

## **9.04.000 MOTOR VEHICLE IMPOUNDS**

9.04.005

**PURPOSE AND SCOPE:** 03/24

A vehicle impound is a seizure of property that deprives the owner of the use of and access to their property. The process can be expensive and inconvenient for the vehicle owner. Deputies shall recognize the difference between necessary and discretionary impounds and reasonable alternatives to tow and impoundment shall be considered whenever feasible.

9.04.010

**DEFINITIONS:** 03/24

**“Abandoned vehicle”** means any vehicle parked on the public right of way for more than twenty-four hours or left in any publicly operated parking facility for at least forty-eight hours in violation of a posted parking ordinance or regulation adopted by the governmental agency having jurisdiction.

- a. A vehicle shall not be considered abandoned if its owner or operator notifies law enforcement officials and requests assistance and is unable to remove it from its location.

**“Discretionary Impound”** means a vehicle impound without exigency. The vehicle is not blocking the public right of way, there is no hazard to community members, and the vehicle has no evidentiary purpose.

**“Gross Vehicle Weight Rating” (GVWR)** means the maximum operating weight/mass of a vehicle as specified by its manufacturer. The GVWR information can be found on the vehicle identification label on the vehicle’s driver side doorframe.

**“Impound”** means to take and hold a vehicle in legal custody. An impound means that the vehicle is impounded at the direction of a law enforcement officer.

**“Junk vehicle”** means a vehicle declared under RCW 46.55.230 as meeting at least three of the following:

1. At least three (3) years old.
2. Extensively damaged, inoperable, and without a valid or current registration plate.
3. Is apparently inoperable.
4. Fair market value is equal to the scrap value of its parts.

**“Motor Vehicle” (RCW 46.04.320)** means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. "Motor vehicle" includes a neighborhood electric vehicle as defined in RCW 46.04.357. "Motor vehicle" includes a medium-speed electric vehicle as defined in RCW 46.04.295. An electric personal assistive mobility device is not considered a motor vehicle. A power wheelchair is not considered a motor vehicle. A golf cart is not considered a motor vehicle, except for the purposes of chapter 46.61 RCW.

**“Necessary Impound”** means a vehicle that must be impounded to clear the public right of way for vehicular or pedestrian traffic or the vehicle creates an articulable hazard to community members. Impounding a vehicle at the request of the registered owner, who is not present, such as a recovered stolen vehicle, also qualifies as necessary.

**“Reasonable Alternatives to Impound”** means other possible outcomes to immediate impoundment.

These can be, but are not limited to, posting the 24-hour notice, issuing a parking infraction instead of towing, or giving the registered owner more time to move a vehicle. Deputies do not have to exhaust all possible alternatives to impound and do not have to wait an unreasonable amount of time for alternatives to be carried out.

**“Reasonable Attempts to Contact the Registered Owner”** means searching the internet or police records for a phone number of a registered owner regarding abandoned vehicles. If a number is located, the RO is called and a message left if possible. Reasonable attempts can include but are not limited to, knocking on doors near where a vehicle is parked and asking a complainant details about the car’s possible ownership.

**“Registered Tow Truck Operator”** means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.

**“Tow”** means to take any vehicle but not to hold the vehicle in legal custody.

**“Vehicle” (RCW 46.04.670)** means every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including bicycles. **“Vehicle”** does not include power wheelchairs or devices other than bicycles moved by human or animal power or used exclusively upon stationary rails or tracks.

**“Wrecked, dismantled, or inoperative vehicle”** means a motor vehicle, the remains or remnant parts of a motor vehicle, or an extensively damaged recreational vehicle or boat that is clearly inoperative and:

1. Cannot be made operable without the addition of vital parts or mechanisms; and/or
2. Is damaged to the extent that it prevents normal operation of the vehicle.

9.04.012

**POLICY:** 03/24

Deputies shall document all impounds on a Uniform Washington State Tow/Impound and Inventory Record or a SECTOR-generated impound report. Digital photographs should be taken and uploaded to the approved photo repository used by KCSO documenting each impound. Body worn camera video may also be used to document the impound but should not be used instead of digital photos.

Photo/video evidence, impound forms, and impound information for the Communication Center/Data shall be completed before the deputy secures from duty.

Impounds are authorized under RCW 46.55, KCC 14A.60, and applicable contract city municipal codes. However, KCSO impound policy is generally more restrictive. The most restrictive applicable law or policy for that location shall be followed.

9.04.015

**TOW COMPANY REQUIREMENTS:** 03/24

KCSO has requirements that the tow companies on rotation with KCSO must meet as part of their contract. The KCSO Tow Company Coordinator is responsible for holding the companies accountable and for investigating complaints against the company. The Tow Company Requirements and Disciplinary Policy are referenced in the TOW SOP. Requirements that are frequently referenced are listed below.

1. For most impound and tow requests, the following time limits apply. Exceptions exist for extraordinary circumstances such as weather, remote location, the tow company responding outside of its normal area, etc.
  - a. For passenger vehicles the tow driver must arrive within thirty (30) minutes of being dispatched.

- b. For larger vehicles and specialty-type tows, the tow driver must arrive within one (1) hour of being dispatched.
2. The tow company is responsible for cleaning up glass, debris, and fluids up to one (1) gallon from an accident scene. King County Roads and/or contract city public works should be called for larger fluid spills (WAC 204-91A-180(22)).
3. The Tow Company Coordinator, in coordination with the KCSO Legal Unit and Contracting Unit, prepares the KCSO tow contract for the participating RTTOs.

9.04.020

**COMPLAINTS AGAINST TOWING FIRMS:** 03/24

Deputies with complaints concerning approved towing firms should submit their complaints in writing to the Sheriff's Office Tow Company Coordinator. This does not preclude the deputy from taking appropriate action against a tow company at the scene for witnessed violation of a criminal or infraction violation.

9.04.025

**REQUESTING TOWS/IMPOUNDS:** 03/24

1. When requesting a vehicle tow or impound, deputies should provide the following information to the dispatcher.
  - a. Type of tow; private, department, accident, motorist assist, or impound.
  - b. Condition of vehicle; tire condition, damage, missing structural parts, rolled over or down an embankment, etc.
  - c. Size of vehicle; a vehicle over 10,000 lbs. Gross Vehicle Weight Rating (GVWR) and/or has more than two axles will need a larger tow truck.
  - d. The GVWR information can be found on the vehicle identification label on the vehicle's driver side doorframe.
  - e. Consider the weight of what the vehicle is carrying in its bed or on a trailer.
  - f. The more information about the vehicle to be towed, the better chance of getting an appropriate of tow truck.
  - g. Failure to give the proper information will likely result in higher charges for the vehicle's owner and may delay the tow company's response.
2. Deputies should not request special equipment for a tow such as a "flatbed", class C, etc.
  - a. Decisions on the type of tow equipment are made by the tow operator based on the vehicle information provided.
  - b. Deputies may make a special tow request to account for special conditions (snowy roads, difficult terrain, etc.) with supervisor approval.
3. Deputies shall not act as agents for tow companies or give preferential treatment or recommendations to utilize any tow company.

9.04.027

**PRIVATE TOW GUIDELINES:** 09/25

KCSO members should not initiate calls for non-preference private tows (rotational-based towing).

1. When a community member requests a private tow, they may:
  - a. Contact a tow company directly, either through their insurance provider or based on personal preference.
  - b. Request KCSO to contact a specific tow company on their behalf if they are unable to make the call themselves.
2. Private tow requests will not impact the KCSO tow rotation system.
3. Any delays resulting from private tow requests in blocking collision situations are assumed acceptable by the on-scene deputy. Private tows typically take longer than impounds.
  - a. Deputies retain the authority to impound a blocking vehicle when necessary to expedite roadway clearance.
4. If a private tow operator arrives on the scene and an agreement cannot be reached between the community member and the tow operator, the following options apply:
  - a. The community member may contact another tow company.
  - b. If further delay is deemed unacceptable, the deputy may request a department impound, provided the vehicle qualifies for immediate impound under KCSO policy.
5. If a tow company is already on the scene, they shall not complete the impound or receive an impound form unless they are the next company in the rotation system (applies to individual RTTOs). This ensures tow rotation integrity and maintains the agreement between KCSO and tow operators.

9.04.030

**VEHICLE IMPOUND REPORT:** 03/24

Deputies shall document and explain all impounds on a Uniform Washington State Tow/Impound and Inventory Record or a SECTOR-generated Impound Report. An Impound Report is used to authorize the impoundment of a vehicle, to authorize the tow company to have possession of the vehicle, to legally document the reason(s) the vehicle was impounded, and the reasonable alternatives explored prior to ordering a discretionary impound. An impound form must be provided to the tow truck driver on the scene and cannot be emailed or faxed later.

The report must be accurate and complete as it is often the only document that is available at a contested impound hearing. The following guidelines for completing the report should be adhered to:

1. An impound form should be created for each vehicle being impounded. If a vehicle is towing a trailer, a separate vehicle impound report shall be created if both are to be impounded.
2. If another vehicle is contained within the vehicle being impounded, such as a car on a car trailer, a separate impound report is only required when the registered owner is different than the vehicle that is touching the roadway.
3. When towing multiple vehicles in the same event, such as multiple parking violations on the same street, one case number may be used; however, the Communications Center shall still perform the rotation command for each vehicle being towed.

4. The deputy shall fill out the form legibly and completely. Deputies shall:
  - a. Describe why the vehicle was impounded and the reasonable alternatives to impoundment for discretionary impounds shall be described in the narrative section including applicable impound RCW, KCC, or municipal code justifying the impound.
  - b. In the case of an abandoned vehicle, the date and time the vehicle was tagged, how the owner notification was attempted, and the evidence that the vehicle was not moved shall be listed in the narrative of the form.
  - c. The form shall be signed by the deputy authorizing the impound. The digital signature in the case of a SECTOR-generated report is acceptable. The impounding deputy shall also include their serial number on the form.
  - d. The deputy shall upload photographs to the agency-approved photo repository to accompany impound reports.
    - i. The handwritten Impound Report will be sent to Records after approval.
    - ii. The SECTOR Report does not need to be sent to Records but shall be submitted before securing from their shift.

9.04.035

**VEHICLE INVENTORY: 03/24**

1. If the vehicle is impounded, an inventory search shall be conducted to find, list, and secure from loss property in the vehicle.
2. The inventory search is conducted to protect the vehicle owner's property, to protect law enforcement and tow companies from false claims of theft, and to protect from potential danger.
3. An inventory search is not a general exploratory search to find evidence of a crime. When conducting an inventory search of a vehicle, deputies:
  - a. Shall not open the trunk, even if it is accessible through a latch in the driver's compartment.
    - i. If a manifest necessity exists, such as an indication of dangerous contents, an inventory search may be conducted of a locked trunk.
  - b. May open an unlocked glove compartment.
  - c. Shall not open personal luggage, whether locked or not, during an inventory search of an impounded vehicle unless the owner consents to the search or there is reason to believe that its contents could be dangerous when stored.
4. Items of value shall be listed on the Inventory portion of the Tow/Impound and Inventory Record.

9.04.040

**NECESSARY IMPOUNDS (IMPOUNDS WITHOUT NOTICE): 03/24**

Most impounds that deputies encounter are discretionary; however, necessary impounds are those in which the vehicle is blocking the public right of way for vehicle or safe pedestrian travel, the vehicle creates an unreasonable hazard for community members, or the vehicle is, or contains, evidence of a crime. Necessary impounds should be obvious to a reasonable law enforcement officer.

1. The vehicle on the public right of way is impeding or likely to impede the normal flow of vehicular or pedestrian traffic. Deputies shall take photographs in this instance. Examples include but are not limited to:
  - a. Vehicles abandoned in the travel portion of the roadway. This can also be because of a collision with the driver being transported to the hospital.
  - b. If the driver of a blocking vehicle is present but does not have a place to tow the vehicle or the means to pay the tow operator, the deputy shall provide the tow operator with an impound form.
  - c. Vehicles parked on a busy sidewalk forcing pedestrians into a busy street.
  - d. Vehicles that were stolen and the registered owner has requested the deputy impound their vehicle. Even if the ACCESS return states, "impound yes", the deputy should still attempt contact with the registered owner before impounding the vehicle. These vehicles can be impounded from public or private property.
2. Vehicles parked in a conspicuously posted restricted zone, and the vehicle impedes the normal flow of vehicular or pedestrian traffic.
  - a. Includes vehicles parked in disabled parking, fire zones, zones restricting parking at specific times, and more with written and photographic documentation by the impounding deputy.
  - b. If the vehicle is not impeding the normal flow of vehicular or pedestrian traffic, deputies shall consider reasonable alternatives to impoundment, like a notice of infraction.
3. The vehicle poses a hazard to the public whether on private or public property.
  - a. The deputy shall explicitly document in writing and photographs describing how the vehicle was a hazard to the public and required a necessary impound.
  - b. An uninsured vehicle operated by an unlicensed driver is not a necessary impound, and reasonable alternatives to immediate impoundment shall be considered.
4. The arrest of a vehicle operator shall not be the sole reason for impoundment. Reasonable alternatives shall be considered.
5. If law enforcement action resulted in a vehicle being left on private property, and the property owner does not grant permission for the vehicle to be left on the property, the vehicle may be impounded absent reasonable alternatives.
6. A vehicle that is illegally parked in a stall or space clearly and conspicuously marked for disabled parking on private or public property may be towed without prior notice. Deputies should photograph the vehicle to document the violation.
  - a. The proper marking for a disabled parking spot is a vertical sign, between thirty-six (36) and eighty-four (48) inches off the ground, with the international symbol of access, whose colors are white on a blue background and the notice "State disabled parking permit required."
  - b. If there are several disabled parking stalls or spaces, deputies should consider issuing a notice of infraction and not impounding the vehicle.
7. See GOM 9.04.075 for vehicles impounded for evidence processing.

9.04.045

**DISCRETIONARY IMPOUNDS:** 03/24

All vehicles that are not blocking vehicular or pedestrian travel, a public hazard, or is needed for evidence, are discretionary. Deputies shall document the reasonable alternatives that they attempted or considered before impoundment. Deputies do not have to exhaust all possible alternatives to impound and do not have to wait an unreasonable amount of time for alternatives to be carried out. Vehicles shall not be impounded for "safekeeping" reasons only.

Discretionary impounds include, but are not limited to:

- Abandoned vehicles not blocking the right of way.
- Vehicles expired more than 45 days and not blocking the right of way.
- Parking violations.
- Damaged or junk vehicles that do not block the right-of-way and are not hazardous to the public.

1. When responding to vehicles that meet the discretionary impound description, deputies:
  - a. Shall identify and check the vehicle's records by the vehicle identification number (VIN).
  - b. Shall make a computer check for stolen.
  - c. Shall attempt to identify and contact the owner of the vehicle to verify if the vehicle is abandoned.
    - i. This may be accomplished by contacting the complainant, nearby residents, or by conducting a registration check.
  - d. Shall verify that the vehicle is on the public right-of-way and not on private property.
    - i. If unsure, contact King County Roads Services or consult King County Geographical Information System (GIS) using King County iMap or directly by phone or email.
    - ii. If the vehicle is on private property, the deputy shall advise property owners or their agents they may impound vehicles privately or complete a Junk Vehicle Affidavit (JVA) under RCW 46.55.080 if the vehicle meets the definition of a junk vehicle.
    - iii. If the vehicle is a junk vehicle or wrecked and dismantled on private property without the property owner's consent, the deputy may advise property owners or their agents to contact King County Solid Waste. The deputy may, alternatively, provide the property owner with a completed junk vehicle affidavit (JVA).
  - e. Shall tag the vehicle if they are unable to contact the registered owner.
    - i. Use a twenty-four (24) Hour Abandoned Vehicle Notice (KCSO Form #C-138).
  - f. Shall attach the 24-hour notice to the vehicle glass to minimize damage to the vehicle in a place where pedestrians or vehicular traffic would be able to see the notice while regularly traveling.
  - g. May make visible mark(s) on the tire or ground so they can see if the vehicle has been moved after tagging.
  - h. May impound the vehicle after at least twenty-four (24) hours has elapsed if the vehicle has not moved.
  - i. May write the date and time on the vehicle's window using a water-soluble marker.

- j. In CAD, deputies shall document their efforts to contact the registered owner, what time the 24-hour notice was affixed and what tire marks were made to see if the vehicle moved before impoundment. Alternatively, deputies must include this information on their impound report.
  - k. Shall document and explain the impound in the Vehicle Impound Report the RCW or KCC that they impounded the vehicle for and evidence that the vehicle had not moved (if impounding for a 24-hour violation).
  - l. Deputies shall take photographs of the vehicle in place before the vehicle is towed showing where it was parked or abandoned, the 24-hour tag affixed to the vehicle, and the no parking signage if applicable.
2. Discretionary vehicle impounds should be towed Monday through Friday during regular business hours (0900-1500). This is an agreement that KCSO made with the tow companies so that they are available during peak times and to reduce overtime costs for drivers.

9.04.047

**45 DAY VIOLATIONS:** 03/24

Impoundment of vehicles expired over 45 days without notice is authorized by RCW 46.55.113 (2) (j); however, the KCSO requires deputies to follow the Discretionary Impounds policy 9.04.045 when the vehicle does not meet the criteria for Necessary Impounds (Impound Without Notice) 9.04.040.

Some community members avoid licensing the vehicles. They avoid having grossly expired vehicles impounded by moving the vehicle that is expired over 45 days to another location in the public right-of-way.

If the deputy can articulate that the registered owner was previously notified by any deputy in the prior 12 months via CAD notes or other means, either verbally or with KCSO form #C-138 (or similar city form) with the box marked warning of immediate impound, the deputy may impound the vehicle without additional warning from any public right-of-way in King County. The Uniform Washington State Tow/Impound and Inventory Record or a SECTOR-generated Impound Report shall include the date and time a deputy gave the previous warning.

1. When deputies tag a vehicle on a detail, the deputy can associate the plate with the impound warning by asking the dispatcher to add the plate to the detail as "involved to." Anytime a deputy subsequently runs that plate, an associated detail will appear on screen linked to the tagging deputy's incident and notes.

9.04.050

**ABANDONED BOATS AND WATERCRAFT:** 03/24

When responding to complaints involving watercraft the deputy should do the following:

1. Watercraft on a trailer: The normal impound procedures should be followed regarding vehicle impounds for the trailer with the watercraft information listed in the inventory section of the Vehicle Impound Report, listing any identifying marks/numbers(e.g., boat numbers or hull identification number (HIN)), which are normally located on right rear, outside vessel.
  - a. If there are no identifying numbers on the vessel and the owner cannot be determined, a copy of the Vehicle Impound Report should be forwarded to the Marine Unit for follow-up.
  - b. If the deputy cannot verify that the vessel and trailer belong to the same registered owner, the deputy shall complete vehicle impound reports for each vessel and trailer.

2. Watercraft not on a trailer: If the watercraft is not stolen or the identity of the owner cannot be determined, the Marine Unit should be notified immediately and will handle the removal of the watercraft.
  - a. State law prohibits towing companies from storing any watercraft that is not on a trailer.

9.04.055

**JUNK OR HULK VEHICLES:** 03/24

Landowners wanting to have an abandoned junk vehicle removed from their property must complete a WA State Junk Vehicle Affidavit and contact a law enforcement agency or an authorized junk vehicle inspector to arrange for an inspection of the vehicle. If the vehicle was last registered in Washington State, personnel at KC Solid Waste typically handle these cases. If the vehicle was last registered outside of Washington State, the process must be handled by a law enforcement officer. Any commissioned law enforcement officer may complete a junk vehicle inspection.

1. To qualify as a junk vehicle, the vehicle must meet at least three of the following conditions:
  - a. Must be at least three years old.
  - b. Must be extensively damaged.
  - c. Must be apparently inoperable.
  - d. Must have a fair market value equal only to the approximate value of the scrap of the vehicle.
2. Deputies encountering vehicles abandoned on the public right of way that meet the qualifications of a junk vehicle, should, in addition to the impound report, provide the tow operator with a junk vehicle affidavit.
  - a. This changes the rules for how long a tow operator must store a junk vehicle versus a practicable vehicle.
3. If called to assist a landowner with a junk vehicle affidavit and vehicle inspection, deputies shall:
  - a. Refer to RCW [46.55.230](#) for state law regarding the handling, removal, disposal, or sale of junk or hulk vehicles.
  - b. Inspect the vehicle and complete the law enforcement section of the Junk Vehicle Affidavit if the vehicle qualifies as a junk vehicle.
  - c. Deputies shall provide information on the vehicle's registered and legal owners to the property owner.
  - d. A department report is not required, and the detail should be cleared 555B0 with dispatch.

9.04.060

**ABANDONED JUNK MOTOR HOMES AND TRAVEL TRAILERS OR VEHICLES FILLED WITH GARBAGE:** 03/24

King County Solid Waste has a program called the Community Litter Cleanup Program (CLCP). The CLCP will respond to remove trash, on a case-by-case basis, from abandoned vehicles prior to their impoundment. Tow companies may initially decline to tow vehicles that are filled with trash or hazardous materials (unless it qualifies as a necessary impound) because of the added cost to dispose of the vehicle. The CLCP can also be utilized to haul away travel trailers or other non-motorized vehicles that qualify as junk or hulk vehicles in lieu of impounding them. Deputies wanting to use the CLCP should use the following procedure:

1. Deputies are encouraged to make an appointment with the first tow company on rotation to take the vehicle.

- a. The appointment should take place during non-peak hours as described in 9.04.045.
2. If a department impound has been requested for an abandoned vehicle and the tow company declines to impound the vehicle due it being full of trash or its apparent condition:
  - a. Contact the Tow Company Coordinator via email and advise them of the case number, the location, and the circumstances surrounding the incident. In most instances, photos should be forwarded to the Tow Company Coordinator as well.
  - b. If there are exigent circumstances requiring the immediate removal of the vehicle, advise the tow company to remove the vehicle and to contact the KCSO Tow Company Coordinator as the program may still be used.
    - i. This should be treated as a normal impound and the appropriate forms and documentation are necessary.
  - c. Advise the dispatcher if the vehicle is not impounded and left behind for the CLCP to be utilized. The dispatcher will ensure that the vehicle is not entered into the WACIC system as impounded and that the company's turn in the rotation is still used.
3. CLCP applies to abandoned vehicles on public property or County Right of Way only and does not apply to vehicles on private property.
  - a. For vehicles on private property, have the R/P contact King County Solid Waste.
4. CLCP is utilized on a case-by-case basis after it is screened through King County Solid Waste by the Tow Company Coordinator.

**Nothing in this section is intended to take away the ability of a deputy in charge of the scene to immediately impound the vehicle if it is deemed necessary.**

9.04.065

**RECOVERY OF KING COUNTY STOLEN VEHICLES: 09/24**

1. Deputies should release the vehicle to the registered owner or their agent.
2. The vehicle shall be impounded when:
  - a. The vehicle owner cannot be contacted and "impound yes" is indicated on the incident report.
  - b. The vehicle cannot be processed for evidence at the scene.
  - c. The vehicle poses an immediate hazard to public safety.
  - d. A private property owner wants the vehicle to be removed and the owner is unable to retrieve the vehicle within a reasonable time.
3. Deputies should do all evidence processing at the scene when possible.
4. Deputies shall not impound vehicles for "safe keeping".
  - a. This includes suspected unreported stolen vehicles.
5. Deputies shall secure stolen license plates as evidence if present.

6. Deputies should attempt to call the registered owner of the vehicle.
  - a. Deputies should call the registered owner and provide the location and condition of the vehicle and verify whether to impound or leave the vehicle at the scene.
  - b. The call should be recorded using the deputy's body worn camera (BWC).
    - i. If extenuating circumstances exist that prevent the deputy from recording the contact on their BWC, then they may request that the dispatcher attempt to contact the owner on a recorded phone line.
  - c. This provides evidence that we properly attempted owner contact should the impound be disputed at a hearing.
7. If the registered owner requests that the vehicle not be impounded and left at the recovery location, and it does not meet the guidelines for a necessary impound, the deputy shall:
  - a. Advise the owner that KCSO is not responsible for any damage/loss after we leave the scene, and they must agree to the vehicle impound waiver while the deputy records them.
  - b. Read the below impound waiver to the owner while recording on the deputy's body worn camera:

*"I do NOT want my vehicle to be impounded. I want the vehicle left in the location where it was found. I understand that if the vehicle's location poses a hazard or is in a public right of way, it will have to be impounded. I will not hold King County, its officers or employees responsible or liable for any damage or loss to the vehicle or its contents as a result of it being left at the recovery location. I also agree to hold King County and its employees harmless for any claim that may arise as a result of it being left at the recovery location."*
  - c. After reading the waiver, ask the owner if they agree to this vehicle impound waiver and to state their name, and the current date and time.
  - d. Advise the dispatcher the time the waiver was read.
  - e. Secure the vehicle and leave it at the scene.
    - i. The deputy may tag the vehicle with a 24-hour notice if the vehicle is on the right of way .
8. If the vehicle meets the criteria for a necessary impound, it should be a KCSO impound.
  - a. It can only be a private tow if the owner is present and able to sign the authorization for a private tow.

9.04.070

**RECOVERY OF ANOTHER AGENCY'S STOLEN VEHICLE: 09/24**

1. Deputies should verify the stolen vehicle with Data Control. Data will advise the deputy of the originating agency's desired disposition of the vehicle (i.e., impound yes or no, hold for evidence, etc.).
2. Absent an agency's request for a hold, deputies should still attempt to contact the registered owner to verify their impound preference while recording the call on the deputy's body worn camera as described in section 9.04.065.
3. If the deputy is not able to contact the owner and impound preference is not indicated, then no impound should occur unless the vehicle qualifies as a necessary impound as described in 9.04.040.

4. All other procedures concerning the recovery of a stolen vehicle outlined in section 9.04.065 should be followed.

9.04.075

### **VEHICLE IMPOUNDED FOR EVIDENCE PROCESSING: 03/24**

Vehicles may be impounded for evidence processing at KCSO precincts or other county facilities that have a secondary locked area (i.e., a sally port) inside a fenced parking area or at designated tow companies that have complied with the KCSO Secure Storage Requirements. The unit doing the investigation shall determine the location where the vehicle will be held.

When a vehicle must be towed as evidence or for evidence processing, the deputy shall complete a Tow/Impound and Inventory Record or SECTOR Impound Report regardless of the final storage location (secure KC facility or a tow operator's lot with secure storage). When moving a vehicle from one storage location to another, the member shall complete another impound report.

Deputies impounding a vehicle for evidence processing shall comply with the following guidelines when impounding to a tow company with secure storage:

1. Deputies shall request Secure Evidence Storage for the vehicle through the dispatcher.
2. Deputies shall follow the tow truck to the place of impoundment while keeping the vehicle under observation.
3. Deputies shall properly seal the vehicle using evidence stickers on all entrance points.
  - a. Deputies shall write the incident number, date, time, and by whom it was sealed, on the stickers.
  - b. Deputies should not place evidence stickers on areas likely to contain fingerprints or other evidence.
4. Deputies will monitor the tow driver as they erect a temporary chain link fence around the vehicle.
5. Once the fence is erected the deputy shall place a lock on the last two panels.
6. The deputy shall also place a numbered cable tie on the upper and lower section of this panel to further secure the vehicle. The numbers of each cable tie shall be documented in the incident report.
  - a. The lock and cable ties will be stored at the tow company; however, the tow company should not know or have the combination to the lock.
  - b. The Communications Supervisor will be called to provide the combination to each lock.
7. When placing an investigative hold on an impounded vehicle, deputies/detectives shall indicate on the Tow/Impound and Inventory Record:
  - a. The vehicle is being held for investigation by checking "Evidence" on the Uniform Washington State Tow/Impound and Inventory Record.
  - b. The supervisor approving the hold and unit it is being held for.
  - c. The reason for the hold.
  - d. Deputies shall also notify DATA that the vehicle is being held for evidence to ensure that the vehicle's location is not released until the hold is released.

8. If the hold is placed on the vehicle after the original impound, the deputy/detective will:
  - a. Contact the tow company in person and enter the hold information on the towing company's copy of the Vehicle Impound Report; or
  - b. Call the towing company and advise them of the hold and give the towing company their name and serial number; and
  - c. Note on the incident or follow-up report the date/time and who at the tow company you notified.
9. Deputies shall obtain a search warrant before searching and processing the vehicle.
  - a. The unit or deputy with the follow up responsibility shall process the vehicle on their next regularly scheduled workday or earliest opportunity and release any hold on the vehicle.
10. If the vehicle must be retained for a longer period, deputies shall move it to an appropriate storage facility approved by a Precinct/Section, or Unit Commander.
11. Releasing the vehicle from the investigative hold is done by following one of the two below-listed procedures:
  - a. Impound Report with the deputy/detective's name, serial number, date & time of the release, In-person contact with the towing company and signing the tow company's copy of the Vehicle; or
  - b. By faxing a copy of the KCSO form "Investigative Hold Release" (B-169) to the towing company.
    - i. If faxing the release authorization, deputies/detectives shall fill in the required vehicle information on the form, indicate what portion of the bill that KCSO is responsible for by checking the appropriate box, and the box indicating that the registered or legal owner has been notified along with the date, time and how notified.
    - ii. If the owner is not known or the deputy/detective is unable to contact the owner, check box 4.
  - c. After completing the form, it shall be faxed to the impounding towing company. The form, along with the fax transmittal sheet, shall then be placed in the case file and submitted to Records.
  - d. Deputies shall attempt to notify the registered owner that the vehicle is no longer being held and is available to be retrieved by the registered owner. Deputies shall document the efforts to notify the registered owner.
12. If a vehicle is being released from a KCSO facility, the investigator shall attempt to contact the registered/legal owners of the vehicle and given a reasonable opportunity to claim the vehicle. If the vehicle is not claimed or a registered/legal owner cannot be contacted, the vehicle should be impounded as an unauthorized vehicle on public property under RCW 46.55.080 and an impound form shall be completed.
13. KCSO is responsible for towing and storage costs while the vehicle is in an investigative hold status. If a hold is later placed on the vehicle after it was impounded, KCSO is responsible for the storage only during the hold period.

9.04.080

**REMOVING LARGE PROPERTY AND NON-LICENSED MOTORIZED VEHICLES:**

03/24

1. Deputies may not impound non-licensed motorized vehicles (i.e., a wheelchair, golf cart or riding lawn mower, etc).
2. Deputies needing to haul away such items shall take them to the nearest precinct.
3. A tow company on our tow list can assist with transporting the item.
4. Deputies using a tow company shall:
  - a. Have supervisor approval to use the tow operator for assistance.
  - b. Sign the tow invoice and provide it to the supervisor to give to Budget & Accounting.
5. The Property Management Unit cannot store such items for safety reasons.

9.04.085

**DISABLED MOTORISTS ON ROADWAYS: 03/24**

Deputies should stop and assist disabled motorists on county, city or state roadways and shall comply with the following guidelines:

1. General Assistance:
  - a. Deputies should try and assist motorists with directions or obtaining information whenever possible or any other assistance if the deputy is not engaged in a call, transporting a prisoner, or if stopping would put the deputy or the public in danger.
  - b. If there is a need for immediate assistance and the deputy is unable to stop, dispatch shall be notified, and another deputy or other appropriate assistance will be sent.
2. Mechanical assistance and towing:
  - a. When reasonable, deputies are encouraged to assist disabled motorists with changing tires, or minor repairs the deputy is comfortable and knowledgeable in.
  - b. Deputies should not transport fuel in enclosed passenger areas of any department vehicle (passenger compartment or trunk). Deputies with pickup trucks may transport fuel in an approved container in the bed of the truck.
  - c. Deputies should not become so involved they are unable to respond to in-progress calls.
  - d. If a tow is needed for a motorist a call will be made to the preferred tow company.
    - i. If the motorist has no preference, a tow from our rotation will be called.
3. While assisting a stranded motorist or passengers the deputy will take reasonable steps to ensure their safety.

4. Disabled vehicles in the roadway:
  - a. Deputies will move or have moved any blocking disabled vehicle from the traveled portion of the roadway.
  - b. If the deputy has a fully marked police car with push bars, they may elect to push the disabled to a safe area.
  - c. Deputies are not expected to manually push cars.
  - d. If the disabled vehicle cannot be pushed the motorist may request their own tow.
  - e. If heavy traffic or some other unsafe condition exists, and the preferred tow cannot respond in a timely manner a department tow will be utilized.
  - f. Deputies should stand by to maintain safety until the vehicle is removed.
  - g. If a disabled vehicle is in an area with good visibility and light traffic and the deputy is confident it is safe to do so, reflectors or flares can be used until the motorist's tow arrives.
5. While assisting a stranded motorist or passengers, the deputy will see that they are in a place of safety and instruct the parties to remain in the safe area until assistance arrives.
6. Emergency Assistance:
  - a. Deputies responding to medical emergencies occurring on the roadway shall request medical aid and may provide first aid up to the level of their training.
  - b. Patrol vehicles are equipped with fire extinguishers that may be used to put out small vehicle fires if the deputy determines it is safe to do so.
    - i. The fire department should be called to the scene.
  - c. Deputies may assist in lockouts provided they have a lockout kit that operates the door handle or lock (which does not enter the door panel of a vehicle), otherwise a tow company or lockout service should be called.