preclude a vehicle from being released (i.e., owner or agent does not posses a valid driver's license or the vehicle is not currently registered);
- Verify proof of registration for subsection (o) impounds, or possession of a valid driver's license of subsection (p) impounds prior, to releasing the vehicle; photocopy the bona fide identification and registration provided by the citizen and attach the copy to the Vehicle Report, CHP Form 180;
- Complete all of the information in the "Vehicle Release Order" box on the impound/hold copy of CHP Form 180; and,
- Ensure a copy of the properly completed vehicle release order is forwarded to the Area Vehicle Coordination, Area of impound.

Documenting Release when Vehicle Report Unavailable. When an employee is requested to release an impounded vehicle and the original "impound" Vehicle Report, CHP Form 180, is unavailable, the employee shall query the Stolen Vehicle System to determine the DR number assigned to the impounded vehicle and ensure the citizen requesting the release is either the registered or legal owner. Using a blank CHP Form 180, the employee shall:

- Record the citizen's personal information (i.e., name, residence and business address, etc.) in the appropriate boxes on the CHP Form 180;
- Photocopy the bona fide identification provided by the citizen and attach the copy to the CHP Form 180;
- Check the "OK REL" box and complete the appropriate vehicle description boxes on the CHP Form 180;
- Complete the Vehicle Release Order portion of the CHP Form 180;
- Ensure the person requesting the release signs the release order (CHP Form 180) in the space provided;
- Release the vehicle and provide a copy of the CHP Form 180 to the registered owner for presentation to the Official Police Garage; and,
- Forward the CHP Form 180, with attachments, to the Area Vehicle Coordinator, Area of impound.

Release of Impounded Vehicles During Non-Business Hours. During non-business hours, when the Area Vehicle Coordinator is not available, document verification and release authorization **shall** be completed by the patrol division watch commander.

Exception: Bureau commanding officers may exercise the option to centralize the document verification and release procedures for the entire bureau. However, document verification and release procedures for 22651(o) and (p) VC impounds shall be available 24 hours per day.

780.70 RELEASE TO PRESENT OWNER. An impounded vehicle which is available for release (4/780.50) shall be released to the present owner or the owner's representative:

- Upon presentation of proof of ownership; and,
- Upon presentation of satisfactory personal identification and written authorization from the present owner to receive the impounded vehicle.

780.72 RELEASE OF IMPOUNDED VEHICLE - OWNER IN CUSTODY. When the present owner of an impounded vehicle is in custody of the Department, the vehicle shall be released to another person only when it is available for release and:

- The person presents a properly completed Property Release Authorization, Form 06.08.00, authorizing that person to receive the vehicle; and,
- The person presents satisfactory personal identification to show that the individual is the person authorized to receive the impounded vehicle.

780.75 RELEASE OF IMPOUNDED VEHICLE TO INDIVIDUAL OR CORPORATE LEGAL OWNER. An impounded vehicle which is available for release shall be released to the individual or corporate legal owner only when:

- A reasonable search by the concerned investigating officers has failed to locate the present owner;
- The individual or corporate legal owner or the owner's representative presents satisfactory personal identification and proof of ownership;
- The legal owner or owner's representative has been provided with, and advised to complete, a Legal Owner's Release and Indemnification Agreement, Form 15.17.00; and,
- The legal owner or the owner's representative presents a completed copy of a Legal Owner's Release and Indemnification Agreement, Form 15.17.00.

Note: Patrol and detective divisions shall maintain an adequate supply of the Legal Owner's Release and Indemnification Agreement, Form 15.17.00, for public use.

780.77 HOLD ON VEHICLE-TWO - DAY LIMIT. An impounded vehicle shall not be held for investigation longer than two business days, unless the vehicle has been impounded for a violation of Section 22651 (o) or (p) VC.

Exception: The supervisor (Detective III or higher) of the detective responsible for the release of a vehicle which has been impounded as a result of an investigation not related to Section 22651 (o) or (p) VC may authorize an extension when specific circumstance warrant. When an extension is warranted, the supervisor shall ensure the Area Vehicle Coordinator and the Official Police Garage (OPG) are notified of the extension and that the justification for the extension is recorded on the Investigator's Case Progress Log, Form 01.44.00.

Note: The release of a hold for a vehicle impounded pursuant to Section 22651 (o) or (p) VC is not triggered by time, but action taken by the vehicle owner, the vehicle shall be held until disposed of by the storing OPG. However, for OPG lien processing purposes only, the hold will lift six calendar days after the vehicle has been impounded.

780.80 AREA VEHICLE CONTROL CLERK. (See also "Impounding Conveyances Used in Drug Trafficking," 4/222.16). Each Area Vehicle Control Clerk (day watch Senior Clerk Typist position) shall:

- Maintain a Vehicle Impound Control Log, Form 12.39.00, for all vehicles impounded within the Area, including vehicles with holds;
- Notify appropriate supervisors when a vehicle has been held for two business days;
- Notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle when such notification has not been made by the

impounding employee;
- Notify the registered and legal owners, in writing, concerning the status of the recovered or impounded vehicle when such notification has not been made by the impounding employee;
- Send teletype notification to law enforcement agencies regarding recovery of vehicles reported stolen or lost in their jurisdiction;
- Monitor distribution of the Vehicle Impound Notice;
- Attach teletyped releases to the originals and Area file copies of the Vehicle Investigation;
- Fulfill all assigned duties and responsibilities pursuant to vehicle impound hearings (4/226.05);
- Teletype vehicle information and inquiries to Areas, divisions, and outside agencies as necessary;
- Following an investigator's release of a hold, cause a telephonic notification to be made to the person to whom the vehicle is to be released. The notification information shall be documented on the original and Area copies of the Vehicle Investigation;
- Complete and send an additional Notice of Impounded Vehicle to the person to whom a held vehicle is to be released; and,
- Upon release of a Hold, forward two copies of the Vehicle Release Order to the impound garage. Retain the subsequently received Garage Report of Release or Sale in the divisional file.

Note: When a hold has been placed on a vehicle at any OPG, the Area Vehicle Control Clerk shall forward a copy of the report to the Department entity for which the hold has been placed.

Stored Vehicle-Notification to State. The Area Vehicle Control Clerk shall forward a Notice of Stored/Abandoned Vehicle, Form 15.23.00, to the Department of Justice, Sacramento, when:

- It cannot be verified that the owner of an impounded vehicle has been notified;
- The vehicle is unregistered or registered out of State; and,
- The vehicle has not been claimed within five days after its availability for release.

Note: Vehicles registered in California require only an entry into the Stolen Vehicle System (SVS).

If the vehicle is registered out of State, a teletype from the registering state, indicating the registered owner's address, shall be attached. Names and addresses of all persons to whom a Notice of Impounded Vehicle was sent shall also be forwarded.

780.85 ANSWERING INQUIRIES CONCERNING THE STATUS OF STOLEN, LOST, OR IMPOUNDED VEHICLES. An Area Vehicle Control Clerk receiving an inquiry concerning the status of a vehicle shall verify the status of the vehicle by checking the SVS.

Vehicle Impounded for Investigation.

- Determine the release status of the vehicle by contacting the concerned investigating officer, and apprise the person inquiring; and,
- If the vehicle is not available for release and the reason cannot be determined, refer the person to the division for which the hold was placed. **Vehicle Impounded and Stored Only**. Refer the person to the tow garage storing the vehicle.

3/1500 IMPOUNDING VEHICLES

3/1501 RESPONSIBILITY FOR ARRESTEE'S VEHICLE

The arresting officers shall be ultimately responsible for the care of a vehicle in the possession of an arrestee. When an officer arrests the driver or person in control of a vehicle, he may impound the vehicle per 22651(h) VC. The decision to impound is at the discretion of the arresting officer.

3/1502 IMPOUNDING VEHICLES INVOLVED IN A COLLISION

When a vehicle is involved in a traffic collision resulting in the driver being transported from the scene, and the registered owner is not present, the investigating officer shall cause the vehicle to be impounded if:

A. The vehicle is on a highway, cannot be moved, and is obstructing traffic.

B. The vehicle is unable to be secured while parked at the curb.

NOTE: The tow truck operator shall be requested to remove all broken glass and other debris from the street at the scene of the collision.

3/1503 ILLEGALLY PARKED VEHICLE

An officer may impound an illegally-parked vehicle when it:

A. Obstructs the normal movement of traffic;

B. Is left standing upon a highway;

C. It is impractical to move the vehicle to a legal parking space in the vicinity. A police vehicle shall not be used to move an illegally parked vehicle.

NOTE: A citation shall be issued when an illegally parked vehicle is impounded or moved.

3/1504 HOLDS - WHEN TO PLACE

A. Misdemeanor hit and run vehicle - Place a hold when the driver is not apprehended or interviewed.

NOTE: When the driver is arrested and/or interviewed and the case is complete, do NOT impound the vehicle; photographs are sufficient.

B. Felony hit and run vehicle - Place a hold when the driver is not apprehended, or when the driver is apprehended but there is a need for color photos, or when an examination of the vehicle by a mechanical expert is needed.

3/1504

C. Felony drunk driving, traffic death, manslaughter, or other felony crimes - Place a hold where an examination of the vehicle by a mechanical expert is necessary to investigate an equipment violation.

D. Misdemeanor hit and run with a stolen vehicle - Place a hold for the agency initiating the stolen report.

E. Un-licensed driver's - Vehicles being operated by an un-licensed driver may be impounded when an officer has observed the operation of the vehicle in question. Hold for the Area Auto detectives for the Area of impound.

F. Place a hold when it is necessary for further investigation.

3/1505 HEAVY-DUTY TOW

An employee shall request heavy-duty tow service when the vehicle to be towed:

A. Has three or more axles; **OR**

B. Has a gross weight, laden or unladen, in excess of 10,000 pounds; **OR**

C. Is a combination of commercial trailers; **OR**

D. Is determined by the requesting employee to require heavy-duty tow equipment.

3/1600 SKID AND TIRE MARKS

Tire marks at the scene of a traffic collision are invaluable in reconstructing the events that took place prior to and during a collision. Care must be taken to accurately measure and describe tire marks, giving their type, location, direction, and length.

3/1602 USE OF TIRE MARKS

Tire marks can be used to:

A. Establish the point of impact.

B. Establish the direction of travel for the vehicles.

C. Establish the position of vehicles on the roadway.

D. Establish the speed of vehicles.

E. Establish approach and departure angles for reconstructing the collision.

F. Establish if mechanical failure occurred.