

18-005 Uniform Private Party Tow Procedure

Los Angeles County Sheriff's Department FIELD OPERATIONS DIRECTIVE



UNIFORM PRIVATE PARTY TOW PROCEDURE

PURPOSE

The purpose of this Field Operations Directive is to establish a specific Department standard and policy in the reporting and logging of vehicles being privately towed within and/or from our jurisdiction.

BACKGROUND

A private party tow is a vehicle that is towed from private property at the request of the property owner by a private tow company, and not by deputy personnel. Repossessed vehicles are also classified as private party tows.

Currently, patrol stations within the Department are utilizing various methods in reporting and logging private party tows, which may cause a towed vehicle to be reported as a stolen vehicle in error. Various station logging procedures have made it difficult to research the status and/or location of a private party tow vehicle when a number of applications and non-standard station specific forms have been used.

California Law

Companies towing vehicles from the Sheriff's Department's county areas and contract cities make notification of the removal to their respective Sheriff's stations to avoid privately towed vehicles from being reported stolen, or as crimes in progress, such as vehicle burglary calls.

It is the responsibility of the towing company to make notification to the local law enforcement agency regarding the storage of the vehicle in a timely manner per sections 22658(m)(1) and (m)(2) of the California Vehicle Code (CVC). These subsections state:

1. A towing company that removes a vehicle from private property under this section shall notify the local law enforcement agency of that tow after the vehicle is removed from the private property and is in transit.
2. A towing company is guilty of a misdemeanor if the towing company fails to provide the notification required under paragraph (1) within 60 minutes after the vehicle is removed from the private property, and is in transit, or 15 minutes after arriving at the storage facility, whichever time is less.

POLICY

When notification is made to a Sheriff's station regarding a vehicle which has been privately towed, it is to be properly documented as stated in the Department's Manual of Policy and Procedures (MPP):

- 5â€™01/020.00, Station Daily Log, "Each station/unit shall maintain a "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles."

This log shall contain copies of the following vehicle reports when processed:

CHP-180

- Impounded vehicle
- Stored vehicle
- Stolen vehicle
- Stolen license plate

SH-R-256 Private Tow/Vehicle Repossession Report

- Privately stored vehicle (private party tow)
- Repossessed vehicle

Before any vehicle is stored, the Stolen Vehicle System (SVS) shall be queried to determine whether or not such vehicle is stolen or wanted. When out-of-state vehicles are to be stored, the National Crime Information Center (NCIC) shall be checked.

REPORTING PROCEDURE

Only trained desk personnel, such as watch deputies and dispatch trained law enforcement technicians, are to screen private party tow calls and shall document them by first making sure the vehicle is clear in SVS or NCIC for out-of-state vehicles. The following steps shall be completed prior to submitting the information to the station secretary:

- Desk personnel shall ask the necessary questions of the tow company to ensure the vehicle has been removed legally from the location and confirm the location is within the respective station jurisdiction;
- All private tows shall be documented utilizing the Department form titled "Private Tow / Vehicle Repossession Report" (SH-R-256, Rev. 11/17), which is located on the Department's E-Forms website, or can be ordered from central supply;
- All private tows shall be issued a Uniform Report Number (URN), using the "735" statistical code for a private tow, or "501" for a repossession;
- The original SH-R-256 form shall be hand-carried immediately to the station secretary;
- One copy shall be reserved for the "Station Daily Log of Stolen, Stored, Repossessed, and Impounded Vehicles." The station log format shall be a completed copy of the SH-R-256 form that is kept on a 2-hole punch clipboard in the dispatch area; and
- The log will be retained by station desk personnel for two years.

STATION SECRETARY PROCEDURE

- The station secretary shall enter the vehicle information into SVS and scan the SH-R-256 form into the Sheriff's Electronic Criminal Documents Archive (SECDA) under the assigned URN; and
- The original SH-R-256 report and copy of the SVS printout shall be filed in the station's URN file.

Note: The SH-R-256 form is not to be used when a vehicle is being "Stored" by a deputy. See MPP section 5-01/060.05 for further information.

REFERENCES

Manual of Policy and Procedures, section 5-01/020.00, Station Daily Log

Manual of Policy and Procedures, section 5-01/050.00, Repossessed Vehicles

Manual of Policy and Procedures, section 5-01/060.05, Stored Vehicles

ATTACHMENTS

SH-R-256
