
ADMINISTRATIVE DIRECTIVE – 112.038
INVENTORY OF IMPOUNDED MOTOR VEHICLES

EFFECTIVE DATE: July 1, 2017
REVIEW DATE: Annual
AFFECTS: Sworn Personnel

REVISION DATE: January 21, 2021

I. PURPOSE

A motor vehicle is an important piece of personal property that must be properly managed and supervised if it becomes a part of police custody. This Administrative Directive establishes guidelines and procedures for taking inventory of a motor vehicle that will be towed and stored in an impoundment facility for the security of the property and safety of the public.

II. POLICY

A motor vehicle may be impounded and an employee shall conduct a standard inventory of its contents when (1) the vehicle's operator is arrested and there is no other alternative to impoundment, (2) the vehicle is involved in a traffic crash and it impairs or hinders a public passageway, (3) the motor vehicle is stolen or used in the commission of a crime, (4) the vehicle is considered abandoned or unattended and it is creating a hazardous traffic situation, (5) the vehicle is recovered stolen property, (6) the vehicle is illegally parked, (7) the vehicle is subject to forfeiture under state or federal law, or (8) the operator or person responsible for the vehicle is unable to provide valid proof of financial responsibility. It is the policy of the Plano Police Department to inventory all vehicles that are impounded. Inventory searches serve to protect an owner's property while it is in Departmental custody, to insure against claims of lost, stolen, or damaged property, and to guard employees from possible dangers. Inventory of a motor vehicle may be conducted without a warrant or probable cause when the vehicle has been lawfully seized or impounded and before towing the vehicle for violations, safety reasons, or other purpose as defined by law. An inventory search is limited to accomplishing a "care-taking" purpose for which it is justified and shall not be used as a pretext for a warrantless investigatory search. An examination of the contents of a motor vehicle pursuant to a criminal investigation or with the intent to search for evidence is not an inventory but a vehicle search and as such is addressed in Administrative Directive 112.018.

III. DEFINITIONS

- A. Abandoned Vehicle – According to Section 683.002 of the Transportation Code, a vehicle is considered abandoned if the motor vehicle is inoperable, is more than five years old, and has been left unattended on public property for more than forty-eight hours; has remained illegally on public property for more than 48 hours; has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours; has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours; or has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority or a controlled access highway.
- B. Asset Forfeiture – A form of confiscation of assets pursuant to Chapter 59 of the Texas Code of Criminal Procedure through state and federal jurisdiction. Towing and inventory of vehicles as a result of seizure or forfeiture is addressed in Administrative Directive 111.001.
- C. Container – Any object capable of holding other objects, including but not limited to a vehicle's trunk, glove compartments, consoles, luggage, briefcases, boxes, bags, purses or clothing.
- D. Employee – For the purposes of this Directive, an employee will include Public Safety Officers and Police Officers employed by Plano Police Department.
- E. Financial Responsibility – Insurance coverage on a specific motor vehicle at the level of liability insurance meeting the state minimums or greater (Transportation Code Sections 601.051-601.124). Towing and inventory of vehicles as a result of failing to maintain financial responsibility is addressed in Administrative Directive 112.037.
- F. Traffic Crash – an unintended and unforeseen injurious occurrence; something that does not occur in the usual course of events or that could not be reasonably anticipated. Towing and

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inventory of vehicles as a result of a traffic crash is addressed in Administrative Directive 112.042.

IV. PROCEDURES

- A. Inventory searches are conducted in order to locate and identify items in a vehicle. An inventory search is completed in order to:
 - 1. Protect the personal property found in a vehicle whether the property belongs to the vehicle owner or any other person occupying the vehicle;
 - 2. Protect the employee, the Department, and the wrecker service company from subsequent claims of loss or stolen property; and
 - 3. Protect the employee, the Department, and the wrecker service company from dangerous instrumentalities such as weapons or explosives.
- B. Inventories of impounded vehicles will not be conducted as a pre-text for a warrantless investigatory search.
- C. Employees will use only Department approved, contracted, commercial towing services when impounding vehicles and will request this service through Public Safety Communications.
- D. When a motor vehicle is impounded, either for safe custody or arrest of the operator, a complete inventory will be made of the vehicle's contents and the inventory will be documented in the Vehicle Inventory form (FM620.012). The employee conducting the vehicle search will be responsible for the completion of the Vehicle Inventory form.
- E. For security of the vehicle, the Vehicle Inventory form will be completed at the location where the vehicle was seized unless reasons of safety or practicality require the inventory to take place later.
- F. In general, the inventory will extend to all areas of the vehicle in which personal property or hazardous materials may reasonably be found.
- G. As part of a standard vehicle inventory, employees shall open and inventory any and all open and closed containers, as permitted by law, to which the employee has immediate access to with a key.
- H. Unlocked but closed containers will be opened and their contents inventoried if the employee cannot see the contents without opening the container and:
 - 1. The container by its size, markings, location, or other reasons, reasonably indicate that it might contain items of value, or
 - 2. The container by its size, markings, location, or other reasons, reasonably indicate that it might contain items that may be damaged without further action.
- I. Containers in the vehicle that are locked for which no key is available shall be noted as "locked and not inventoried" in any related report(s) and shall remain secured, absent a search with a warrant. Locked or sealed items shall not be forcibly entered.
- J. Employees shall not force open a vehicle's trunk or glove compartment to inventory the contents if a key is not available.
- K. Any evidence, contraband, or instrumentalities of a crime including but not limited to illegal weapons, narcotics/drugs, stolen credit cards, or forged or counterfeit instruments discovered during an inventory shall be handled per procedures outlined in Administrative Directive 111.004, Property and Evidence Control.

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- L. Closed containers may not be logged into Property as evidence without knowledge of its contents.
- M. Officers should attempt to determine ownership of personal property located during the inventory process if the vehicle is being impounded. If the employee cannot determine who rightfully owns the property in question, that fact will be stated in a report or supplement narrative and the property will be seized to prevent the consequences of theft and handled per procedures outlined in Administrative Directive 111.004 - Property and Evidence Control.
- N. Non-evidentiary currency (\$5.00 or more), prescription drugs, personal firearms and any property the officer believes to be valuable will not be left in the impounded vehicle. The impounding employee will remove the items and handle them per procedures outlined in Administrative Directive 111.004. In the event of a closed container and contents unknown, the Property & Evidence Supervisor should be contacted to provide alternate storage if necessary.
- O. Public Safety Officers taking inventory of a motor vehicle that they will have towed will call an on-duty police officer to the scene if they find contraband or weapons in the vehicle. Officers responding to assist the Public Safety Officer will handle the contraband or weapon per procedures outlined in Administrative Directive 111.004.
- P. Before the vehicle is removed, employees shall obtain the signature of the tow truck driver on the inventory report.