



DEPARTMENTAL GENERAL ORDER

J-03: Towing Vehicles

Effective Date: 10 MAY 24

Coordinator: Traffic Operations Section

TOWING PROCEDURES

The purpose of this order is to set forth Departmental policy and procedures for towing vehicles. Procedures for completing reports and citations mentioned in this order are found in Departmental Report Writing Manual Insert T-19, TOWING PROCEDURES. This order applies to motor vehicles including motor-driven cycles, motorized bicycles and "mopeds."

I. TOW REQUESTS

A. Departmental Tows

1. A Departmental tow may be ordered by a member or employee:
 - a) Pursuant to a Vehicle Code section. Note: Members and employees shall not tow vehicles when the only basis for towing is California Vehicle Code Section 22651(i)(1) (five or more notices of parking violations).¹
 - b) For evidentiary purposes, upon supervisory approval.
 - c) Special tow projects require advance notification to the Communications and Records Divisions to ensure adequate staff is available to handle the increased workload.
2. Procedures for towing vehicles from public and private property shall be made in accordance with the provisions of Departmental Report Writing Manual T-19, TOWING PROCEDURES.
3. The following tows can be ordered through the Communications Division:
 - a) Requests for towing a single vehicle from one location or event.
 - b) Requests for multiple tows from one location or event under hazardous conditions.

¹ See *Coalition on Homelessness v. City and County of San Francisco*, 93 Cal.App.5th 928 (2023) (holding that city cannot tow safely and lawfully parked vehicles, without a warrant, solely because of unpaid parking tickets and pursuant to Vehicle Code Section 22651(i)(1)).

4. Abandoned auto tows and multiple tows under non-hazardous situations shall, to the extent practical, be ordered through the Records Division.
5. The member or employee shall remain at the scene until the tow truck arrives, except for Abandoned Vehicle Unit tows.
6. Towed vehicles shall be towed to the City tow contractor's garage. Private vehicles shall not be parked at the Transportation lot except for evidence processing in major cases at the direction of a command officer or the assigned investigator.
7. A reasonable effort shall be made to locate a vehicle's owner to eliminate unnecessary tows.
8. When the driver of a vehicle is arrested for driving under the influence or other charges, the vehicle shall be towed as a Departmental tow unless the owner gives informed consent to leave the vehicle parked at the scene.

B. Owner/Operator Requested Tows

1. When a vehicle owner/operator requests a tow, the member or employee shall order the tow through the Communications Division.
2. The owner/operator will be asked for his/her preference in tow companies and that preference honored when the tow is ordered. If the owner/ operator has no preference, a tow company under contract to the City will be dispatched.
3. An owner/operator requested tow shall not be ordered unless the owner/operator, or other person designated by the operator, remains with the vehicle until the tow arrives.

C. Abandoned Vehicle Tows on Public Property

1. Responsibility for Marking and Towing
 - a) All members shall mark and tow abandoned vehicles within their area of assignment as time allows.
2. Towing Procedures

- a) Members and employees shall:
 - (1) Attach a warning sticker securely on the windshield no less than 72 hours prior to the actual tow.
 - (2) Record mileage of the abandoned vehicle on the Assignment Report (236-253).
 - (3) Place an alignment mark on tire and pavement and indicate the marking on the Assignment Report.
 - (4) Complete the necessary reports and/or citations.
 - (5) Deposit completed reports in the report receptacle at the Police Administration Building or Eastmont Substation at the end of the shift and deposit the citations at the proper location.

3. Appraisal Responsibilities

- a) The assigned member or employee towing the vehicle shall determine the estimated value of the vehicle.
- b) If the identifying numbers on the vehicle do not match those on the reports, the appraiser shall complete the proper reports with the corrected information.
- c) If the identifying numbers appear to have been tampered with, the appraiser shall notify the Auto Theft Unit and mark "Removed/Altered VIN (10751 VC)" on the Vehicle Report (536-254).

D. Abandoned Vehicle Tows on Private Property

- 1. Sources of violations include but are not limited to citizen complaints, neighborhood organizations, city government agencies, members, and employees.
- 2. Field Personnel Responsibility
 - a) Members and authorized employees assigned to investigate a complaint shall complete a preliminary investigation in accordance with current Vehicle Abatement Unit procedures.

- b) Members and/or authorized employees shall mark the vehicle by placing a Vehicle Abatement Warning Sticker (TF-3005) on the vehicle, and listing the removal date (10 days from the date marked).
- c) Only personnel assigned to the Vehicle Abatement Unit shall tow abandoned vehicles from private property in accordance with existing policies.

II. VEHICLE HOLDS

A. Holds for Investigative Units

- 1. No unnecessary holds shall be placed on towed vehicles.
- 2. No vehicle shall be towed with a hold for Vice/Narcotics Section without the specific approval of a Vice/Narcotics Section supervisor or investigator.
- 3. Separable evidence in the vehicle shall be removed and turned in to the Property Section.
- 4. Only one hold shall be placed on any vehicle. If another investigative unit has evidentiary interest in the vehicle, copies of the report shall be directed to the interested unit(s) and the reasons stated in the report narrative.
- 5. A hold shall be placed on a vehicle only where there is evidentiary value in the vehicle itself or for some other compelling reason (e.g., search warrant, disputed title, altered VIN plate or an investigator's prior request for a hold).
- 6. Members shall get the approval of a supervisory or command officer prior to placing a hold on a vehicle. This approval shall be documented in the report narrative.
- 7. If an unoccupied vehicle displaying false registration is to be towed, a Vehicle Report (536-254) shall be completed, and the seized license plates (or other false evidence of registration) shall be turned in to the Property Section. No hold on the vehicle itself is necessary.

B. Holds for Evidence Technicians

- 1. Every effort shall be made to process vehicles at the scene to eliminate unnecessary tows and holds.

2. When a vehicle is held for processing by an evidence technician, the specific procedure(s) requested (e.g., prints, photos) shall be stated when placing the hold.
3. If processing by a technician is the only reason for a hold, a hold for an investigative unit shall not be placed on the vehicle.
4. A Technician Request (TF-753) shall be securely attached to the vehicle, police seals placed as needed, and the tow truck operator informed of any special handling required (e.g., inside storage).
5. When the work has been completed on a vehicle which has been held for technician processing, the Evidence Technician shall, at the end of their shifts, notify the Records Division that the hold has been released.

III. RECORDS DIVISION RESPONSIBILITIES

- A. The Records Division shall maintain all documents concerning tows, holds, releases, and notifications.
- B. The Records Division shall make all SVS entries for abandoned auto tows and verify tow entries made by the Communications Division.
- C. Vehicle Holds
 1. VC 22651(j, p, o) holds shall remain permanent until released.
 2. 30 day holds for VC 22651(p) shall not be imposed if the reason for the suspension or revocation are outside of the justifying code.
 3. VC 22651(p) holds may or may not require a 30-day hold. The 30-day hold, if authorized by statute, must be placed by the towing officer. The name of the driver shall be documented on the report.
 4. Hit-and-run tows and 10851 tows for "prints only" shall expire 48 hours after the tow unless the vehicle is released sooner, or the hold is extended by the investigator.
 5. All other holds shall expire 72 hours after the tow unless the vehicle is released sooner, or the hold is extended by the investigator. All extensions shall include an estimated release date.
 6. Any request for a hold extension shall be confirmed in writing with the tow company within 48 hours of a telephonic request.

- D. Records Division personnel shall release vehicles held only for technician processing when notified by the technician that the work has been completed.
- E. Records Division supervisors can release a technician hold on a recovered stolen vehicle if no other crimes are involved after confirming with the Communications Division that the technician call is not "stacked" on the Computer Assisted Dispatch System's (CAD) technician screen.
- F. Report Reproducing Unit Responsibilities

Employees of the Report Reproducing Unit shall forward copies of all reports containing tow information to the Records Division Fleet/Tow Coordinator and any unit for which a hold was placed.
- G. Refer to Records Division General Order T-2, RELEASE OF TOWED/STORED VEHICLES, for release procedures not discussed in this order.

IV. COMMUNICATIONS DIVISION RESPONSIBILITIES

- A. The Communications Division shall order all tows except abandoned autos or multiple tows under non-hazardous conditions.
- B. The Communications Division shall make SVS entries for tows ordered and send the information to the Records Division.

V. INVESTIGATIVE UNIT RESPONSIBILITIES

- A. The investigator shall notify any other Departmental units which may have an interest in a vehicle that has been held.
- B. The investigator shall use the Evidence Hold Extension form letter (TF-2056) to notify the Records Division if a hold is required beyond 72 hours or 48 hours in the case of hit-and-run and stolen vehicle holds.
- C. Vehicles towed to the Transportation Section for evidence shall be released to the registered owner only after all tow fees have been paid by the registered owner to the tow company. A payment receipt must be presented to the investigator to indicate payment has been made.
- D. In the event the investigator determines the Police Department should waive any tow/storage related fees, a memorandum shall be forwarded to the Fleet/Tow Coordinator requesting the waiver of such fees.

- E. To ensure no excess storage fees are incurred by the registered owner or the Police Department, the investigator shall notify the registered owner immediately of the vehicle's availability after the vehicle serves no further evidentiary purpose.
- F. If a vehicle is transferred to the custody of the District Attorney's Office, the investigator shall notify the Records Division.

VI. ERROR TOWS

- A. Vehicles erroneously towed or left in storage are charged to the City. Members and employees shall ensure that vehicles are towed under the proper authority.
- B. Allegations of improper tows shall be referred to the Fleet/Tow Coordinator.

VII. LATE TOWS

- A. Tow trucks are allotted 30 minutes to arrive at a tow site (45 minutes for big rigs) in accordance with the provisions of the current tow contract.
- B. Members and employees shall advise the Communications Division if there is any delay in excess of the allotted time.
- C. The Communications Division shall forward the CAD printout, as necessary, to the Records Division Fleet/Tow Coordinator and Records Division Manager advising them of any delay in response by the tow company.

VIII. ASSISTANCE TO DISABLED MOTORISTS

- A. Uniformed on-duty members and employees who observe disabled motorists within the City limits shall stop and render appropriate assistance. Such assistance may include, but is not limited to, placing flares, arranging for private transportation, and calling for road or tow service.
- B. If a uniformed member or employee observes a disabled motorist while enroute to an assignment that cannot be delayed, he/she shall advise the Communications Division on the service channel of the location of the incident so that another unit may be dispatched to provide appropriate assistance as soon as circumstances permit.
- C. On-duty plainclothes officers should stop and assist disabled motorists if doing so will not compromise their assignment and can be done with reasonable safety. If the plainclothes officer does not stop to render immediate assistance,

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he/she shall advise the Communications Division on the service channel so that another unit can be assigned.

By order of:



Trevelyan Jones
Acting Chief of Police

Date: 10 MAY 24