



## Policy 902

Subject

### TOWING PROCEDURES

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*By Order of the Police Commissioner*

### POLICY

**Public Protection.** To safeguard the public interest against fraud, deception, and similar abuses, it is the policy of the Baltimore Police Department (BPD) to request Medallion Towing Services for civilian vehicles in need of tow.

### DEFINITIONS

**Abandoned Vehicle** — Any motor vehicle, trailer, or semitrailer that is inoperable and left unattended on public property for more than 48 hours; that has remained illegally parked on public property for more than 48 hours; that has been left unattended on any portion of a controlled access highway as defined in § 8-101 (f) for more than 24 hours; that is not displaying currently valid registration plates or displaying registration plates of another vehicle (please refer to Maryland Transportation Article §25-201).

**Disabled Vehicle** — A vehicle not functioning properly which is impeding the free flow of traffic or the movement of pedestrians.

**Fleet Vehicle** — Any vehicle owned or under the direct control of the BPD.

**Medallion Towing Services** — A company contracted by the BPD to tow vehicles. Medallion Towing Services vehicles will display on the left cowl of the towing vehicle a numbered medallion issued by the Traffic Section / Towing Unit.

**Non-Fleet Vehicle** — Any vehicle that is used by the BPD, but is not owned or under the direct control of the BPD. (e.g., leased vehicles, rented vehicles, vehicles on loan to the BPD from other agencies for official use.)

### GENERAL

1. Only authorized Medallion Towing Services, requested through the Communications Section, shall be utilized for BPD towing services of civilian vehicles.
2. Non-medallion tow companies are not authorized to tow for the BPD.
3. Notify the Hot Desk whenever a vehicle is towed and taken into police custody.
4. Notify the Hot Desk when towing or making a recovery of a stolen vehicle.

5. The owner or operator, unless under arrest, retains full discretion to determine the destination to which the vehicle is to be towed, even if the tow is by a Medallion Towing Services vehicle.
6. Once a Medallion Towing Services vehicle has been summoned, it is to be given priority over any other towing vehicle that might arrive at the scene (i.e., if both a Medallion Towing Services vehicle and a non-medallion truck arrive on the scene, the Medallion Towing Services vehicle conducts the tow, even if the non-medallion truck was summoned by the vehicle owner).
7. Multiple vehicles may be towed by Medallion Towing Services if the vehicles are being towed from the same location and going to the same location.

**EXCEPTION:** Vehicles towed as evidence must be towed separately.

### **REQUIRED ACTION**

#### **Requesting a Medallion Towing Services Vehicle**

1. Request, via the Communications Unit, a Medallion Towing Services vehicle to remove a disabled vehicle.
  - 1.1. Provide the Communications Section with the location, make and tag number of the vehicle(s) to be towed and advise if there is a need for special equipment (e.g., dollies, rollback, or heavy towing vehicle for a tractor trailer).
2. If the Medallion Towing Services vehicle does not arrive within 20 minutes from the time of notification by the Communications Section, notify the dispatcher.
3. Complete an Incident Report, Form 008, titled "Towed Vehicle" for each vehicle towed to the City Yard, and record the name and medallion number of the towing vehicle in the appropriate block of the report.
  - 3.1. Ensure the Medallion Towing Services vehicle operator records the amount of the tow charge and his or her signature in the narrative section of the Incident Report.
  - 3.2. Sign the tow bill to verify the work performed by the towing vehicle operator at the scene. Give the soft copy of the Incident Report to the tow truck operator.

**NOTE:** No Incident Report for a "Towed Vehicle" is required if the owner/operator directs the vehicle to be towed to a destination other than City Yard.

#### **Civilian Tow Truck Requests**

In all non-emergency situations, permit the operator or owner, if available, to contact an automobile or motor club of his/her choice to tow the vehicle, provided the tow vehicle can arrive within 20 minutes or a reasonable period of time.

**NOTE:** Under no circumstances shall a BPD employee recommend a non-Medallion Towing Services company to a citizen who wishes to make private towing arrangements.

**Departmental Vehicles (Fleet and Non-Fleet)**

1. The City Garage will tow all Fleet vehicles 7 days a week, 24 hours per day.
2. Leased and rented vehicles are required to be towed by the company specific to each vendor. The Lease/Rental Agreement can be found in the vehicle with a number for towing on the agreement.
  - 2.1. In the rare instances where the Lease/Rental Agreement cannot be located:
    - 2.1.1. Contact the Motor Pool at 410-396-2630, between the hours of 7am – 5pm, for the appropriate towing information.
    - 2.1.2. Contact the Communications Section between the hours of 5pm – 7am, for the appropriate towing information.
  - 2.2. If the towing company cannot be reached, notify the Communications Section, who will assign a Medallion Towing Services vehicle to tow the disabled leased/rental vehicle to the nearest district parking lot.
  - 2.3. The member shall ensure that the leased/rented vehicle is towed from the district by the rental car company the following day.

**Government and Commercial Vehicles**

1. Government agencies and companies with fleets may use their own towing vehicles.
2. Commercial vehicle operators may call their own company's designated towing service.

**Recovered Stolen Vehicles**

1. Process the vehicle for evidence prior to requesting a Medallion Towing Services vehicle.
2. Release the vehicle to the owner if:
  - 2.1. He/she is on the scene; or
  - 2.2. After notification, the owner can arrive on scene in a reasonable amount of time; and
  - 2.3. There is no reason to hold the vehicle.

**NOTE:** The owner is required to display proper identification. Record the owner's signature in the narrative section of the Incident Report.

3. If the vehicle is not released to the owner, have the vehicle towed to the City Yard.
4. Notify the Hot Desk and provide the information requested. Record the name of the Hot Desk member and time notified in the Incident Report.

**Vehicles Seized As Evidence**

1. When a vehicle is seized as evidence, do not inventory the vehicle.
2. Request Medallion Towing Services to tow the vehicle to the appropriate district or to Headquarters.
3. Follow the vehicle to the district or Headquarters, keeping the vehicle under observation during the entire trip.
4. Secure the tow bill from the Medallion Towing Services vehicle operator.
5. Complete an Incident Report, explaining the reason for towing the vehicle.
  - 5.1. Give a copy of the Incident Report to the tow vehicle operator.
  - 5.2. Submit the original Incident Report to your supervisor making sure that the tow truck is identified.
6. If unable to release the vehicle to the owner after the vehicle has been processed for evidence, tow the vehicle to City Yard.

**NOTE:** Whenever a vehicle, seized as evidence, is towed from Police Headquarters or the district, complete a vehicle report, using the crime/incident complaint number for which the vehicle was originally towed.

**NOTE:** All vehicles shall be released immediately after processing as the BPD Fiscal Section incurs, and must pay, all daily City Yard fees related to their storage. Furthermore, the BPD is held liable for compensating vehicle owners for vehicles that are subsequently auctioned-off as a result of a BPD hold. Vehicles shall not be left on "hold" for the purpose of investigative collateral.

**Crime Scene Sciences / Evidence Section**

Process vehicles seized as evidence when requested or required at the district or Police Headquarters.

**District/Division Commanders**

Expediently forward reports to Fiscal Services requesting the release of vehicles towed for processing when it is appropriate to release the vehicle.

**Vehicles Towed When Owner or Operator is Arrested**

1. A vehicle driven by an arrested driver may be released by the arresting officer to:
  - 1.1. The owner/co-owner of the vehicle; or
  - 1.2. A licensed driver with the consent of the owner/co-owner.

**NOTE:** Persons, arrested for driving a vehicle in violation of the Transportation Article, Section §21-902 (DWI), may not release the vehicle they were driving to anyone. The arresting

officer may release the vehicle to the owner/co-owner that is not injured, not impaired, has a valid license to drive the class of vehicle, and is present before the Medallion Towing Services vehicle arrives.

2. If the vehicle is released, complete a Supplement Report, Form 04/007, and have the owner/driver sign in the narrative section of the report, acknowledging receipt of and responsibility for the vehicle.
3. If the arresting officer does not release the vehicle, tow the vehicle to City Yard.

### **Vehicles Towed by the Baltimore City Abandoned Vehicles Division**

The Baltimore City Abandoned Vehicles Division (the Impound Lot) will tow parked vehicles which are impeding the free flow of traffic or the movement of pedestrians, vehicles parked in impounding zones, and all vehicles designated as an Abandoned Vehicle, either on public or private property.

### **Vehicle Parked in an Impounding Zone**

1. Issue a citation for vehicles parked or stopped in violation on any street designated as an Impounding Zone. An Impounding Zone is designated by signs that are clearly posted on streets, warning the public of the restricted hours and bearing the statement, "Cars Towed Away" or "Tow Away Zone."
2. Request, via the Communications Section, a Baltimore City Abandoned Vehicles Division tow vehicle to respond to the scene.
3. Ensure all impounded vehicles are towed to the City Impound Lot, located at 410 Fallsway. This lot is open Monday through Friday 0700 - 2000 hours, excluding weekends and holidays. Their number is 410-396-4613.
4. Tow vehicles to City Yard when the City Impound Lot is closed.

### **Vehicles Not Parked In an Impounding Zone**

1. Issue a citation for vehicles not parked in an Impound Zone which are obstructing or impeding the free flow of traffic or movement of pedestrians.
2. Request, via the Communications Section, a Baltimore City Abandoned Vehicles Division towing vehicle to respond to the scene.
3. Ensure the vehicle is towed to the City Impound Lot or relocated to another part of the street or a side street in compliance with existing parking regulations.
4. If the Baltimore City Abandoned Vehicles Division is closed, and an emergency exists, tow the vehicle to the City Yard.

### **Abandoned Vehicles**

Submit an administrative report to your immediate supervisor containing (if available) the vehicle's make, year, license number, vehicle identification number, color, location and the need for special towing equipment, when towing an Abandoned Vehicle.

**Administrative Lieutenant**

Ensure weekly reports are sent, concerning Abandoned Vehicles, to the Parking Control Section of the Department of Transportation.

**Vehicle Inventory**

1. When a vehicle is being towed to the City Yard, inventory all personal and detachable property of value not removed from the vehicle by the owner or operator.
2. Remove any property of value from the interior of the car and submit it to the Evidence Control Unit (ECU).

**NOTE:** An inventory is not conducted for the purpose of searching for contraband, but to secure the contents of the vehicle and to protect the officer against civil liability arising from claims of loss or damage.

**Limited Holds**

1. A vehicle in police custody may be placed on temporary hold for the following reasons:
  - 1.1. Narcotics Hold - See Policy 1401, *Control of Property/Evidence*;
  - 1.2. Evidence processing, including out-of-jurisdiction and other law enforcement agencies, if the vehicle cannot be immediately processed at Headquarters;
  - 1.3. Vehicle Identification Number (VIN) is missing or altered;
  - 1.4. The vehicle itself is the focal point of the investigation;
  - 1.5. Holds placed by the Crash Team or the Maryland State Police to inspect the vehicle's safety features as the result of an accident;
  - 1.6. Exigent and/or extraordinary circumstances that are approved by a supervisor; and
  - 1.7. The execution of Search and Seizure Warrants.
2. Print in bold letters "POLICE HOLD" on the first line of the Incident Report when placing a vehicle on temporary hold. In the narrative, write the name and assignment of the requesting officer, if he/she is other than the seizing officer, and provide a brief explanation for the hold request.
3. At the conclusion of the investigation, contact the owner and advise them the vehicle is ready for release.
4. Complete a Supplement Report including the attempts made to contact the owner and stating that the vehicle may be released.
5. Use a City tow vehicle, not a Medallion Towing Services vehicle, to tow a vehicle held at City Yard to another location for processing as evidence.

**Detective, Operational Investigations Division's Towing Unit**

1. Review all requests for "Police Holds" daily.
2. Determine the validity of "Police Holds" and, if necessary, contact the seizing officer or their supervisor when the above criteria are not met.
3. Release from "Police Hold" all vehicles found to be held in violation, except "Narcotic Holds," which are the sole responsibility of the Legal Affairs Section.
4. Periodically review valid "Police Holds" to determine the current status.
5. Upon receiving authority from the seizing officer, complete a Supplement Report for unclaimed vehicles with the releasing information, and relinquish custody of the vehicle to the Abandoned Vehicles Division.

**Vehicles Towed or Removed from Parking Lots**

1. To ensure owners are reunited with their vehicles, and to reduce the likelihood that vehicles may erroneously be reported as stolen, obtain the following information when notified by a tow service or towing vehicle operator that a vehicle has been towed or removed from a parking lot:
  - 1.1. A description of the vehicle, including the vehicle's registration and vehicle identification number;
  - 1.2. The date and time the vehicle was towed or removed;
  - 1.3. The reason the vehicle was towed or removed; and
  - 1.4. The location the vehicle was towed from and where it was towed to.
2. Notify the Communications Section by landline of the above information.

**Traffic Section / Towing Unit**

1. Maintain a list of available Medallion Towing Services companies. Ensure the Communications Section has a current list at all times.
2. Ensure Medallion Towing Services companies are licensed, inspected, issued numbered medallions, and comply with existing regulations.
3. Investigate complaints against Medallion Towing Services companies including:
  - 3.1. Overcharges for service;
  - 3.2. Larceny from towed vehicles; and/or
  - 3.3. Damage to towed vehicles.

**Communications Section**

1. Upon request, or in an emergency, summons a Medallion Towing Services vehicle.
2. Ascertain the medallion number of the responding towing vehicle and advise officers of the name, medallion number, and time of notification.
3. If the assigned towing vehicle has not arrived within 20 minutes, contact the tow company and ascertain the reason for the delay. If the towing vehicle will not arrive at the scene within 5 minutes of the second call, cancel the request and advise the officer that the first tow company will not be permitted to tow the vehicle.

**NOTE:** Consideration will be given to abnormal traffic conditions resulting from adverse weather conditions and emergencies.

4. When needed, select and request the next closest Medallion Towing Services company and advise the officer.
5. When a request is made for a Baltimore City Abandoned Vehicles Division towing vehicle, notify the Abandoned Vehicle Division by landline or directly by radio. Provide them with the location and reason for towing.
6. Maintain and record all pertinent information related to tow requests.
7. Maintain a list with 24 hour contact information for BPD contracted rental and leased vehicle towing services.

**Motor Pool Unit**

1. Provide guidance and assistance to members relative to the towing of BPD fleet, rental and leased vehicles.
2. Supply and regularly update a list of contact information for all tow companies contracted for BPD rental and leased vehicles to the Communications Section.

**ASSOCIATED POLICIES**

Policy 901, *Parking Citations*  
Policy 905, *Traffic Crash Investigation and Reporting*  
Policy 906, *Traffic Citations*  
Policy 1401, *Control of Property and Evidence*

**RESCISSION**

Remove and destroy/recycle General Order I-02, *Procedures Governing the Use of Pushing/Towing Vehicles*, dated 6 June 1996.

**COMMUNICATION OF POLICY**

This Policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.