



# TOW PROCEDURES

**INDEX CODE: 1909**  
**EFFECTIVE DATE: 03-27-23**

---

Contents:

- I. Tow Policy
- II. Requesting/Dispatching Tow Service
- III. Towing Procedures
- IV. Problems with a Tow Service
- V. Canceled Tows
- VI. Inventory of Towed Vehicles Required
- VII. Vehicle Inventory & Tow Report
- VIII. Notification of Owner
- IX. Investigative Tows/Holds
- X. Tow Records
- XI. Proponent Unit
- XII. Cancellation

## **I. TOW POLICY**

The Police Department may tow vehicles for legitimate governmental purposes. Examples of legitimate governmental purposes include:

- A. A motor vehicle that has been damaged and rendered inoperative as a result of a motor vehicle traffic accident and; the owner or operator is unable to obtain towing services in a timely manner and; it is a traffic hazard.
- B. An abandoned motor vehicle that obstructs the free flow of traffic or as otherwise defined in the County Code or the Maryland Vehicle Law.
- C. A recovered stolen vehicle when the owner is unable or unwilling to provide towing services.
- D. A vehicle that is held for investigation or is otherwise retained for a lawful purpose (e.g., forfeiture, evidence).
- E. Vehicles that are illegally stopped, standing or parked in a roadway.
- F. Vehicles operated by arrested persons. *When feasible, officers should attempt to appropriately park or release the vehicle to an approved operator that can assume possession in a reasonable time.*
- G. Vehicles requiring mechanical repair.

## **II. REQUESTING/DISPATCHING TOW SERVICE**

- A. The dispatching of all police towing requests will be handled electronically via a towing management company.
- B. Officers will advise their dispatcher of the vehicle's exact location, number and kind of vehicles involved, and any other pertinent information regarding the tow situation. If the vehicle is greater than 10,000lbs and/or likely needs specialized equipment for retrieval, officers will ensure that the approximate vehicle weight (ie: actual

approximate laden weight not just vehicle weight rating) and vehicle type (ie: box truck, tractor trailer, lowboy, etc) are given.

C. Dispatchers will advise the towing management company dispatch center of the exact location, number and type of vehicles to be towed, and any special conditions (i.e., damaged tires, overturned, etc.) via the towing management contractor website. In particular, the tow company will need to know approximate vehicle weight if a vehicle is oversized, immovable due to flat/no tires or accident damage, or needs to be winched prior to towing. The dispatcher will provide this information to the towing management company dispatch center, so that they will send the appropriate equipment to the scene. Officers are not to request a particular type of tow vehicle. It is the responsibility of the area tow operator, not the officer, to determine whether or not he/she can handle the job, based on the information provided by the dispatcher.

D. Dispatchers will document in the CAD notes that the tow was dispatched.

E. Whenever an officer requests a tow truck, he/she is required to await the arrival of that truck. Once the tow truck has arrived and the operator has the completed tow slip, the officer may clear the scene provided the vehicle being towed is not a traffic hazard and the tow truck operator concurs. The towing officer is responsible to ensure that the scene is appropriately cleared of debris by the tow company. The keys to the towed vehicle should also be turned over to the tow truck driver if available.

F. The owners/operators of vehicles are permitted to request a tow company of their choice. Officers will honor these requests, provided that the requested tow company is able to respond to the location within thirty minutes or in any amount of time if the vehicle is off the roadway and not a hazard to traffic. For tows involving large commercial vehicles, officers are encouraged to allow the driver to arrange for company contracted towing services. Requests by a vehicle owner for a specific tow company will NOT be dispatched via the towing management contractor website, but must be done by the vehicle owner directly to the applicable company.

### **III. TOWING PROCEDURES**

A. In cases where an officer of this department requests a tow truck outside of the County (e.g., pursuit of vehicle into another jurisdiction), the dispatcher will notify the towing management company to make arrangements for the out of County tow.

B. Tow company phone numbers provided to this department will not be given to the public. The public should be given the company public number displayed on the truck or referred to the towing management company for vehicle location and contact information.

C. When a vehicle is towed to the Headquarters facility or to a district station, the department is responsible for payment of the tow charges. If the vehicle is claimed by the victim/owner from the facility, it may be released to the victim/owner without cost. If, however, the vehicle is not claimed in a timely fashion the tow company performing the original tow should be contacted and instructed to remove the vehicle to the company storage lot. Payment for the second tow is the responsibility of the vehicle owner.

D. Tow charges are set by the Department of Inspections and Permits. If anyone has a question about a tow fee they should be instructed to contact Inspections and Permits or the Special Events Section for an explanation. Members of the department are to refrain from offering personal comments about the tow fees.

E. Towing of department vehicles or vehicle seizures will be requested through the towing management company.

F. Whenever a tow company is utilized to remove a non-vehicle item, such as a safe, the item must be towed to the District's bulk storage facility and processed as recovered property. A copy of the tow report must be forwarded to the Special Events Section towing coordinator via email.

### **IV. PROBLEMS WITH A TOW SERVICE**

It is the officer's responsibility to inform the Special Events Section of any problems with a licensed tow company that responds to a scene, to include:

- A. Response time. Acceptable response times are 30 minutes.
- B. Inadequate tow equipment.
- C. Attitude of the driver.
- D. Information concerning the poor quality of tow service.
- E. Inadequate clean up of accident debris.

This notification to Special Events Section can be made through a notation directly on the tow slip, via e-mail, or via inter-office correspondence.

#### **V. CANCELED TOWS**

If an officer advises a dispatcher to cancel a tow company, the dispatcher will:

- A. Notify the towing management contractor dispatch center;
- B. Ascertain the reason for the cancellation; and
- C. Place the reason and time of cancellation into the CAD notes.

The Police Department is billed by tow companies for cancellations. Therefore, officers must make every attempt to carefully evaluate the need for a tow truck before making such a request. **In any case where the tow must be canceled, the affected officer will submit a tow report directly to the Special Events Section detailing the circumstances of the incident.**

#### **VI. INVENTORY OF TOWED VEHICLES REQUIRED**

A. It is the policy of the Anne Arundel County Police Department to conduct an inventory of the contents of every vehicle towed, except vehicles that are released directly to owners in the officer's presence. The purpose of the inventory is to protect the owner, operator, or legal possessor's property while it remains in the Department's custody, and to protect the officer and the Department from claims or disputes about lost, damaged, or stolen property.

B. The inventory will encompass all areas and containers within the vehicle that may contain valuables: the interior, including glove compartments and consoles and the trunk; and containers, such as luggage or briefcases that also may contain valuables.

C. Officers will not break open locked containers in order to inventory them. Locked containers will be listed on the Tow/Vehicle Inventory Report as "one locked/sealed container" with a description of the container. Money, jewelry, and valuables will be listed on the Tow/Vehicle Inventory Report form and will be recovered for safe keeping in accordance with procedures outlined in Index Code 1201.

#### **VII. TOW/VEHICLE INVENTORY REPORT**

A. Officers will complete a Tow/Vehicle Inventory Report form (tow report) on all towed vehicles. The towing officer's name will be listed at the bottom of the form. The officer conducting the inventory will also be listed at the bottom of the form.

B. The Tow/Vehicle Inventory Report will not be used in lieu of any report required to explain the circumstances of the tow except towed police vehicles, traffic violations, and abandoned autos, as provided in Index Code 2201 Apx A. This form will be filled out completely, including a description of inventoried items. Circumstances for the tow must be explained in the narrative portion of the Tow/Vehicle Inventory report. It is essential that the vehicle identification number (VIN) is included. Attach a supplement report if additional space is needed.

C. Distribution of the Tow/Vehicle Inventory Report is in the following order:

- 1. Original (White) copy -Police Department
- 2. Yellow copy -Towing Company
- 3. Pink copy - Vehicle Owner/Driver

#### **VIII. NOTIFICATION OF OWNER**

In all towed vehicle cases, except recovered autos reported stolen from another jurisdiction, it is the responsibility of the towing officer to notify the owner/operator of the name and, if possible, the location and telephone number of

the company towing the vehicle. Notification is considered made when the owner/operator is contacted in person, or directly by telephone. (Notification is not considered made when notes are left on doors; messages are left on answering machines, etc.) If the officer is unable to make the notification, he/she will note this fact on the Tow/Vehicle Inventory Report. The officer will then mail the gold copy of the tow report to the registered owner's last known address. If notification is not made, the towing officer must make this notation in the "OWNER NOTIFIED" block on the Tow/Vehicle Inventory Report.

**IX. INVESTIGATIVE TOWS/HOLDS**

A. **Vehicles may be held for investigation only after obtaining permission from a supervisor.** Supervisors are responsible for determining that there is a legitimate investigative need for holding the vehicle. The supervisor will monitor the progress of the investigation so that neither the owner nor the department will become responsible for unnecessary storage fees. The investigating officer is responsible for releasing the hold within the 72 hour limit by contacting the Special Events Section, the towing company, and the vehicle owner when the vehicle is ready for release.

B. In cases where it is anticipated that the vehicle will be held for more than 72 hours or a chain of custody is necessary (such as a fatal accident, homicide or other long term investigation) the vehicle must be towed to the appropriate county storage lot per Index Code 1201.1. Tow Company lots are not considered secured storage lots for chain of custody purposes. The investigating officer is responsible for arranging the transfer of a vehicle from a tow company to a county storage lot if necessary.

C. Vehicles may not be "held for investigation" to force the owner to come forward to accept a traffic citation.

**X. TOW RECORDS**

A. Tow/Vehicle Inventory Reports will be submitted to and filed by Central Records according to the retention schedule determined by the custodian of records.

B. The Communications Section is responsible for maintaining a log of vehicles towed by the department.

C. The Special Events Section will monitor the departmental tow procedure, ensuring that the department complies with all provisions of the law.

**XI. PROPONENT UNIT:** Special Events Section.

**XII. CANCELLATION:** This directive cancels Index Code 1909, dated *02-03-23*.