



Helen Police Department

Standard Operating Policies and Procedures

Chapter P-015 Vehicle Impound	Effective Date:	September 1, 2022	# of Pages:	7
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	Special Instructions:			

I. PURPOSE

To establish guidelines concerning the towing or impound of vehicles by officers of the Helen Police Department.

II. SCOPE

This policy shall apply to the removal, transport, storage and release of vehicles that are towed or impounded.

III. DEFINITIONS

Highway: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Roadway: That portion of the highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

IV. POLICY

Vehicles will only be impounded in accordance with state law governing the removal of vehicles by police officers. (See Official Code of Georgia, Sections 40-6-202, 40-6-206, and 40-11-3.)

A. AUTHORITY TO REMOVE VEHICLES FROM ROADWAYS OCGA 40-6-202

Officers of the Helen Police Department are authorized to remove vehicles or require a driver to remove a vehicle if such vehicle is located upon the roadway, outside a business or residential district,

stopped, parked, or left standing, and it is practical to stop, park or leave the vehicle off the roadway.

B. REMOVAL OF VEHICLE FROM HIGHWAY
OCGA 40-6-206

1. Vehicle is unattended and left illegally standing upon any highway, bridge or causeway or in any tunnel.
2. A report has been made that such vehicle has been stolen or taken without the consent of its owner.
3. The person or persons in charge of such vehicle are unable to provide for its custody or removal.
4. The person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.
5. Any such vehicle that has been left unattended for 24 hours or more.
6. Such vehicle is stopped, except when traffic congestion makes movement impossible, on a controlled access highway which is part of the national system of interstate and defense highways, for more than eight hours, unless such vehicle constitutes a traffic hazard in which case it may be removed immediately.

C. REMOVAL OF VEHICLE FROM PUBLIC PROPERTY
OCGA 40-11-3

Officers of the Helen Police Department shall be authorized to remove vehicles from public property for the following reasons:

1. Vehicle is left unattended on a public street, road or highway or other public property for a period of at least five days and the officer reasonably believes that the person who left such motor vehicle unattended does not intend to remove such motor vehicle.
2. Vehicle is left unattended on a public street, road or highway or other public property and such vehicle poses a threat to public health or safety.
3. Once the vehicle has been impounded the officer will complete an incident report and direct communications to list the vehicle on GCIC as an abandoned/impounded vehicle.

D. PROCEDURES FOR REMOVAL OF TRAFFIC HAZARDS OR OBSTRUCTIONS

1. Vehicles which are unattended and left upon a highway or public roadway in a manner that obstructs traffic or creates a hazard may be towed and impounded after reasonable effort has been made to contact the owner to have the vehicle moved.
2. When the vehicle owner or person responsible for the vehicle cannot be located in the immediate vicinity or otherwise be contacted for disposition or if the person responsible for the vehicle cannot immediately remove the vehicle, the vehicle may be towed to an impound lot by the tow service on call.
3. A Vehicle Impound and Inventory form will be filled out at the scene by the impounding officer.
4. Once the vehicle has been impounded the officer will complete an incident report and direct communications to list the vehicle on GCIC as an abandoned/impounded vehicle.
5. Attended vehicles which are inoperable and which are obstructing a highway or public roadway or otherwise creating a traffic hazard shall be removed by the owner or the person responsible for the vehicle. If the owner or person responsible for the vehicle is unable or unwilling to remove the hazard within a reasonable time, the vehicle may be impounded.
6. The vehicle owner or person responsible for the vehicle may remove the vehicle from the roadway and temporarily park the vehicle upon the roadside. Vehicle owner shall retain full responsibility for the timely removal and for the security of the parked vehicle.
7. The vehicle owner may request a tow service to be called and such request will be complied with when response can be made within a reasonable time. If no specific tow service is desired, the service on call will be notified.

E. PROCEDURES FOR REMOVAL OF ABANDONED VEHICLES

1. Vehicles abandoned upon private property:
2. Will not be impounded by officers of the Helen Police Department but removal shall be the responsibility of the property owner, unless authorized under City Ordinance.

3. Shall be checked by registration to determine if the vehicle is stolen.
4. The property owner shall contact a towing service for removal of the vehicle if the vehicle is not stolen. If the property owner knows the identity of the owner of the vehicle, the property owner shall give the information to the towing service. If the identity of the owner of the vehicle is not known, the towing service shall contact the police department in accordance with Georgia Traffic Law 40-11-2 for the information.
5. Vehicles which are abandoned or parked upon public property or public highways will be handled as follows.
6. A registration check will be made to determine identity of owner or whether the vehicle is stolen.
7. If vehicle is not stolen, a reasonable effort will be made to locate the owner.
8. If the officer is unable to contact the owner, a tow away notice shall be affixed on the windshield or driver's window of the vehicle.
9. If the owner is not located, the vehicle will be removed if it has been abandoned for five (5) days.
10. If it appears the vehicle is being stripped or vandalized, then the vehicle will be impounded immediately.
11. A Vehicle Impound and Inventory form will be filled out by the impounding officer.
12. If an abandoned vehicle is impounded, an incident report will be filled out and the vehicle information entered in GCIC files.
13. The impounding officer or dispatcher will provide the towing company with vehicle registration information at the time of towing.

V. PROCEDURES FOR STOLEN VEHICLE RECOVERY

- A. If possible and practicable, recovered vehicles should be processed at the recovery site and released to the owner without towing.
- B. When the officer is unable to contact the owner to take custody of the vehicle within a reasonable time, or when the vehicle cannot be processed

on-site, the vehicle may be impounded. It is the entering agency's responsibility to notify the owner of the impoundment.

1. When a stolen vehicle has been recovered, an investigator will be notified, if necessary.
2. An incident report or supplemental report will be completed by the recovering officer and a copy delivered to Communications immediately for GCIC file clearance.
3. A Vehicle Impound and Inventory form will also be completed unless the vehicle owner responds to the scene and takes possession of the vehicle.
4. A hold will only be placed on the vehicle if requested by the entering agency via teletype.

VI. PROCEDURES FOR TOWING/IMPOUND OF VEHICLES FOLLOWING ARREST

- A. When the operator of a vehicle is arrested for a violation of state or local law, the vehicle may be impounded for safekeeping.
- B. If the driver is taken into custody and another person is authorized and capable of taking control of the vehicle, it is unnecessary for the officer to impound it. The person being arrested may request a driver to the scene. The additional driver will be given 20 minutes to respond to the scene and remove the vehicle. A Helen Police Officer will remain with the vehicle until such time it is towed/removed.
- C. If the driver is arrested and requests a particular towing service, the officer will comply with the request and will complete the Vehicle Impound and Inventory form.

VII. TOW SERVICES

- A. The officer at a scene, whether it be an accident, crime scene, road hazard, or stranded motorist, shall determine if a wrecker is needed and, if so, shall ascertain if the owner/operator is in condition to make their preference known and, if so, what wrecker service the owner/operator wants called. Distance and time factors are to be considered when determining the towing service to be used. Services requested by the owner/ operator of the vehicle must be able to respond to the scene within 20 minutes. If circumstances cause a delay beyond 20 minutes, another towing service will be summoned or the supervisor is to be notified for approval of delay beyond 20 minutes.

- B. No police officer, when on official duty, shall recommend to any person the wrecker company to be called or employed. In the event the owner/operator is unable to make a choice due to injury or physical or mental impairment or does not have any preference, the officer shall call the next list wrecker service. Wrecker services used by the Helen Police Department shall be maintained on an on-call 24-hour-a-day basis.
- C. In the event the dispatcher is unable to reach the wrecker service on call or for any reason the wrecker service on call is unable to furnish the service, then a second wrecker service shall be called to provide the needed wrecker service.
- D. Except in emergency situations, the officer shall await the arrival of the wrecker and complete the vehicle impound form which shall contain the information and details prescribed by the report. The wrecker operator shall sign the vehicle impound form and be furnished a copy of said form.

VIII. VEHICLE IMPOUND AND INVENTORY FORM

- A. The Vehicle Impound and Inventory form shall be filled out by the impounding officer and shall be maintained on RMS.

IX. REMOVAL OF PROPERTY

- A. Officers may remove any contraband or evidence of a crime from an impounded vehicle if the property removed was located during the inventory of a vehicle.
- B. All highly valuable property should be removed from an impounded vehicle and turned in to the property room to be returned to the owner.
- C. Any property removed or left in the vehicle shall be noted on the Vehicle Impound and Inventory form.

X. "HOLD" ORDERS

- A. The reason for the "hold" shall be written on the vehicle impound form.
- B. Vehicles placed on "hold" may only be released upon the approval of a supervisor or officer placing the "hold" request.
- C. A copy of the vehicle impound form indicating the "hold" should be provided to the Criminal Investigation Division.

XI. RELEASE OF VEHICLE TO OWNER

- A. All impounded vehicles shall be released to the owner upon proof of ownership.
- B. Proof of ownership may be the title, registration, insurance or tag receipt.
- C. Whenever a "hold" is placed on a vehicle, only a supervisor or the officer placing the "hold" are authorized to release a vehicle. .