



Approved:  
*Chief Marcia Harnden*

Subject:

# 321. Vehicle Impound Hearings

Effective:  
September 28, 2017

CALEA Standards:

Page:  
1

## 321.1: PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings.

## 321.2: POLICY

**It is the policy of the Albany Police Department to conduct hearings in front of the Chief of Police or the Albany Municipal Court Judge upon the request of the registered or legal owner of an impounded vehicle or their agent who contests the justification of the impoundment.**

## 321.3: IMPOUND HEARING PROCEDURE

- a. Vehicle owners must request a hearing within five (5) days from the mailing of the **Towed Vehicle & Inventory Receipt Form**, excluding Saturdays, Sundays, and holidays.
  - 1) The request must be made in writing to the Chief of Police and must include the grounds as to why the removal and impoundment of the vehicle is not justified ([AMC 13.70.070](#)).
- b. Upon request of the owner, a hearing shall be held before the Municipal Court Judge. If the vehicle has not been taken into custody before the hearing request, it will not be removed unless it is a hazard.
  - 1) A hearing shall be set within 72 hours (excluding Saturday, Sunday, and holidays) of receipt of the request and the owner shall be notified ([AMC 13.70.080](#)).
  - 2) If the Municipal Judge finds that the action of the Chief of Police is valid, the vehicle will be held in custody until the costs of the hearing, towing, and storage are paid by the owner. If the vehicle has not yet been towed, its removal shall be ordered ([AMC 13.70.090](#)).
  - 3) If the Municipal Judge finds that the action of the Chief of Police is invalid, then the Municipal Judge will order the immediate release of the vehicle to the owner, find that the owner is not liable for towing or storage charges incurred prior to the hearing, and order the City to satisfy towing and storage charges incurred prior to the hearing (AMC 13.70.090).