



City of Racine Police Department
Policy and Procedure

Number: 1924

Subject: Recovery of Motor Vehicles		
Date Issued: 8-23-85	Effective Date: 08-12-11	Revision Number: 5

POLICY:

The recovery of motor vehicles from the roadways or private property shall be handled in an objective and consistent manner. The reason for the recovery may differ from situation to situation.

DEFINITIONS:

Abandoned Vehicle – Municipal Ordinance # 42-181:

Abandoned motor vehicle means any motor vehicle:

- (1) That has been allowed to remain standing on any alley, street, highway, private or public property in the city without the property owner's permission for more than 48 hours; or
- (2) Located upon a highway for such time and under such circumstances to cause the motor vehicle to reasonably appear to have been unregistered for more than 30 days.

The 48 hour limitation does not apply to any emergency situation, such as a snow emergency or a vehicle disabled due to discharging fluid; or to any vehicle standing upon a highway in violation of a prohibiting limitation or restriction on stopping, standing or parking under city ordinances and such vehicle may be immediately towed pursuant to Wis. Stats. § 349.13(3).

Emergency Situation – Means any situation where a vehicle is left unattended in such a manner as to jeopardize public safety by either creating an unsafe condition or significantly hindering the movement of traffic. Emergency situations may include posted tow-away zones, blocking traffic, or blocking a private driveway.

Owner – Means the person(s) or business whose name and address is given in Wisconsin Department of Transportation vehicle registration records as the owner of the vehicle.

Vehicle – “any automobile, automotive part, all terrain vehicle, snowmobile, motor home, bus, motorcycle, van or other device commonly used for travel.” (Municipal Ordinance 42-181)

PROCEDURE:

There are several different ways to address the recovery of a vehicle, depending on the circumstances.

MEMBER:

1. **If you are sent to impound a vehicle on behalf of the Health Department or Courts:**
 - a. Verify that the target vehicle matches the information provided by the Health Department personnel.
 - b. Have Communications send a tow truck.
 - c. Follow the protocols established in Procedure #807 (Impounding of Motor Vehicles) to properly impound the vehicle.
2. **If you are sent by Communications, or locate an abandoned vehicle in the roadway that appears to be a traffic hazard:**
 - a. Set up your vehicle, place cones, or direct manual traffic to prevent an accident from occurring.
 - b. Provide Communications with the registration number so that Communications can attempt to identify and call the owner to have them come remove the vehicle.

- c. If Communications can not locate the owner, have Communications send a tow truck, issue the appropriate ticket (i.e. tow-away, blocked driveway, etc...) and process with the Impound Lot Inventory Control Form (RPD105).
 - d. Follow the protocols established in Procedure #807 (Impounding of Motor Vehicles) to properly impound the vehicle.
3. **If you are sent by Communications, or locate an abandoned vehicle parked on the roadway that is not a traffic hazard:**
- a. Establish that the vehicle appears to be abandoned.
 - b. Complete an Abandoned Vehicle Notice sticker (RPD106) and place it conspicuously on either the driver's side door window or on the windshield in front of the driver's position. (If the vehicle appears to be unregistered for 30 days or more, or has suspended/cancelled registration, you may [at your discretion] tow it immediately without placarding.)
 - c. Advise Communications to send the teletype to Abandoned Vehicles with a completed Abandoned Vehicle Report (NSP174) attached to it.
 - d. If after 48 hours, you are still assigned the area or are in the position to check on the vehicle again.
 - 1) Check if it is still in violation.
 - 2) Have Communications send a tow truck to impound the vehicle.
 - 3) Make sure that an Abandoned Vehicle ticket is written and set aside to turn in with the Impound Lot Inventory Control Form (RPD105).
 - e. Follow the protocols established in Procedure #807 (Impounding of Motor Vehicles) in order to properly impound the vehicle.
4. **If the vehicle is a recovered stolen vehicle:**
- a. Have an evidence technician process the vehicle as completely as practical prior to movement of the vehicle.
 - b. Request Communications to contact the registered/titled owner of the vehicle to respond or advise of recovery (based upon circumstances).
 - c. Complete a Vehicle Impound Control Form (RPD105).
 - d. If the registered/titled owner (per Communications) is able to meet you at the scene of the recovery you can release the vehicle to the owner or his/her agent upon:
 - 1) Verifying his/her valid drivers' license.
 - 2) Have the owner or agent sign the release portion of the Impound Control Form. (Do not give a copy of this form to the owner or agent. The form should be turned in, in its entirety.)
 - e. **If the recovered stolen vehicle report was initiated within our jurisdiction, file all paperwork under the original complaint number.**
 - f. If the vehicle theft incident report has not been processed, the recovery can be documented in the narrative of the incident report.
 - g. If the incident report has already been processed or the theft occurred in another jurisdiction, a Supplementary Incident Report (PP95A) must be completed.

NOTE: You are not required to do a Supplementary Incident Report (PP95A) when impounding an abandoned vehicle.

- SUPERVISOR:**
- 1. If a member requests assistance on the determination of whether a vehicle is abandoned or not, respond and provide input as necessary.
 - 2. When a member provides you with the completed impounding related paperwork, check it for completeness and accuracy per Procedure #200 (Review, Endorsement, and Routing of Paperwork).
 - 3. Forward the paperwork to the Public Service Counter.

- COMMUNICATIONS:**
- 1. Initiate a Phoenix entry, when a member is assigned to, or comes across an abandoned vehicle.

2. When a member requests it, forward a copy of the teletype indicating the registration of an abandoned vehicle to Courts with a "Calls Detail" report from Phoenix.
3. When requested by a member, run the registration NCIC/CIB/DOT to determine ownership of an abandoned vehicle as a traffic hazard.
 - a. Contact the owner and advise them to make the location of the abandoned vehicle traffic hazard and remove it from the roadway.
 - b. If the owner can be located and is not in the position to return to the vehicle or make towing arrangements themselves, have "next on the list" respond to impound the vehicle.
 - 1) Advise the owner that if we tow the vehicle to the impound lot, that they will be responsible for all towing and storage costs incurred.
 - 2) If attempts were made to contact the owner and were unsuccessful, make an entry into Phoenix about the attempted contact.
 - 3) If the department will be impounding the vehicle and the owner was contacted, obtain the owner's full name, date of birth, address, and phone number – placing that information into Phoenix.

**PUBLIC SERVICE
COUNTER:**

File the vehicle impound-related paperwork per the protocols in Procedure #807 (Impounding of Motor Vehicles).

COURTS:

Complete the vehicle impound-related process per the protocols in Procedure #807 (Impounding of Motor Vehicles).

**RELATED
PROCEDURES:**

[807 – Impounding of Motor Vehicles](#)
[809 – Release or Disposal of Impounded Vehicles](#)
[1201 – Property Inventory Excluding Vehicles](#)
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**RELATED
ORDINANCE:**

42-181 – Definitions
 42-182 – Removal and Disposal of Abandoned Motor Vehicles