
	<b>Florida State University Police Department</b>	
<b>Traffic Assistance Policy and Vehicle Towing/Impoundment Procedures</b>		
Revision Effective Date: 09/05/17	<b>General Order 719</b>	Attachments: none
Rescinds/Amends: Rescinds: 11-25 (8/23/11), 09-25	Distribution: Department Wide  Pages: 8	CFA Reference: 14.07; 18.04; 18.13

***Policy - Traffic Assistance and Towing/Impoundment Policy***

It is the policy of the FSU Police Department (FSU PD) to ensure that roadways are kept free of hazards by reporting roadway defects, hazards, and/or malfunctioning or non-existent traffic control devices. The Department shall provide assistance to motorists as exigencies require and inform the general public about traffic safety programs. In addition, the FSU PD shall be responsible for the towing/impoundment of vehicles in accordance with Florida Statutes, University rules and regulations, and FSU PD rules and regulations.

***Procedures***

**A. Roadway Defects, Hazards, and Traffic Control Devices [CFA 18.04 G].**

Officers shall ensure that debris capable of causing a traffic safety hazards are removed from roadways and roadsides as soon as possible after discovery. Likewise, officers shall ensure that faulty or inoperative traffic control devices and related equipment are reported to the appropriate University of local agency.

1. The officer shall remain on the scene until such hazard or debris are removed [CFA 18.04 G].
2. The Maintenance Section of the FSU Facilities Department shall be contacted to remove debris such as fallen trees, branches, or other objects that cannot be removed immediately.
3. Inoperative traffic lights or inoperative mechanical control devices shall be reported immediately to either the FSU Facilities Department or appropriate City of Tallahassee department.
4. Missing, defaced, or damaged traffic regulatory signs shall be reported immediately. If necessary, the officer shall remain on the scene to provide traffic direction until the sign is replaced.
5. Officers shall refer to subsequent sections of this General Order regarding vehicle towing and impoundment.

**B. Disabled or Stranded Motorists [CFA 14.07 A].**

C. Upon finding or having been dispatched to assist a motorist, officers shall:

1. Ensure the vehicle operator and occupants are in a safe area away from hazards. Officers will assist by placing warning devices (e.g., flares or traffic cones) or positioning their vehicle with appropriate emergency equipment (emergency and hazard lights) activated to alert oncoming traffic and/or provide a lane of safety. If an officer leaves the area prior to help arriving, he or she shall periodically check the status of the motorist as circumstances permit.
2. Assist in providing information and arranging for towing services as requested. The subsequent provisions of this General Order regarding vehicle towing and impoundment shall govern the officer's actions under these circumstances.
3. Assist in obtaining transportation and providing pertinent information to the vehicle operator and occupants if requested.

**C. General and Emergency Assistance.**

FSU officers shall provide information, directions, and other assistance whenever requested to do so.

1. When encountering a vehicle fire, officer will attempt to use a fire extinguisher to suppress the fire. The Tallahassee Fire Department (TFD) will be contacted if necessary. The officer will remain at the scene and assist with traffic and crowd control. Through the Communication Section, he or she shall provide TFD with the following information:
  - a. Location.
  - b. Type of vehicle.
  - c. Type of cargo (if applicable).
2. For situations requiring medical assistance, officers will render first aid consistent with their training and experience. Emergency Medical Services (EMS) will be contacted for emergency medical assistance, and the officer shall relinquish his or her first-aid responsibility to TFD or EMS personnel upon their arrival.
3. Upon discovering hazardous materials or spills, officers will [CFA 18.04 H]:
  - a. Attempt a preliminary identification of the spill or leak by observing vehicle placards. Officers shall only attempt such identification while being mindful of all safety considerations to persons and property.
  - b. Keep persons a minimum of 500 feet away from any portion of the material.
  - c. Approach the area from an upwind direction and avoid close contact with the material.

- d. Avoid inhaling fumes, smoke, or vapors. Officers shall not assume that odorless gases or vapors are not present or harmless.
  - e. Request additional assistance for evacuating traffic and bystanders or persons in building downwind from the spill.
  - f. Have their personal bio-hazard kits available for use at all times when dealing with hazardous material situations.
4. The TFD's Hazardous Material Unit and the FSU Department of Environmental Health and Safety (EHS) are trained in handling and removing of certain hazardous materials. Only trained personnel will attempt to enter contaminated areas. Information resources for vehicle placards may be obtained from the Communications Section via FCIC or the Chemical Transportation Emergency Center (CHEMTREC – 800/424-9300).

**D. Traffic Safety Material and Literature**

The FSU PD shall provide and have on hand literature explaining the traffic laws of the State of Florida as such laws apply to motor vehicles, bicycles, and pedestrians. In addition, the FSU PD shall provide traffic safety materials at appropriate University locations and events.

**E. Reasons for Towing and/or Impounding Vehicles [CFA 18.13]**

Officers of the FSU PD may tow and/or impound any motor vehicle for the following reasons:

- 1. When the vehicle is situation so as to constitute a hazard to life, limb, property, and/or the efficient and lawful movement of vehicular and pedestrian traffic.
- 2. When the vehicle is in a state of abandonment.
- 3. When the vehicle is real or potential evidence in a criminal investigation.
- 4. When the vehicle would be unattended subsequent to the arrest of the driver.
- 5. When the vehicle is unlawfully parked in a space designated for the handicapped, a fire lane, or in a space specifically marked, "No Parking-Tow Away Zone."

**F. Procedures for Towing and/or Impounding Vehicles (Excluding arrests, Evidence, and/or State Vehicles [CFA 18.13])**

When an officer determines that a vehicle must be towed and/or impounded, he or she shall complete a Vehicle Report Form and otherwise adhere to the following procedures:

- 1. Contact and obtain the approval of the Shift Supervisor, explaining the circumstances requiring the tow and/or impoundment.
- 2. Request a rotation wrecker, stating the location and the description of the vehicle to be towed.

3. Inventory the contents of the vehicle (if the vehicle is unattended) by noting those contents in plain view. At the officer's discretion, he or she may complete a more detailed inventory of the items if the doors are unlocked or by using a "slim-jim" to pen the locked doors of an unattended vehicle.
4. Note the name of the towing company and the driver.
5. Note the location where the vehicle is being towed from, the date & the time of the tow and the location the vehicle is being towed to.
5. Note the reason for the tow/removal. Include the Uniform Traffic Citation (UTC) number or Parking Citation Number if the vehicle is being towed/impounded for a parking violation.
7. Name of the reporting or requesting officer.
8. Obtain prior permission (for inventory purposes) from the Shift Supervisor should the officer be required to open any area of the vehicle that is secured or otherwise inaccessible.
9. Have a second officer (if he or she is available) sign the Vehicle Report Form as an assisting officer.
10. Have the wrecker driver sign the Vehicle Report form prior to the actual hook-up. Once signed by the wrecker driver, the officer(s) may stand by during hook-up procedures for crowd control and/or safety purposes.
11. For vehicles being towed only because of a violation of University parking regulations, the following exceptions and/or additional procedures apply:
  - a. Neither the Shift Supervisor nor another sworn officer need be called.
  - b. Only visible items seen through the windshield or other windows shall be listed in the inventory section of the Vehicle Report Form. Unlocked vehicles shall **not** be entered for inventory purposes.
  - c. Only the wrecker driver shall utilize a "slim jim" or other device to enter any locked vehicle and prepare it for towing.
12. Should evidence of a crime appear prior to and during the hook-up, all activity shall cease and a sworn officer (if not at the scene) shall be summoned and assume responsibility.

**G. Procedures for Towing and/or Impounding Vehicles that Are State Vehicles, or Pursuant to Arrest, and/or Evidentiary Purposes**

When the vehicle to be towed is a state vehicle or will be towed pursuant to arrest and/or for evidentiary purposes, the officer shall contact the state contract wrecker, **not** the rotation wrecker. For such situations, the following procedures shall apply:

1. Before actual towing, an investigator shall be notified if the vehicle has been used in the commission of a serious felony offense. The investigator shall determine the need for photographs to be taken at the scene prior to towing.

2. All vehicles impounded for evidentiary purposes and need to be removed from the scene **must** be towed to the secured storage area of the state contract wrecker service. The on-scene officer shall contact the Shift Supervisor prior to calling the state contract wrecker service.
3. Exception for the protection of human life, no one shall be permitted to enter the vehicle, including the wrecker driver.
4. All measures shall be taken to preclude or minimize any destruction or contamination of evidence. The Police Services Technician (or technician from another agency) shall be responsible for any evidence processing at the scene.
5. Vehicle keys, if any, shall accompany the Vehicle Report Form.
6. The seizing officer shall mark the Vehicle Reporting Form as such, "Evidence – Do Not Release."
7. If an inventory is not conducted at the scene, the on-scene officer, investigator, Police Services Technician, or technician from another agency shall follow the vehicle to the state wrecker service impound area and maintain secure custody until the inventory and other evidence-gathering procedures are completed. Once the inventory is completed, the on-scene officer or investigator shall complete a Property Receipt in accordance with the provisions of the General Order titled, "Evidence and Property Control System."
8. If the vehicle is **not** the fruit or instrumentality of a crime, alternatives to towing are:
  - a. Leave the vehicle secured and in a legal parking space.
  - b. Release with the owner's permission to another licensed driver.

#### **H. Procedures for Towing Vehicles as a Public Service**

The towing of any vehicle at the request of the owner or driver as a public service by the on-scene officer may be accomplished by any wrecker service named by the owner or driver.

1. The on-scene officer shall not recommend any specific wrecker service. However, he or she may offer to obtain a rotation wrecker.
2. For a public service towing, the on-scene officer shall not conduct an inventory, complete a Vehicle Report Form, or otherwise assume any responsibility for the vehicle being towed.
3. If the flow of traffic is being impeded, or the owner/driver is not present, the on-scene officer shall follow the procedures of Section F of this General Order.

#### **I. Abandoned Vehicles**

When the on-scene officer arrives at the scene of an abandoned vehicle, he or she shall obtain the license tag number and VIN. He or she shall contact the Communications Section to ascertain if the vehicle has been listed as stolen or having been involved in a crime.

1. Should the vehicle appear to have been simply abandoned, it shall be towed and impounded in accordance with the procedures set forth in Section F of this General Order.
2. Conversely, should the vehicle appear to have been stolen or involved in any crime, the procedures set forth in Section 11-25-08 of this General Order shall be followed.

**J. Procedures to Notify Owner of Towed and/or Impounded Vehicles.**

When a vehicle is towed and/or impounded, and the vehicle is neither a state vehicle or towed/impounded pursuant to an arrest or for evidentiary purposes, and the owner or driver is either present or known, the on-scene officer shall attempt to notify the owner.

1. The on-scene officer shall contact the Communication Section, providing the license tag number and VIN of the vehicle.
2. If the owner is a student, the on-scene officer shall request the Communications Section to access the student database to obtain a local address and telephone number.
3. Communications Section personnel shall make the effort to contact the owner by telephone, e-mail, and/or U. S. mail. Complete information, including reason for the towing; name, address, and location of wrecker service; and obligation of the owner to pay all related fees before the vehicle can be released.

**K. Placement and Removal of Holds.**

No hold shall be placed on a vehicle that is towed and impounded for purposes **not** pertaining to an arrest, crime, or evidentiary purposes. It shall be the responsibility of the owner and rotation wrecker service to satisfy all requirements for the release of the vehicle.

1. If a vehicle is towed and impounded for purposes relating to an arrest, and if the vehicle and its contents pertain in no manner to the arrest or the collection of evidence, then no hold shall be placed on the vehicle. It shall be the responsibility of the owner and rotation wrecker service to satisfy all requirements for the release of the vehicle.
2. Any vehicle reported stolen and recovered by the FSU PD may, at the discretion of the investigator, be processed at the scene. If the owner can be contacted and arrive at the scene within a period of time designated by the investigator, then no hold shall be placed on the vehicle subsequent to the completion of all investigative work, and the owner may take possession of the vehicle at the scene.
3. Vehicles towed pursuant to an arrest or for evidentiary purposes shall be placed "on hold," placed in storage, and not be released until approved by the Assistant Chief of Police for Investigations/Support Services (or designee). The vehicle shall be returned to its lawful owner or authorized agent. The release of the hold/approval authority shall be documented in the incident or follow-up report.

3. Absent any lawful claim to the vehicle, the vehicle shall be turned over to Property Accounting Services for disposition in accordance with Florida Statutes and University policies and procedures.
5. The final disposition of the vehicle shall be noted on the original Property Receipt Form in accordance with the provisions of the General Order titled, "Evidence and Property Control System."
6. For situations involving a stolen vehicle reported to another law enforcement agency, but recovered by this Department, the vehicle shall be placed "on hold" until the following have been completed:
  - a. The on-scene officer shall notify the Communications Section, requesting that notification be sent to the appropriate agency regarding the vehicle's recovery condition, location, and whether an arrest was made.
  - b. If personnel from the appropriate agency respond and handle the processing of the stolen vehicle, the on-scene officer shall remain on the scene until the arrival of the other agency's personnel.
  - c. If personnel from the appropriate agency are unable to respond, the on-scene officer shall process the recovered stolen vehicle in accordance with the pertinent provisions of this General Order. However, the vehicle shall only be released upon authorization of the appropriate agency. The provisions of Section F this General Order do **not** apply in those specific situations when the recovered stolen vehicle was reported to another law enforcement agency.

**L. Entry and Removal of FCIC/NCIC Data**

When stolen vehicles are reported to the FSU PD, the on-scene officer or investigator shall provide a copy of the incident report to the Communication Section, which, in turn, shall input appropriate data in FCIC/NCIC.

1. When a stolen vehicle has been reported to this Department and is subsequently recovered by this or another law enforcement agency, the officer or investigator receiving the information shall provide a copy of his or her written report to the Communications Section, which, in turn, shall be responsible for removing the appropriate data from FCIC/NCIC.
2. When a stolen vehicle is originally reported to another law enforcement agency, but is recovered by the FSU PD, it shall be the responsibility of the reporting law enforcement agency to remove the vehicle's stolen status data from FCIC/NCIC.

**Glossary**

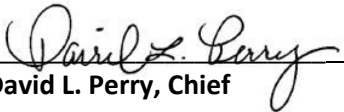
**Abandoned Vehicle**—A vehicle found unattended upon a bridge or causeway or in any tunnel, or on any public highway in the following instances: vehicle constitutes an obstruction to traffic; vehicle has been parked or stored on the public right-of-way for a period exceeding 48 hours; in other than designated parking areas within 30 ft. of the pavement edge.

**Hazmat**—Hazardous Materials

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**Attachments**—none

MTC 09/01/17 Filed: 719
Title: <b>Traffic Assistance and Vehicle Towing/ Impoundment Procedures</b>
Approved:  David L. Perry, Chief
Date: 09/01/17