



POLICY AND PROCEDURE NO. 605

Abandoned Vehicles

Date Issued: November 5, 1991

Date Effective: February 10, 1992

3 Pages

All complaints regarding abandoned or derelict motor vehicles will be assigned through communications to a patrol officer for investigation.

COMMUNICATIONS:

On citizen complaint of an abandoned or derelict motor vehicle a Route car will be dispatched to conduct an investigation and determine the ownership of the vehicle. The Patrol Officer will request a stolen check and listing on the Vehicle Identification Number and any registration plate attached.

If investigation determines ownership, the patrol officer shall take the appropriate action. i.e. issue citation(s) for Allowing Unregistered M.V. to remain on the road C90 §9, \$100 Civil Infraction; or Allowing Uninsured M.V. to remain on the road, C90 §34J, Criminal Complaint Application, etc.

If ownership cannot be determined or if the owner cannot be contacted and the patrol officer concludes the vehicle to be abandoned, he/she shall request an abandoned vehicle number which shall be listed in numerical order in a log book at Communications. The communications clerk shall make an entry in the log book at the next available abandoned vehicle number. This entry shall include the VIN, Make, model and color of the vehicle and the specific location of the vehicle. Also included in the log entry shall be the AR Number for the assignment and the officer conducting the initial investigation. There shall also be an entry by the follow-up officer as to the date and time of tow if any.

The hardcopy printout of the Stolen Check and the Listing shall be placed in the abandoned vehicle log book for the follow-up investigation.

PATROL OFFICERS:

When an officer observes a motor vehicle parked on a public way which does not have a current registration plate attached or has what appears to be a valid registration but the vehicle appears to be abandoned or in a derelict condition the procedure will be as follows.

The patrol officer will attempt to identify the vehicle by obtaining a stolen check and a listing on the Vehicle Identification Number and any registration plate attached.

The patrol officer shall conduct an investigation by checking the interior, if possible, to verify ownership through personal papers or property from the vehicle.

The officer shall attempt to contact the person last listed as owner by the response from the Registry of Motor Vehicles computer or as shown by any papers from the vehicle. Once ownership has been determined the officer shall verify the status of the vehicle. If the vehicle is not lawfully registered or insured the appropriate citations shall be issued.

The owner of the vehicle will then be advised of his/her responsibility to immediately remove from the public way any unregistered or uninsured motor vehicle.

If the officer has reason to believe that the vehicle, registered or unregistered, has been abandoned by the owner the officer shall contact the owner and advise him/her to immediately remove the vehicle. Whether or not the vehicle is to be considered abandoned will depend on a number of factors including but not necessarily limited to the following:

- no registration plates
- parts removed
- damage to the vehicle
- sitting for seventy-two (72) hours or more at a location not consistent with the owners residence or employment
- presents a public safety hazard

In the event the matter is not resolved within a reasonable time or if the ownership of the vehicle cannot be determined the patrol officer shall complete the WPD Abandoned or Derelict Motor Vehicle Report. The patrol officer shall enter the abandoned vehicle number and the AR number obtained from the dispatcher. The report shall be reviewed by the patrol supervisor and forwarded thru channels to the abandoned vehicle unit for follow-up investigation.

If the vehicle is obstructing traffic or presents a hazard that should be resolved immediately, the officer will contact the sector sergeant for towing.

In the event a vehicle is abandoned on private property, appropriate citations may be issued by the Police Department will not be involved in the removal of the vehicle. The owner of the property on which the vehicle is located will be responsible for its removal pursuant to the provisions of M.G.L. Chapter 266, Section 120D.

The officer in charge of the Abandoned Vehicle Unit will be responsible for the follow-up investigation of all abandoned vehicle reports forwarded to the unit. That officer will be responsible for maintaining full and complete records of all vehicles investigated.

The officer in charge of the Abandoned Vehicle unit shall conduct a full and complete investigation prior to the removal of any abandoned vehicles.

The officer in charge of the Abandoned Vehicle unit shall be responsible for the marking and photographing of all abandoned vehicles prior to their removal.

The officer in charge of the Abandoned Vehicle Unit shall be responsible for maintaining full and complete records of all vehicles removed. These records shall include the fully completed Abandoned or Derelict Motor Vehicle Report; The Abandoned Vehicle Unit Towed Vehicle Log Book; and the updating of the Communications Abandoned Vehicle Log Book to show which vehicles have been towed by the Unit.

The officer in charge of the Abandoned Vehicle Unit shall authorize the release of any vehicles, removed by the unit to the Contractors holding yard, only after the owner has been fully identified, the appropriate police action has been taken and the proper expenses have been paid. Full and complete records of all vehicles released and the expenses incurred by the owners shall be maintained.

The officer in charge of the Abandoned Vehicle Unit shall assist the Department of Public Works in completing the billing process by providing the DPW with access to the completed reports. Once the DPW has completed its billing process the completed reports will be maintained in the Records Bureau.

ABANDONED VEHICLE REMOVAL CONTRACTOR:

The Abandoned Vehicle Contractor shall maintain a full and complete record of all vehicles removed at the direction of the Worcester Police Department, Abandoned Vehicle Unit. The vehicles shall be stored in a secured area until released to an owner or to the Contractor pursuant to the existing contract. No vehicles will be released to anyone without the express authority of the officer in charge of the Abandoned Vehicle Unit.

A full and complete record shall be maintained of all vehicles released, indicating:

- Who authorized the release of the vehicle.
- Who the vehicle was released to and when. This record should include Name, Address and Telephone Number.
- What fees or charges were paid by the owner.

Per:

Edward P. Gardella
Chief of Police