

**GENERAL ORDERS MANUAL
WESTERN MICHIGAN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY**

I. PURPOSE

The purpose of this general order is to define the applicable laws for the police impoundment of vehicles and to establish policy and procedure regarding officer and supervisor responsibilities when impounding and releasing a vehicle.

II. POLICY

It shall be the policy of this department to follow the procedures set forth in this general order to ensure compliance with laws and regulations regarding the police impoundment of vehicles and to limit department liability when impounding vehicles.

III. LAWS

- A. According to the Michigan Vehicle Code, sections 257.252a and 257.252d, vehicles may be impounded and removed to a storage lot if:
 - 1. The vehicle is abandoned (see General Order on Abandoned Vehicles, TLE-3).
 - 2. The continued operation of the vehicle upon the highway would constitute an immediate hazard to the public.
 - 3. The vehicle is parked or standing upon the highway creating an immediate public hazard or an obstruction of traffic.
 - 4. The vehicle is parked in a posted tow-away zone.
 - 5. There is reasonable cause to believe that the vehicle, or any part of it, is stolen.
 - 6. The vehicle must be seized to preserve evidence of a crime, or when there is reasonable cause to believe the vehicle was used in the commission of a crime.
 - 7. The removal is necessary in the interest of public safety because of fire, flood, storm, snow, natural or man-made disaster, or other emergency.
 - 8. The vehicle is hampering the use of private property by the owner or person in charge of that property.
 - 9. The vehicle is parked in a manner which impedes the movement of another vehicle.
 - 10. The vehicle is stopped, standing or parked in a designated handicap parking space and is not permitted by law to be stopped, standing, or parked in the space.
- B. Section 6.22 of the Western Michigan University Traffic, Parking, and Pedestrian Ordinance permits impounding for excessive disregarded parking tickets (see General Order on Impounds for Excessive Violations, TLE-4).
- C. Vehicles may also be impounded immediately when the driver of a vehicle is taken into police custody.

IV. REPORTING

- A. Impound Lot Coordinator

The Patrol Division Lieutenant is the impound lot coordinator and is responsible for occasionally reviewing the online impound list for accuracy. In addition, the impound lot coordinator is responsible for maintaining TR-52 records and administering vehicle auctions for the department.

B. Vehicle Impound Form and Impound List

1. The impound list is maintained on the department's intranet website (The 511).
2. An online impound form shall be completed for each vehicle towed to or placed in the WMU vehicle impound lot. The form shall be filled out by the officer.
 - (a) The towing service driver initials or driver number should be entered on the form. The towing driver may sign the form as well.
 - (b) The tow company's invoice number should be included on the impound form.
 - (c) The incident number generated by the KCCDA CAD system for WMU shall be added to the impound form and the reason for the impound should be clearly stated in the mobile CAD notes. If a CFS or IOR report is written, the reason for the impound shall also be noted in that report. Note: Use the call type "Parking Complaint" in mobile CAD for towaway zone and excessive ticket impounds.
3. All compartments in the vehicle shall be inspected, and all containers shall be opened to examine the contents. High value and irregular items should be listed on the form.
4. If there is an extra charge for use of special equipment the officer must document the use of that equipment in the notes section of the impound form.
5. The shift supervisor should review the online impound form and impound list when approving each report.
6. If a vehicle is released at the scene, the "Released at scene" impound checkbox should be checked and the released date should be entered.

C. LEIN

1. Before entering any vehicle into LEIN as impounded or abandoned, the impound lot shall be checked to confirm the vehicle is still in the lot.
2. Each vehicle impounded shall be checked in LEIN to determine if it is stolen.
3. Vehicles impounded as abandoned per General Order TLE-3 shall immediately be entered in to LEIN as an abandoned vehicle by the officer.
4. For all other impounded vehicles, LEIN entry will be the responsibility of the impound lot coordinator or in his/her absence, the shift supervisor. These time frames and LEIN entry procedures shall be followed:
 - (a) If not released within 24 hours, vehicles shall be initially entered into LEIN as impounded.
 - (b) Vehicles impounded as evidence, recovered stolen or due to a crash:
 - (i) Shall immediately be entered into LEIN as impounded

- (ii) If still in the lot after 20 days, shall be entered into LEIN as abandoned
 - (c) All other impounded vehicles stored for 7 days shall be entered into LEIN as abandoned before the 8th day. Note: "Entered within 24 hours" should be typed in the note field of the abandoned vehicle entry.
- 5. The date, time, and LEIN entry number shall be entered into the online impound form immediately following the entry. The date and time of cancellations should also be entered into the online impound form immediately following the cancellation.
- 6. Once a vehicle has been entered into LEIN as an abandoned vehicle, the impound lot coordinator will keep a file on the vehicle, to include the TR-52.
- 7. All LEIN entries and cancellations shall be forwarded to the impound lot coordinator.

V. TOWING AND STORAGE FEES

- A. All fees for towing and storage will be collected by our department. Our department will reimburse the towing contractor for services rendered.
- B. Prior to releasing an impounded vehicle, all fines and fees shall be paid.
 - Fines: include parking citations for each vehicle. Officers must check with Parking Services during business hours, or the parking system after-hours, to confirm the total amount due.
 - Fees: include administrative, tow and storage fees. The daily storage fee commences on the day after the vehicle is towed. Refer to General Order PAR-5 (Vehicle Impound Fees) for the fee schedule.
- C. One receipt will be issued for the towing, administrative and storage fees. A second receipt will be issued for any parking fines collected. The complaint number shall be printed on the receipt(s).

VI. VEHICLE RELEASE

- A. The officer shall confirm there are no special requirements needed prior to a vehicle release. A police officer must accompany the owner/driver to the vehicle storage lot to retrieve an impounded vehicle.
- B. The releasing officer and the owner/driver will inspect the vehicle at the vehicle storage lot. An attempt should be made to get the owner/driver's signature on the impound form prior to release. A department-issued tablet is kept in dispatch for this purpose. If the owner/driver reports new damage or missing items, the shift supervisor should be notified immediately. Following a review of the impound form and investigation, the supervisor may initiate a new complaint number and complete an investigation. If the claim cannot be substantiated, the supervisor may provide the owner/driver with the phone number to the impound lot coordinator and/or the towing company.
- C. When a vehicle is released, the police officer will confirm the release date is properly entered on the impound form and remove the vehicle from LEIN, if applicable. All LEIN entry and cancelation information should be forwarded to the impound lot coordinator.

- D. Following the release of a vehicle, the online impound form should be thoroughly completed to the point of being locked. If required portions of the form are not complete, prompts will be displayed at the bottom of the form. It is the releasing officer's responsibility to assure the form is completed. A red border will display around the form and the form will be locked when the form is completed following a release.
- E. Shift supervisors shall check the impound form for accuracy and confirm it is locked following release.

VII. OPERATORS WITHOUT A VALID LICENSE OR ARRESTED

When the operator of a motor vehicle does not possess a valid driver's license or is arrested, the officer shall follow one of these procedures:

1. Impound the vehicle per the other procedures in this general order and:
 - (a) Attempt to close and lock all doors and windows of the vehicle.
 - (b) When possible, the vehicle keys should remain in the custody of the driver following the incident unless the officer has reason to believe the driver does not have permission to be in possession of the vehicle. If the driver is arrested, include the keys with other personal property transported with the arrestee, when possible.
 - (c) In situations when the keys are not returned to the driver's custody, secure the keys in the key box in room 1301 with a tag that includes the incident number. Also, the officer shall note the location of keys on the online impound form.
2. Release to a third party with permission of the driver/owner and after verifying the person assuming custody appears physically capable of safely operating a vehicle and possesses a current valid driver's license.
3. With the driver/owner permission, it may be remain in a legally parked location or moved to a nearby legally parked location by a capable driver possessing a valid driver's license.

VIII. COMPLIANCE

All officers shall comply with all the conditions set forth in this general order. Violations of this general order, or portions thereof, shall result in disciplinary action, up to and including discharge. Officers of this department assigned to or assisting other law enforcement agencies will be guided by this general order.

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Issued by



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