| PRINCE WILLIAM COUNTY POLICE DEPARTMENT<br>MANUAL OF GENERAL ORDERS | | | |
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| **General Order: 38.01** | **Effective: 11/20/2026** | **Supersedes: 06/12/2026** | **Number of Pages: 11** |
| **TOWING POLICY** | | | |

The purpose of this policy is to provide guidance and procedure for the towing of vehicles. Members will not deviate from these guidelines unless approval to do so is authorized by a supervisor.

I. Authority to Tow

A. Members will tow vehicles that are found under the following circumstances (such guidelines are in accordance with Title § 46.2 and § 19.2-80.1 of the *Code of Virginia*):

1. When a vehicle is deemed abandoned, inoperable, unattended, or trespassing (according to applicable laws or ordinances).
2. When a vehicle is impeding, obstructing, or hazardous to traffic.
3. When a vehicle is seized under the provisions of an applicable law or by order of a court.
4. When a vehicle has been involved in, or contains evidence of, a crime and must be taken into custody.
5. When a vehicle is administratively impounded for a violation of (VA) § 46.2-301.1.
6. When in accord with any other applicable law or ordinance.
7. When a vehicle has three or more unpaid parking citations (Virginia Code 46.2-1216; Prince William County Code 13-144.1)

B. Vehicles left unattended on shoulders of the highway may constitute serious traffic hazards. Members will tow those vehicles they can articulate as being hazardous to traffic. Factors to be considered in determining if a vehicle is hazardous are: the proximity of the vehicle to the roadway, current or anticipated weather conditions, and the traffic volume of the roadway.

1. If a vehicle left unattended or abandoned on a primary or arterial secondary highway is **not** an immediate hazard, the member will place an Abandoned Vehicle Notice (PD-22) tag on the vehicle with the "24 hour" removal block checked. **The member must write on the office copy of the form "24-hour removal."**

2. If a vehicle is abandoned on other secondary and low-volume highways or streets, the member will place an Abandoned Vehicle Notice tag on it with the "10 day" block checked. If the vehicle is not displaying current state registration or is otherwise illegally parked, no further markings are required. Otherwise, the tires will be marked as follows:

   a. The member will document the location of any two (2) tire inflation valve stems to permit follow up in ten (10) days. The member will note on the office copy of the PD-22 (Abandoned Vehicle Notice) the location of the tire inflation valve stems on any two (2) tires selected.

b. When a member responds to follow up, they will ensure the markings confirm the vehicle has not been moved. If there is doubt, they will document the location of any two (2) tire inflation valve stems again and issue a new PD-22 (Abandoned Vehicle Notice).

c. When the vehicle is towed, the green copy of the PD-20 (Motor Vehicle Storage Sheet) will be returned to the towing coordinator's office. The PD-22 (Abandoned Vehicle Notice) will be sent to the Station Officer in the District the vehicle was towed from.

3. The routine towing of abandoned vehicles will be conducted between the hours of 0800 and 1800 Monday through Friday. The vehicle may be towed outside of these hours with a supervisor's approval if unusual circumstances exist (vehicle with unsafe mechanical features such as broken glass, neighborhood complaints, etc.). The routine towing of abandoned vehicles will not be conducted on Federal and County-recognized holidays.

C. Arrest of Drivers

When a member arrests the operator of a vehicle (and no other legal cause exists for the retention or removal of the vehicle e.g., seizure, hazard, etc.), the member shall tow the vehicle unless:

1. The person under arrest can designate another licensed driver (present at the scene) to move the vehicle to a place (designated by the arrested driver).

2. The driver of the vehicle is mentally alert and capable of instructing the member that they do not want the vehicle towed. In such cases, members will ensure that the doors and windows of the vehicle are secure.

3. No vehicle may be left on the shoulder of a roadway.

II. Requests for Towing Services

A. When possible, members will ask the operator (if present) which towing firm they desire. In such cases the member will make every reasonable attempt to secure the services of the firm so named.

B. If the owner requests a tow firm that is unable to respond within thirty (30) minutes, an authorized firm from the tow list should be called instead. The member shall stand by until the arrival of the tow firm, unless there is an emergency situation requiring their assistance elsewhere. The member will also complete a Motor Vehicle Storage Form (PD 20) to document the tow.

C. If the vehicle is impeding, obstructing, or hazardous to traffic, and the operator requests a towing firm which is unable to respond within thirty (30) minutes (forty-five [45] minutes for a heavy-duty tow vehicle or specialty equipment), the member will notify Communications to dispatch a local authorized firm instead.

It is the member's duty to courteously explain to the operator that the vehicle is impeding, obstructing, or hazardous to traffic and that a local authorized towing firm will be needed to expeditiously remove the vehicle from the highway.

D. If for any reason the operator cannot decide which towing firm they want to utilize, the member will advise them of the Department's policy concerning towing firms. If the owner/operator still refuses or is unable to decide on a specific tow firm, the member will request the next firm on the tow list.

E. In the event the operator is absent from the scene, or is incapable of requesting a tow firm, the member will advise Communications to dispatch the next tow firm on the list.

F. When requesting a tow firm, members will furnish the dispatcher the exact location of the tow. The dispatcher will notify the member which tow firm has been dispatched.

G. Members will remain with the vehicle until the tow company arrives, tows the vehicle, and clears the scene.

H. Upon towing a vehicle, members will provide Communications with the vehicle's make, model, license tag number, VIN, color, the reason for the tow and if the owner was advised of the towing company contact information.

I. Members will complete a Motor Vehicle Storage form (PD-20) whenever they tow a vehicle. This will be done regardless of whether the tow was requested by the operator or by the member.

1. Members will list under the "Other ID #s" section of the Motor Vehicle Storage form, obvious exterior body damage to the vehicle or missing parts such as hubcaps, etc.

2. Members shall ensure that the form is completed in its entirety and that all information is accurate i.e. times, location of tow, driver, owner, etcetera. All applicable blocks of the form will be filled in.

3. If the vehicle is being administratively impounded for a violation of (VA) § 46.2-301.1, § 46.2-867.1, then the following specific steps will be taken:

   a. Mark the box indicating a violation of the appropriate law.

   b. Circle "Yes" for "Hold on Vehicle" and note the reason for hold.

   c. Circle "Yes" or "No" to indicate notice was sent to the General District Court as required.

   d. Circle "Yes" or "No" if the driver charged is a juvenile.

   e. The driver will sign the Motor Vehicle Storage form (PD-20) after it is completely filled out. The last copy (gold) of the Motor Vehicle Storage form will be given to the driver which will serve as a notice of his right to petition the court for early release of the vehicle. If he or she is handcuffed at the time the form is completed, obtaining their

signature and personal delivery of this copy may be delayed until they are in a secure location. In such cases, note on the remaining copy the date/time/place of notification.

f. The submitting member will make an additional copy of the original Motor Vehicle Storage form and deliver it to the Magistrate. The Magistrate will forward the copy to the General District Court and Commissioner of the Department of Motor Vehicles.

g. The submitting member will advise the Towing Coordinator as soon as possible of the administrative impound and all vehicle information. This will be done by emailing a copy of the tow sheet to the Towing Coordinator (PWCPDTOW@pwcgov.org).

4. The Motor Vehicle Storage form (PD-20) will be distributed as follows (prior to distribution, all appropriate information blocks will be completed):

a. White copy – if owner IS NOT notified forward to the Communications Teletype Unit within twenty-four (24) hours. If owner has been notified, the white copy will be forwarded to the Towing Coordinator.

b. Green copy – Towing Coordinator within twenty-four (24) hours

c. Yellow copy – given to the firm that actually provides the storage of the vehicle (or placed in the Vehicle Impound Envelope, located at the impound lot shed, if the vehicle is stored at the Vehicle Impound Lot)

d. Pink copy – Towing firm

e. Gold copy – is normally given to the towing firm by the member. If the vehicle is being impounded under (VA) § 46.2-301.1 or § 46.2-867.1, then the gold copy will be given to the vehicle's driver (after they sign it) to serve as a notice of their right to petition the court for an early release of the vehicle.

**NOTE: If any substantive changes are made to the Motor Vehicle Storage form after distribution has been made to the towing firm, the member making the changes must notify the towing firm of such change(s).**

J. Except when immediately necessary to protect persons or property, members will not utilize tow firms which arrive on the scene of incidents unless such firms were requested by the member or operator.

K. Members will not make recommendations to operators as to which firm they should request. Members will, however, assist operators who request which firms are "AAA", "Allstate, "etc.

L. The routine handling of Abandoned/Inoperable has been transferred to the Neighborhood Services. The Licensing Section will continue to assist Neighborhood Service if the need arises relating to Abandoned/Inoperable Vehicles on Private Property. Abandoned/Inoperable vehicles on public streets shall remain a patrol responsibility.

M. Members are reminded that homeowner's associations and rental management groups often privately contract with tow firms for vehicle removals. Such towing services must be in accordance with the "Private Tow Ordinance" as contained in sections § 13-495 through § 13-504 of the *Prince William County Code*. The Towing Coordinator shall be notified, in writing, of any actions taken or complaints received regarding violations of this ordinance.

III. Tow Firm Guidelines

A All members will ensure that tow firms and their drivers abide by the policies and rules established to govern their activities with this Department.

B Responding tow firms will remove all litter and debris caused by the incident which necessitated the tow call. This shall include ordinary and reasonable quantities of oil and gas seepage (as determined by the member on the scene).

C If on arrival at the scene, the tow firm operator determines that the equipment they brought is insufficient, they may be allowed by the patrol supervisor to return to their place of business to obtain any additional equipment.

D It is in the supervisor's discretion to dismiss the original tow firm and request another authorized tow firm (either next on the list or the next closest in proximity on the list).

E Supervisors may temporarily suspend the tow firm call-out list for reasons such as, but not limited to, unusual weather conditions or other unusual events.

F In an emergency, supervisors may call a tow firm out of sequence in order to shorten response time to the scene of an incident.

The on-scene member may reject the services of the responding tow firm when the member determines that the firm is unfit to perform the tow. Such unfitness will include, but is not limited to, possession of inadequate equipment to perform the tow, or when the tow operator is not likely to perform the tow safely due to drug or alcohol use or other incapacity. In the event this occurs, the member shall:

1. Notify Communications to dispatch the next tow firm on the list to handle the tow.

2. Advise the patrol supervisor of the incident.

3. Send an email detailing the interaction to the Towing Coordinator (PWCPDTOW@pwcgov.org) by the end of the next business day.

G Members will immediately advise their supervisor of any problems with tow firms. This shall include firms competing with one another or interfering with the member's proper performance of duty. When appropriate, the supervisor will respond directly to the scene.

H A supervisor may temporarily suspend a firm for ninety-six (96) hours from the tow firm list for violation of the policy. In such a case, an email will immediately be sent to PWCPDTOW@pwcgov.org, notifying the Towing Coordinator of the circumstances in writing so they can investigate. If their investigation confirms that the suspended firm violated the tow firm policy, the Towing Coordinator will take appropriate action against the suspended firm.

I Any complaint by tow firms or members in relation to this directive shall be required to be in written memorandum form.

J When a member causes a vehicle to be towed that appears to have been involved in, or the target of, a crime (vandalized, tampered with, stolen, etc.), the member will attempt to make timely notification to the registered owner (by telephone, teletype to another agency, message left at listed address, etc.).

K The Administrative Services Division Commander or designee has the responsibility to supervise this policy and to maintain an up-to-date file on each towing firm authorized by this Department to respond.

L The Administrative Services Division Commander or designee will handle all applications for the tow list. Investigations of applications shall be conducted

IV. Vehicle Inventories

A. When a vehicle is towed, the member shall make a complete inventory of the contents of the vehicle. This is necessary to:

1. Determine if there is any personal property in the vehicle that needs to be protected from loss or damage while the car is stored.

2. Protect the member and Department from claims that the member failed to protect such property that was in the vehicle.

3. Protect the member and Department against false claims for the loss of property that was not really in the vehicle at all.

4. Protect the public, police, and tow firm personnel against injury or damage due to toxic, explosive, or flammable substances that may be contained in the vehicle.

The only exception to the required inventory of towed vehicles is when the operator has both requested the tow and is accompanying the vehicle during the tow (i.e. disabled vehicles, etc.). In such events, the operator shall maintain responsibility for the vehicle's contents.

B. Members shall not use the inventory of a vehicle to be towed as a ruse to conduct an investigatory search of the vehicle's contents, nor shall the inventory of a vehicle to be towed be a substitute for any lawful search by members (such as a search incident to arrest, etc.).

C. The scope of the inventory shall include the interior of the vehicle and areas which can be readily entered without the use of force. The glove compartment, console, trunk, and other storage areas (inside or outside of the vehicle) are within the scope of the inventory if unlocked or entry can be made with the keys to the vehicle.

D. The inventory shall include the opening of closed containers (the contents of which cannot be ascertained from examining the containers' exteriors).

1. Items of this nature may be briefcases, suitcases, footlockers, boxes, and chests, etc.

2. The opening of closed containers will be documented by the member.

E. The inventory will be conducted in a manner to avoid any damage to the vehicle or its contents.

F. All valuables such as wallets, cameras, portable radios, etc., are to be turned in to the Criminal Evidence Section in accordance with departmental property handling procedures.

G. The member will note on the Motor Vehicle Storage form (PD-20) any property found in the vehicle during the inventory. They will indicate on the form whether the property was turned in to the Criminal Evidence Section or left in the vehicle and the location in the vehicle.

H. Members will not conduct an inventory of those vehicles that are left parked on the side of the road, in a parking lot, or are otherwise not towed or taken into custody of the Department.

I. Whenever the operator or passenger(s) involved in a crash are unable to do so due to injuries, etc.), the investigating member will secure their vehicles and/or property for them.

V. Towing Vehicles for Evidentiary Purposes

A. Whenever a vehicle is towed for evidentiary purposes (including crash investigations), the next tow firm on the list shall be used. The vehicle may be removed to the tow firm's storage lot or to any Departmental facility, depending on the circumstances of the incident. Any subsequent tows shall be handled by the same tow firm that initially towed the vehicle, i.e. from the scene to Gar-Field, Gar-Field to the Impound Lot.

B. The vehicle will remain in custody with a "hold" placed against its release until such time that the investigating member has determined that the vehicle is no longer needed.

1. It is critical that the investigating member advise the tow driver and the Tow Coordinator, via email (PWCPDTOW@pwcgov.org), that the vehicle is on hold. They must also note the hold on the Motor Vehicle Storage form (PD-20) and immediately notify Communications accordingly. If there is a need to place a "hold" on a vehicle after the initial tow, the Tow Coordinator and Communications need to be notified. In addition, the towing firm needs to be notified via email containing the member's name, contact number, case number, and vehicle description (if the vehicle is stored at their lot).

2. A hold can be placed on a vehicle with the authority of a Department supervisor.

   The hold will normally be placed on a vehicle for a maximum of five (5) days. Should it become necessary to extend the hold past the five-day period, the member will notify the Towing Coordinator, via email and telephone, after obtaining approval by a supervisor.

3. Members will complete any follow-up investigation involving the vehicle as soon as possible. This is necessary so that the vehicle can be released to the owner in a timely manner.

4. Once the member determines the hold can be removed and that the vehicle can be released from custody, they shall immediately notify the vehicle owner, Towing Coordinator, Communications Teletype Unit, and the towing firm via email (if the vehicle is stored at their lot). The email should contain the member's name, contact number, and vehicle description.

5. The Towing Coordinator will be responsible for ensuring that the tow bills have been paid prior to authorizing and coordinating the release of any vehicle from the Police Department Vehicle Impound Lot. Individual tow firms will be responsible for the collection of tow bills in their storage lots, prior to the vehicle's release.

C. Members are cautioned about unnecessarily towing vehicles that can be processed for evidence at the scene or safely on the side of the roadway.

1. It is realized that in some cases, the serious nature of the incident (e.g., fatal crash, homicide, etc.) mandates a more meaningful and thorough examination under controlled conditions, but such situations are the exception rather than the rule. The decision to tow the vehicle shall be based on the need and merits of the case in terms of whether the case justifies the effort and expense involved.

2. When a vehicle is towed for processing by a firm on the tow list, the same firm should be contacted to tow the vehicle at the conclusion of the processing. Since this secondary tow is not a matter of urgency, the tow firm should be permitted to make the tow during daylight hours if possible.

D. Police Department Vehicle Impound Lot

1. There may be some cases (with unusual circumstances) which require that a vehicle be towed to the Police Department Vehicle Impound Lot for short-term storage. For example, when a VIN cannot be readily located and follow-up is needed or advanced investigation measures need to be performed, etcetera.

2. In such cases, storage at the Police Department Vehicle Impound Lot must be authorized by a supervisor and the Impounded Vehicle Information Form (PD-279) must be completed electronically and emailed to the Towing Coordinator. Refer to the Impound Lot Standard Operating Procedures for additional guidance. Once the investigation has been completed the investigating member will make every effort to have the vehicle removed from the Police Department Vehicle Impound Lot as soon as possible.

3. Secure storage containers are available for a limited number of vehicles which must be preserved for evidentiary purposes. These containers are intended for vehicles which require enhanced protections against environmental elements or unauthorized access. Refer to the Impound Lot Standard Operating Procedures for use requirements.

VI. Seizure of Vehicles

Before a vehicle can be seized, prior approval from the member's commander (Captain or above) and approval from the Commonwealth's Attorney's Office is required. Protocols set forth in General Order 41.06 Asset Seizure and Forfeiture Policy shall be followed.

A. When a vehicle is seized for the Commonwealth, the vehicle shall be towed by the next tow firm on the list to the Police Department's Vehicle Impound Lot. Any subsequent tows shall be handled by the same tow firm that initially towed the vehicle, i.e. from the scene to Gar-Field, Gar-Field to the Impound Lot.

B. Both an Asset Seizure Synopsis form (PD-238) and a Motor Vehicle Storage form (PD-20) will be submitted according to the instructions on each form. Such submissions will be made within twenty-four (24) hours of the seizure.

C. The member who is assigned to the investigation that resulted in the seizure will ensure that the seizure process is expedited. This is necessary so that the vehicle can be removed from the Police Department's Vehicle Impound Lot as soon as possible.

D. Vehicles towed to the Police Department's Vehicle Impound Lot will be placed in an empty numbered parking space. The open spaces around the perimeter fence should be utilized prior to the spaces in the middle of the lot.

E. If at any time an owner of a vehicle requests to remove items from a seized/impounded vehicle, the case agent will escort the individual into the lot to remove the items. A PD-261, Release of Property Form, should be completed for any released property (in accordance with General Order 41.03 Specific Types of Property (J, 7). In addition, the case agent or supervisor will advise the Towing Coordinator via email of any property released to the owner.

F. When a vehicle is authorized for release, the case agent or supervisor will advise the Towing Coordinator via email (PWCPDTOW@pwcgov.org) to release the vehicle. The Towing Coordinator will make arrangements for the release.

G. Vehicles seized for the Commonwealth can only be released on authority of the appropriate governmental officials (usually the Commonwealth Attorney) or by court order.

VII. Towing vehicles with three or more unpaid parking citations

Before a vehicle can be towed under this section, it is imperative the member confirms the owner has three unpaid parking citations. The Department utilizes UpSafety, a parking citation management program, to track these vehicles. Both Virginia Code Section 46.2-1216 and Prince William County Code 13-344.1 provide authority for Prince William County Police Department to tow vehicles with three or more unpaid parking citations. It is the Department's policy that all three or more unpaid citations must be over thirty (30) days old prior to towing. Members will conduct enforcement of public highways or public grounds only.

As a reminder, these types of tows will only occur Monday through Friday, 0800hrs to 1600hrs, and not on Federally and County- recognized holidays (per General Order 38.01, B, 3.).

A. When a parking citation is issued, the vehicle owner has thirty (30) days to either contest the citation or pay the citation. UpSafety will send a letter of notice to the owner of the vehicle after a parking citation is issued. This notice will provide the following information:

    a. Notice of the parking violation citation
    b. When the fine doubles after 30 days
    c. When the citation will be sent to collections
    d. Instructions on contesting the citation
    e. The vehicle is subject to towing if three or more citations are unpaid or uncontested.

B. A secondary citation and each citation after will trigger additional letters from UpSafety to the vehicle owner. Each additional letter will list all previous citations and their payment status.

C. Once a vehicle has accumulated three or more unpaid parking citations, they will be placed on a Hot List, which is accessible to all members through UpSafety. The Hot List will be updated twice daily.

    a. Vehicle owners have the option for payment plans for each citation received. It is possible individuals on the Hot List may also be on payment plans for the citations that qualified them to be on the list. They cannot be removed from the Hot List until the citation payments are complete. Members of the Licensing Unit will apply a "Do Not Tow" tag to any vehicle on the Hot List that is currently using a payment plan.
    b. Vehicle owners may contest one or more citation. If a vehicle is listed on the Hot List, but the owner is contesting one or more citation, the Licensing Unit will place a "Do Not Tow" tag to the vehicle.
    c. Vehicles on the Hot List with a "Do Not Tow" tag shall not be towed.

D. When a member identifies a vehicle believed to have accumulated three or more unpaid citations, all older than 30 days, they shall take the following steps:

    a. Access the UpSafety program and view the Hot List
    b. Confirm the vehicle is listed on the Hot List:
        a. Compare the Vehicle Identification Number (VIN) of the vehicle to each citation and confirm it matches each one
        b. Compare the Registration Information of the vehicle to each citation and confirm it matches each one
        c. Confirm the VIN and License Plate on the vehicle match
        d. Confirm no "Do Not Tow" tags are attached to the Hot List file
        e. Confirm all other identifying information of the vehicle, such as make, model and color all match what is listed on each citation.

f. If there are any inconsistencies found in the above process, **do not tow** the vehicle. Please notify the Licensing Unit if any inconsistencies between the vehicle and citations are observed.

E. Once the member confirms the vehicle does meet the requirements to be towed under this section, the member will follow the standard procedures for towing a vehicle presented in this General Order.