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VEHICLE IMPOUND POLICY AND PROCEDURE

20.01 IMPOUND VEHICLE PROCEDURE

A. Purpose and Scope

This policy provides the procedures for towing a vehicle by or at the direction of the Belgrade/Brooten Police Department under the authority of Minn. Stat. § 169.041.

B. Storage and Impounds

Vehicles may be towed for violations of Belgrade or Brooten City Ordinance. Officers shall tow vehicles in accordance with Minnesota statute 169.041 and Belgrade or Brooten City Ordinance.

C. Completion of a Vehicle Impound Report Form

Officers requesting towing of a vehicle shall complete a Vehicle Impound Report Form, including a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be placed in the case file.

D. Removal of Vehicle Disabled in a Traffic Collision

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall select the appropriate tow company and shall relay the request for the specified towing company to the dispatcher. The officer should consider contacting the closest and most readily available tow service.

If the owner is incapacitated or for any reason it is necessary for the police department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to contact the appropriate tow service. The officer will then conduct an inventory and store the vehicle using a Vehicle Impound Report Form.

E. Driving a Non City Vehicle

Vehicles that have been towed by or at the direction of the Belgrade/Brooten Police Department should not be driven by Belgrade/Brooten Police Department personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

F. Towing At Arrest Scenes

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this police department to provide reasonable safekeeping by allowing the arrested party to contact a person to assume responsibility for the vehicle within four hours of the arrest. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when traffic safety would reasonably suggest that the vehicle should be towed. For example, the vehicle would present a traffic hazard if it were not removed, or the vehicle is in a high crime area and is susceptible to theft or damage if left at the scene or any other exception listed in Minnesota State Statute 169.041.

G. Owners of Vehicles without Insurance

a. PUBLIC PROPERTY

Uninsured vehicles parked on city streets or public properties pose a hazard to the public. In the event an officer stops a vehicle where the driver states they have no insurance on the vehicle or has other significant reasonable suspicion that the vehicle does not have insurance, the officer may tow the vehicle after 4 hours whether the vehicle is legally parked on the street. The officer will retain the keys and give the owner the opportunity to obtain insurance.

b. PRIVATE PROPERTY

Drivers of uninsured vehicles may not exempt themselves from an officer's towing authority by traveling onto or into private property during an officer-initiated contact. Vehicles that travel onto private property during an officer-initiated contact may be subject to tow unless the property belongs to the driver/owner of the vehicle, or the driver/owner of the vehicle has been granted permission by the property owner to store the vehicle in that location.

H. Vehicle Inventory

All property of value in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Officers conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in custody, to provide for the safety of officers and the public, and to protect the Belgrade/Brooten Police Department against fraudulent claims of lost, stolen or damaged property. Vehicles towed for parking violations will not be inventoried unless the vehicle is unlocked.

I. Preservation of Evidence

An officer who removes a vehicle pursuant to Minn. Stat. § 169.041 is required to take reasonable and necessary steps to preserve evidence. If there is probable cause to believe that a vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or that a particular person has committed a criminal offense, officers shall ensure that all legally required, and reasonably necessary efforts are taken to preserve the evidence. Such evidence is to be provided safe storage and preserved until released to the owner or otherwise

disposed of according to law (Minn. Stat. § 169.041 Subd. 4 (11)).

J. Security of the Vehicles and Property

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, the officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, officers conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

K. Storage of Impound Vehicles/Keys

a. STORAGE LOCATIONS OF IMPOUND VEHICLES

1. Evidentiary Impounds:

Vehicles that are impounded for evidentiary purposes should be stored in the locked Belgrade/Brooten PD Garage or secured area.

2. Abandoned Vehicles:

Vehicles that have been impounded because they have been abandoned according to Belgrade or Brooten City Ordinance or for other reasons should be stored at the towing company's facility.

3. Forfeitures/Other Impounds:

Vehicles being forfeited or stored for other reasons may be kept at the Belgrade/Brooten PD impound area.

4. Temporary Impounds:

Vehicles that are being held temporarily and require specific conditions where when met the vehicle may be returned can be hauled directly to the tow company for storage.

b. KEYS

If an impounded vehicle is sent with the towing agency the keys shall be turned over to the tow service. Keys to vehicles stored on city property inside may be kept with the vehicle. Keys to vehicles stored outside on city property should be turned into the Chief of Police for proper storage.