

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: VEHICLE IMPOUNDS

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I. Purpose

To establish guidelines concerning the towing or impoundment of vehicles by officers of the Covington Police Department.

II. Statement of Policy

It shall be the policy of the Covington Police Department to only impound vehicles in accordance with state law governing the removal of vehicles by police officers. (Refer to OCGA 40-6-206, and 40-11-3).

III. Definitions

HIGHWAY – The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.

ROADWAY – That portion of the highway improved, designed or ordinarily used for vehicular travel, exclusive of the median or shoulder.

IV. Authority to Remove Vehicles From Roadways - [OCGA 40-6-206](#)

Officers of the Covington Police Department are authorized to remove vehicles or require the driver to remove vehicle for the following reasons:

A. Vehicles is located upon the roadway outside a business or residential district, stopped, parked or left standing, and it is practical to stop, park or leave vehicles off the roadway.

B. Vehicles is unattended and left illegally standing upon any highway, bridge or causeway or in any tunnel.

V. Removal of Vehicles From Highway – [OCGA 40-6-206\(c\)](#)

A. A report has been made that such vehicle has been stolen or taken without consent of its owner.

- B. The person or persons in charge of such vehicles are unable to provide for its custody or removal.
- C. The person driving or in control, of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.
- D. Any such vehicle that has been left unattended for 24 hours.
- E. Such vehicle is stopped, except when traffic congestion makes movement impossible, on a controlled access highway which is part of the national system of interstate and defense highways, for more than eight hours, unless such vehicle constitutes a traffic hazard, in which case it may be removed immediately.

Removal of Vehicle From Public Property - [OCGA 40-11-3](#)

Officers of the Covington Police Department shall be authorized to remove vehicles from public property for the following reasons:

- A. Vehicles is left unattended on a public street, road or highway or other public property for a period of at least five days (8 hours on the Interstate) and the officer reasonably believes that the person who left such motor vehicle unattended does not intend to remove such motor vehicle.
- B. Vehicle is left unattended on a public street, road, or highway or other public property and such vehicle poses a threat to public health or safety.

VI. Procedures for Removal of Traffic Hazards or Obstructions

- A. Vehicles which are unattended and left upon a highway or public roadway in a manner that obstructs traffic or creates a hazard may be towed and impounded after reasonable effort has been made to contact the owner to have the vehicle removed.
 - 1. When the owner or the person responsible for the vehicle cannot be located in the immediate vicinity or otherwise be contacted for disposition or if the person responsible for the vehicle cannot immediately remove the vehicle, the vehicle may be towed to an impound lot by the tow service on call from the communication center.
 - 2. A vehicle impound and inventory report is to be completed by the impounding officer on all vehicles that are impounded by this department.
 - 3. After completing the vehicle impound and inventory report on the scene, the impounding officer shall give the driver the yellow copy. The pink copy is to be given to the wrecker driver. The white copy is to be returned to the police department. The white copy shall be maintained in a logbook at the front desk by the CSR.
 - 4. An officer may only impound abandoned vehicles after supervisor's approval. The supervisor shall sign the impound report at the time the vehicle is pulled.

5. When a vehicle is released from impound, the CSR shall remove the vehicle impound and inventory report from the clipboard. The report will then be forwarded to the records office.
- B. Attended vehicles which are inoperable and which are obstructing a highway or public roadway or otherwise creating a traffic hazard shall be removed by the owner or the person responsible for the vehicle. If the owner or person responsible for vehicle is unable or unwilling to remove the hazard within a reasonable time, the vehicle may be impounded.
1. The vehicle owner or person responsible for the vehicle may remove the vehicle from the roadway and temporarily park the vehicle upon the roadside. Vehicles owner shall retain responsibility for the timely removal and for the security of the parked vehicle.
 2. The vehicle owner may request a tow service to be called and such request will be complied with when response can be made within a reasonable time. If no specific tow service is desired, the service on call will be notified.
 3. Vehicles towed at owner's request, an inventory form and tow order will not be filled out.

VII. Procedures for Removal of Abandoned Vehicles

- A. Vehicles abandoned upon private property:
1. Officers of the Covington Police Department will not impound vehicles abandoned upon private property, but removal shall be the responsibility of the property owner, unless vehicle is stolen or has been involved in a crime.
 2. When so requested, the police department will provide the property owners with the name and address of the vehicle owner if such information is available.
 3. All vehicles abandoned upon private property shall be checked registration to determine if vehicle is stolen.
- B. Vehicles which are abandoned or parked upon public highway will be handled as follows:
1. A registration check will be made to determine the identity of owner of whether vehicle is stolen.
 2. If the vehicle is not stolen, a reasonable effort will be made to locate the owner.
 3. If the officer is unable to contact owner, a tow away notice shall be affixed on the windshield or driver's window of the vehicle.
 4. If the owner is not located, vehicle will be removed if it has been abandoned for 5 days.
 5. If it appears a vehicle has being stripped or vandalized after a tow away notice has been attached, then vehicle will be impounded immediately.

6. A vehicle impound and inventory form will be filled out by the impounding officer.

VIII. Procedures for Towing and Impound of Vehicles Following Arrest

- A. When the operator of a vehicle is arrested for a violation of state or local law, the vehicle may be impounded for safekeeping.
- B. In cases where the driver is taken into custody and another person is authorized and capable of taking control of the vehicle, it is unnecessary for the officer to impound it.
- C. If the driver is arrested and requests a particular towing service, the officer will comply with the request and will complete a vehicle impound and inventory form.

IX. Vehicle Impound and Inventory Form

The Vehicle Impound and Inventory Form shall be filled out by the impounding officer and shall be turned in to the CSR desk, where the forms shall be maintained.

X. Removal of Property

- A. Officers may remove any contraband or evidence of a crime from an impounded vehicle if the property removed was during the inventory of the vehicle.
- B. Any property of value left in vehicle shall be noted on the Vehicle Impound and Inventory form.

XI. Hold Orders

- A. Officers placing a hold on a vehicle must obtain permission by the patrol supervisor.
- B. The reason for the "hold" shall be written on the Vehicle Impound and Inventory form.
- C. Vehicles placed on "hold" may only be released upon the approval of the patrol supervisor.

XII. Release of Vehicle to Owner

- A. All impounded vehicles shall be released to the owner upon proof of ownership.
- B. Proof of ownership may be the title, registration, insurance or tag receipt,
- C. Whenever a hold is placed on a vehicle, the patrol supervisor will be the only person authorized to release a vehicle.
- D. Release of vehicle will be noted on impound and inventory form.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

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Chief of Police