

YORK-POQUOSON SHERIFF'S OFFICE	GENERAL ORDERS
SUBJECT: Towing of Vehicles	NUMBER: GO 2-33
EFFECTIVE DATE: January 23, 2019	REVIEW DATE: November 19, 2018
AMENDS/SUPERSEDES: GO 2-33, April 10, 2012	APPROVED:  Sheriff
VLEPSC: OPR.07.07, OPR.07.12.	

1 **INDEX WORDS**

- 2
- 3 Abandoned vehicles
- 4 Impounds
- 5 Inventory (of vehicles)
- 6 Towing
- 7 Towing companies
- 8

9 **POLICY**

10

11 Deputies must understand when the towing and storage of vehicles is appropriate and legal.

12 Abandoned vehicles constitute a public nuisance, a hazard to traffic, and citizens view their

13 removal as an essential police service. Likewise, vehicles involved in accidents or crimes may

14 require towing and inventorying for evidentiary purposes. In either case, a motor vehicle is an

15 expensive piece of personal property that must be managed and supervised when it enters police

16 custody. Whenever possible, owners or operators of vehicles for which towing is required will be

17 encouraged to specify a towing service of their choice.

18

19 **PURPOSE**

20

21 To establish procedures for the towing of vehicles.

22

23 **PROCEDURES – General**

- 24
- 25 • Vehicle Accidents
 - 26 ○ Any vehicle involved in an accident, being investigated by Sheriff's office deputies,
 - 27 shall be removed from the travel lane portion of the roadway as soon as possible once
 - 28 deputies have obtained necessary investigative information.
 - 29 ○ Vehicles may be removed to the shoulder of the road or other legal parking spot that
 - 30 does not obstruct or impede vehicle travel on the roadway.
 - 31 ○ If the accident vehicle(s) is inoperable and so located as to impede the flow of traffic,
 - 32 the deputy may, at no cost to the owner or operator, remove the vehicle to some point in
 - 33 the vicinity where it will not impede the flow of traffic. See Section [46.2-1212](#) and
 - 34 [46.2-1212.1](#), Code of Virginia.
 - 35 ○ Deputies shall not remove or have vehicles removed from the roadway when the
 - 36 accident is being investigated by the State Police or other law enforcement agency
 - 37 unless:

- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60
- 61
- 62
- 63
- 64
- 65
- 66
- 67
- 68
- 69
- 70
- 71
- 72
- 73
- 74
- 75
- 76
- 77
- 78
- 79
- 80
- 81
- 82
- Requested to do so by the investigating officer; or
 - Directed to do so by a Sheriff's office supervisor; or
 - All travel lanes of the roadway are blocked and there will be a delayed response by the investigating officer; or
 - All travel lanes are blocked and the vehicle(s) must be removed to allow access by fire or EMS vehicles or personnel.
- Emergency
 - Any vehicle found illegally parked in the vicinity of a fire, hazardous material incident, traffic accident, airplane crash or other emergency incident that creates a traffic hazard or interferes with the emergency operations or response of police, fire, or rescue workers may be towed on a deputy's orders at the owner's expense.
 - Vehicles being used by the media are exempt unless they obstruct police, fire, or rescue operations and the driver cannot be located or refuses to move the vehicle.
 - Impeding/Danger to Traffic
 - No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the highway by others, except in cases of mechanical breakdown or accident.
 - If a disabled vehicle is not promptly removed and creates a traffic hazard, the deputy may order the vehicle towed at the vehicle owner's expense. See Section [15-46](#), [Removal, Storage and sale of certain unattended vehicles](#) of the York County Code and Section [46.2-1209](#), [46.2-1210](#), [46.2-1211](#), [46.2-1212](#), [46.2-1213](#), Code of Virginia.
 - State/County/Municipal vehicles
 - The provisions listed above shall not apply to any vehicle owned or controlled by the state or a local unit of government while actually engaged in official use.
 - Vehicles Blocking Driveway or Parking Areas
 - Any deputy sheriff discovering or receiving a report of any motor vehicle, trailer, or other vehicle blocking a driveway or parking area, or obstructing or interfering with the movement on any driveway or parking area without the land owner's permission may order the vehicle towed at the vehicle owner's expense. See Section [46.2-1211](#), Code of Virginia.
 - Unattended Vehicles, Traffic Hazards, Violations of Law
 - Deputy sheriff's may tow any unattended motor vehicle found on a public street or grounds that constitutes a traffic hazard or **is parked in such a manner as to be in violation of the law**. See Section [15-46](#), of the York County code and Section [46.2-1209](#), [46.2-1210](#), [46.2-1211](#) to 1213, Code of Virginia.
 - Unattended Vehicles
 - Any motor vehicle, trailer or semitrailer or parts thereof, may be removed for safekeeping if:
 - It is left unattended upon a public highway or other public property and constitutes a traffic hazard;

- 83
- 84
- 85
- 86
- 87
- 88
- 89
- 90
- 91
- 92
- 93
- 94
- 95
- 96
- 97
- 98
- 99
- 100
- 101
- 102
- 103
- 104
- 105
- 106
- 107
- 108
- 109
- 110
- 111
- 112
- 113
- 114
- 115
- 116
- 117
- 118
- 119
- 120
- 121
- 122
- 123
- 124
- 125
- It is illegally parked;
 - It is left unattended for more than 10 days either on public property or on private property without permission of the property owner, lessee or occupants permission.
 - ❖ Vehicles towed from private property shall only be towed by deputies under the following circumstances:
 - With a written request from the property owner, lessee or occupant;
 - The person requesting the vehicle be towed by the deputy shall indemnify the County against any loss or expense incurred by reason of the removal, storage or sale thereof.
 - As promptly as possible notify the County Administrator and owner of the vehicle.
 - ✓ County Administrator notification, if required, will made by the Sheriff or his designee.
 - It is left immobilized on a public roadway by weather conditions or other emergency situation.
 - See Section [15-46](#), of the York County code.
 - Abandoned vehicles
 - A vehicle shall be considered abandoned:
 - Whenever any motor vehicle is inoperable and left unattended on public property more than 48 hours; or
 - Has remained illegally on public property for more than 48 hours; or
 - Has remained for more than 48 hours on private property, without the consent of the property's owner regardless of whether it was brought onto the private property with the consent of the owner or person in control of the private property, the county administrator may take or cause to be taken into custody and dispose of any abandoned motor vehicle.
 - In such connection, the county administrator may employ county personnel, equipment and facilities or hire persons, equipment and facilities or firms or corporations who may be independent contractors for removing, preserving, and storing abandoned motor vehicles. See Section [15-51](#), of the York County code.
 - Removal of Vehicles from Private Property
 - No removal shall be ordered, by deputy sheriff's, from private property without receiving a written request from the property owner, lessee, or occupant thereof.
 - Such request shall indemnify the county against any loss incurred by reason of removal, storage, or sale thereof.
 - See Section [15-51](#), of the York County Code.
 - Nothing in this policy shall prevent a property owner, lessee or occupant from having vehicles left on their property towed or removed at their own expense.
 - Evidence/Crime Involvement

- 126 ○ Vehicles may, upon supervisor approval or at the request of an investigator, be towed to
- 127 the Sheriff's Office Impound Lot located at the York County Vehicle Operations Center
- 128 if:
- 129 ▪ The vehicle is of evidentiary value and:
- 130 ❖ Needs to be processed for evidence; or
- 131 ➤ Was used in the commission of drug related crimes and is pending a seizure
- 132 decision, See [GO 2-36, Asset Forfeiture](#).
- 133 ➤ Prostitution related crimes; Section [19.2-386.16](#), Code of Virginia.
- 134 ➤ Exploitation and solicitation of children; Section [19.2-386.31](#), Code of
- 135 Virginia.
- 136 ➤ Abduction and kidnapping; Section [18.2-47](#), Code of Virginia.
- 137 ➤ Illegal drug transactions; Section [19.2-386.22](#); Code of Virginia.
- 138 ➤ Racing; Section [46.2-867](#), Code of Virginia.
- 139 ➤ DUI related felony; Section [19.2-386.34](#), Code of Virginia.
- 140 ➤ Transportation of stolen property value greater than \$500.00; Section [19.2-](#)
- 141 [386.16](#), Code of Virginia.
- 142 ➤ Transportation of property obtained as a result of a robbery; Section [19.2-](#)
- 143 [386.16](#), Code of Virginia.
- 144
- 145 ● DUI Vehicles
- 146 ○ Vehicles being operated by suspects arrested for DUI related offenses not subject to
- 147 impoundment in accordance with Section [46.2-301.1](#), Code of Virginia, shall be
- 148 handled as follows:
- 149 ▪ A vehicle driven by a DUI suspect that is legally and safely parked with the consent
- 150 of the property owner, shall be locked and left at that location if the arrestee
- 151 consents.
- 152 ▪ The arrestee may entrust the keys to a friend or relative who may move the vehicle,
- 153 or the arrestee may request the vehicle to be towed by a particular tow company.
- 154 ▪ If the arrestee (1) does not consent to locking and leaving a legally and safely parked
- 155 vehicle or (2) refuses to allow a friend or relative to move the vehicle, or (3) does
- 156 not request a particular tow service to move an illegally parked or hazard-creating
- 157 vehicle, the deputy may order it towed for safekeeping at the owner's expense.
- 158
- 159 ● Administrative Impoundment of Vehicles
- 160 ○ See Section [46.2-301.1](#), Code of Virginia, for requirements for impoundment of motor
- 161 vehicles for certain driving while license is suspended or revoked offenses; judicial
- 162 impoundment upon conviction penalty or permitting violations with one's vehicle.
- 163

164 **TOWING PROCEDURES**

- 166 ● Deputies Responsibilities
- 167 ○ Deputies requesting vehicles to be towed shall provide the vehicle information to the
- 168 911 Emergency Communications Center to be logged.
- 169 ● Vehicles towed at owners request are not required to be logged under this policy but
- 170 may be done so at the deputy's discretion.

- 171
- 172
- 173
- 174
- 175
- 176
- 177
- 178
- 179
- 180
- 181
- 182
- 183
- 184
- 185
- 186
- 187
- 188
- 189
- 190
- 191
- 192
- 193
- 194
- 195
- 196
- 197
- 198
- 199
- 200
- 201
- 202
- 203
- 204
- 205
- 206
- 207
- 208
- 209
- 210
- 211
- 212
- 213
- 214
- 911 Center Dispatcher Responsibilities
 - Dispatchers shall maintain a record in the CAD database indicating all wrecker calls made.
 - The record will have at a minimum the following information:
 - Date,
 - Time called,
 - Status (responding, not available, etc.),
 - Location where the tow truck is needed,
 - Requesting deputy, and
 - Requesting dispatcher.
 - If a firm is called and **does not answer or is otherwise unavailable**, it will be moved to the bottom of the rotation list and the next firm shall be called.
 - Notify the deputy what tow firm is responding and an ETA.
 - On Scene Towing Procedures
 - Deputies shall familiarize themselves with this policy, the York County Code and Virginia State Code as it pertains to the towing of vehicles.
 - Vehicle owners/operators shall be given the option to select a towing firm of their choice unless:
 - The owner requested wrecker has an extended response time longer than 30 minutes; and
 - The vehicle being towed poses a traffic hazard or is impeding the flow of traffic.
 - Only the requested tow firm shall be permitted to hook up to the vehicle being towed.
 - Exception: If an occupant of a vehicle has left the vehicle unattended to obtain a wrecker, and returns with one after the dispatcher has made contact with a towing firm, the owner may have his wrecker tow the vehicle.
 - The deputy will immediately notify the dispatcher to cancel the requested wrecker.
 - If the requested wrecker responds, the sheriff's office shall not be charged a fee as a condition of doing business and remaining on the towing list.
 - The requested wrecker firm will be placed back at the top of the tow list.
 - Dispatchers shall be notified of all requests to tow vehicles by deputies or owners of private property and shall record date, time, place towed from and to, license number, make or model, and color of vehicle in the towed vehicle log.
 - Dispatch will be furnished with a copy of the State Notice of Vehicle Impoundment/ Immobilization Form to ensure that information required to be furnished to VCIN on 30 day administrative DUI impound reporting is made.
 - Sheriff's Office Impound Lot
 - The Sheriff's Office Impound Lot is located adjacent to the York County Vehicle Operations Center.

- 215
- 216
- 217
- 218
- 219
- 220
- 221
- 222
- 223
- 224
- 225
- 226
- 227
- 228
- 229
- 230
- 231
- 232
- 233
- 234
- 235
- 236
- 237
- 238
- 239
- 240
- 241
- 242
- 243
- 244
- 245
- 246
- 247
- 248
- 249
- 250
- 251
- 252
- 253
- 254
- 255
- 256
- 257
- 258
- 259
- All vehicles placed in the Sheriff's Office Impound Lot shall be vouchered into the Property and Evidence system in accordance with [GO 2-15, Evidence Procedures](#).
 - There shall be no storage fees charged for vehicles placed in the Sheriff's Office Impound Lot.
 - The following vehicles may be placed in the Sheriff's Office Impound Lot:
 - Vehicles that are pending a seizure and/or forfeiture decisions.
 - Vehicles that were used in the commission of a crime and need to be processed for physical evidence.
 - Vehicles ordered seized by the Court and sold at auction as a result of a civil proceeding.
 - Vehicles shall not be placed in the Sheriff's Office Impound Lot for general safe keeping.
 - The tow bill for any vehicle, placed in the Sheriff's Office Impound Lot, belonging to or operated by a criminal offender shall be the responsibility of the criminal offender or vehicle owner except under circumstances listed below.
 - The Sheriff's Office may pay the tow fees for vehicles placed in the Sheriff's Office Impound Lot under the following circumstances:
 - Vehicles belonging to a crime victim and the vehicle was placed in the Sheriff's Office Impound Lot to be processed for evidence.
 - Vehicles that have been forfeited by the Courts.
 - Vehicles that were seized in accordance with a civil proceeding where the Court has ordered the vehicle sold at auction.
 - Vehicles operated by a criminal offender, where the vehicle owner, is an innocent party. This shall be at the discretion of the Sheriff or his designee.
 - The keys and a copy of the tow bill for vehicles placed in the Sheriff's Impound Lot shall be vouchered into the property and evidence system.
 - A copy of the tow bill, for vehicles placed in the impound lot to be processed for evidence shall be forwarded to the Investigations Division Commander.
 - Vehicles belonging to or operated by criminal offenders that are placed in the Sheriff's Office Impound Lot to be processed for evidence shall be released back to the tow company for storage once processing is complete, if:
 - The vehicle is not subject to seizure, forfeiture or otherwise needed for court proceedings, and
 - The vehicle owner has been notified of the need to pay the tow bill and retrieve the vehicle and fails to do so or make suitable arrangements within 10 business days.
 - The Property and Evidence Custodian shall be notified whenever a vehicle in the Sheriff's Office Impound Lot can be released and shall coordinate the release.
 - Tow Companies Selection Procedures
 - The term wrecker, tow truck, or tow vehicle shall be used synonymously. The term wrecker, as used in this General Order, shall include a wrecker with either a rollback, wheel lift, sling, or crane boom type appliance.

- 260
- 261
- 262
- 263
- 264
- 265
- 266
- 267
- 268
- 269
- 270
- 271
- 272
- 273
- 274
- 275
- 276
- 277
- 278
- 279
- 280
- 281
- 282
- 283
- 284
- 285
- 286
- 287
- 288
- 289
- 290
- 291
- 292
- 293
- 294
- 295
- 296
- 297
- 298
- 299
- 300
- 301
- 302
- 303
- 304
- Tow companies wishing to be added to the York-Poquoson Sheriff's Office tow list shall have each driver operating the tow truck, prior to applying, register with and meet the requirements established by DCJS in accordance with Section [46.2-116](#), Code of Virginia.
 - Tow companies wishing to be added to the York-Poquoson Sheriff's Office tow list shall complete a [Tow Service Application Form](#) found in the Forms Folder in Power DMS.
 - The Sheriff shall designate a Tow Company liaison who shall be responsible for the following:
 - Address any issues between the Sheriff's office and towing companies authorized to tow vehicles on behalf of the Sheriff's Office.
 - Receive requests from tow companies desiring to be placed on the Sheriff's office tow list.
 - Ensure tow companies on the Sheriff's office tow list are in compliance with Virginia state law, York County Code and this policy.
 - When directed, pay tow bills incurred by the Sheriff's office for the towing of other than County owned vehicles.
 - Investigate complaints made against tow companies, drivers or employees of tow companies on the York-Poquoson Sheriff's Office tow list.
 - Make recommendations through the Captain of the Uniform Patrol Division to the Sheriff for addition and/or removal of tow companies from the York-Poquoson Sheriff's Office tow list.
 - The county will be divided into two geographical areas:
 - Upper York County (Area Three)
 - Lower York County (Area One and Two).
 - Towing firms will be assigned to cover each specific area of the county and will work from different lists.
 - A third list will be established for heavy-duty wreckers.
 - All general towing firms shall be located within York County or a jurisdiction directly adjoining York County and capable of responding and being on scene of calls within 30 minutes.
 - Any General towing firm desiring to be on the Sheriff's office tow list shall adhere to the following:
 - Maintain a secure vehicle storage lot in either York County, the City of Poquoson, the City of Williamsburg or James City County.
 - The location of the storage lot shall be the determining factor as to which tow list the service will be on.
 - Firms providing service to Area Three shall be located in York County, James City County or the City of Williamsburg.
 - Firms providing service to Area One and Two shall be located in either York County, the City of Poquoson, the City of Hampton or Newport News with a secure storage lot located in either Poquoson or the lower York County area.

- 305 ○ Heavy-duty towing firms are exempt from the above requirements.
- 306 ○ Firms listed will be rotated on the call list from top to bottom.
- 307 ○ Owner requests for specific towing firms will not be subject to the rotation list.
- 308 ○ When a firm is added to the list, it will be added to the bottom.
- 309 ○ Subletting of towing is prohibited.
- 310 ○ Only vehicles bearing the name of the requested towing firm will be allowed to tow the
- 311 vehicle.
- 312 ○ Firms that do not answer their telephones or who do not respond to calls on a 24 hour
- 313 basis will be deemed unsatisfactory in their service and subject to removal from the
- 314 approved tow list.
- 315 ○ Only one day and one night number will be called for each wrecker.
- 316 ○ Telephone numbers to answering machines are not acceptable.
- 317 ○ Towing firms operating from the same geographical location will be placed on the list
- 318 one time. This prohibits firms with several tow trucks from listing each vehicle
- 319 separately or under several different names in order to receive calls.
- 320 ○ Tow trucks capable of handling heavy or large trucks will be listed separately.
- 321 ○ All tow firms listed, will respond and arrive within thirty minutes of receiving the call
- 322 from the dispatcher.
- 323 ○ If the tow truck does not arrive at the scene within the thirty minute time frame, the
- 324 deputy will notify their supervisor to make the decision whether to call a second firm.
- 325 ○ Once a second firm has been called, only the second firm may hook up to the vehicle.
- 326
- 327 ● Equipment Requirements
- 328 ○ All tow trucks must bear the legal name or trade name of the firm must be visible and
- 329 displayed on both sides of the vehicle.
- 330 ○ All tow trucks must be properly licensed and properly registered with the Virginia
- 331 Department of Motor Vehicles.
- 332 ○ All tow vehicles must have the proper lights and a valid State Inspection Approval
- 333 Sticker.
- 334 ○ The equipment must be maintained in good working order and in compliance with the
- 335 law.
- 336 ○ All tow vehicles must be covered by a current and adequate liability insurance policy
- 337 and cargo insurance to cover the vehicle being towed. This requirement is subject to
- 338 verification at any time.
- 339 ○ Each tow truck must be equipped with a street broom and shovel on board for the
- 340 removal of glass and other injurious materials from the highway in accordance with
- 341 Section [18.2-324](#), Code of Virginia.
- 342 ○ Each tow truck shall be equipped with a mobile telephone or other communication
- 343 device capable of communication with the tow firm's place of business.
- 344
- 345 ● Storage Facility
- 346 ○ Each firm must maintain a secure, fenced storage area within Lower York county or the
- 347 City of Poquoson for lower York (Area 1 & 2) tow list firms and,
- 348 ○ Within Upper York, the City of Williamsburg or James City County for upper York
- 349 (Area 3).

- 350 ○ Heavy duty towing firms are exempt from this requirement.
- 351 ○ Tow firm storage facilities must have someone available to release stored vehicles seven
- 352 (7) days a week with an employee available 24 hours, to facilitate the return of
- 353 the vehicle within one hour of notification.
- 354 ○ All vehicles towed from York County locations shall be stored at the said storage
- 355 facility unless towed to the Sheriff's Office impound lot.
- 356 ○ All listed firms shall notify the sheriff's office in writing of any changes to telephone
- 357 numbers within 24 hours of the change.
- 358 ○ No firm will respond to a scene unless called by the sheriff's office, owner,
- 359 operator, or custodian of the vehicle.
- 360 ○ Personnel employed by towing firms must cooperate with and be responsive to the
- 361 directions of members of the sheriff's office in enhancing traffic safety during towing
- 362 operations.
- 363 ○ During periods of inclement weather (rain sleet, or snow), towing firms shall respond to
- 364 any reasonable request for towing service made by the sheriff's office.
- 365 ○ Towing firms must provide the Sheriff's Office with a list of prices charged for various
- 366 services at the time they request to be placed on the towing list.
- 367 ○ The Sheriff's Office will be notified immediately of any changes in price structure.
- 368 ○ It should be noted if the price is different for services charged to the Sheriff's Office
- 369 versus the general public.
- 370 ○ Tow prices shall be in accordance with Section [46.2-1233.1](#), Code of Virginia.
- 371 ○ The York-Poquoson Sheriff's Office shall not establish any towing fees associated with
- 372 this policy.
- 373 ○ Towing firms shall not include the words "York-Poquoson Sheriff's Office"
- 374 Or "sheriff's office" on any statement or invoice in order to prevent any assumption that
- 375 the sheriff's office sets or receives a portion of the towing fee.
- 376 ○ The storage lot facility shall have signs posted in conspicuous places identifying
- 377 the towing firm, telephone number, fees, and types of payment and credit cards
- 378 accepted.
- 379 ○ Reasonable staffed office hours must also be posted at the business.
- 380 ○ The signage shall not include the words "Police" or "Sheriff".
- 381 ○ Personal property may be released during normal business hours.
- 382 ○ An itemized, numerical monetary receipt for each tow will be given to the
- 383 person who has paid for the release of the vehicle.
- 384 ▪ The information on the receipt must be clearly legible and include the date, time,
- 385 place of tow, and the name and address of the towing service.
- 386 ▪ The receipt must list the amount of money paid for the towed vehicle, date of
- 387 release, time of release, additional charges incurred in the tow and the reason for
- 388 said additional charges.
- 389
- 390 ○ Complaints received regarding inadequate or unsatisfactory service from a towing firm,
- 391 complaints involving wrecker services, complaints involving the storage or security of
- 392 towed vehicles, or complaints involving unlawful acts on the part of employees or
- 393 ownership of the firm, shall be investigated by the Sheriff's Office Tow Company

394 liaison or other deputy as assigned by the Uniform Patrol Division Captain, who shall
395 report the results of the investigation to the Captain of the Uniform Patrol Division.

396 ■ First Offense

- 397 ❖ The Uniform Patrol Division Captain shall assign the Tow Company liaison to
398 investigate the validity of the problem(s) and discuss the matter with the
399 management of the towing firm and seek to resolve the problem(s).
400 ❖ The findings will be forwarded in writing by the Captain to the towing firm,
401 advising the firm of the problems being experienced and notifying them that
402 they are subject to be removed from the wrecker list if the problem(s) are not
403 corrected.

404
405 ■ Second Offense

- 406 ❖ The Uniform Patrol Division Captain shall review the situation to assure
407 uniformity and consistency for any action to be taken.
408 ❖ The Captain shall review the facts and advise the Sheriff through the chain-
409 of-command of this recommendation.
410 ❖ The Sheriff or his designee shall then advise the owner or manager of the
411 firm in writing of his decision to remove the firm from the list or place the
412 firm in a probationary status.

413
414 ■ Third Offense

- 415 ❖ Automatic removal from the towing list.
416 ❖ Any service removed from the towing list will not be eligible to be put back
417 on the list for a period of one year.
418

419 **VEHICLE INVENTORY**

- 420
421 ● Authority and purpose
422 ○ A motor vehicle inventory is an administrative procedure designed to protect vehicles
423 and their contents while in departmental custody.
424 ○ Any motor vehicle inventory must strictly observe the provisions of this general order.
425 ○ The purpose of the inventory is to protect the owner's property and to protect the
426 department against claims and possible dangers.
427 ○ Inventories may be conducted without a warrant or probable cause when:
428 ■ The vehicle has been lawfully seized or impounded pursuant to the arrest of the
429 driver.
430 ■ After towing the vehicle for violations, safety reasons, or other purposes as defined
431 by law.
432
433 ● Inventory vs. search
434 ○ An examination of the contents of a motor vehicle pursuant to a criminal investigation
435 or with the intent to search for evidence is not an inventory but a vehicle search and as
436 such is governed by [GO 2-1, constitutional safeguards](#).
437 ○ Vehicles that are towed at the request of the owner/operator or vehicles that are left
438 legally parked shall not be inventoried.

- 439 ○ Deputies are reminded of the "plain view doctrine" and the limitations upon the
440 authority to search incidental to a lawful arrest. See [GO 2-1, Constitutional Safeguards](#),
441 and [GO 2-5, Search Incident to Arrest](#), for further details.
442
- 443 ● Inventory Documentation
 - 444 ○ A York-Poquoson Sheriff's Office Notice of Vehicle Impoundment/ Immobilization
445 Report shall be completed whenever a deputy assumes responsibility for removing,
446 storing, or towing a vehicle.
 - 447 ○ The inventory shall be completed at the location where the vehicle was seized, unless
448 reasons of safety or practicality require the inventory to take place later.
 - 449 ○ The white copy will be scanned and emailed to the appropriate court.
 - 450 ○ The yellow copy will be turned in to be filed and maintained as prescribed by law.
 - 451 ○ The pink copy will be given to the owner or operator of the vehicle if present or the tow
452 truck driver if the owner or operator of the vehicle being towed is not present.
 - 453 ○ Before the vehicle is removed, deputies shall obtain the signature of the tow truck driver
454 on the Notice of Vehicle Impoundment/ Immobilization report.
455
 - 456 ● Inventory procedures
 - 457 ○ The scope of the inventory includes all open and closed containers and compartments
458 and any locked containers or compartments as long as the officer has a key.
 - 459 ○ Locked or sealed items shall not be forcibly entered if doing so will damage them.
 - 460 ○ In general, the inventory extends to all areas of the vehicle in which personal property or
461 hazardous materials may reasonably be found.
 - 462 ○ Deputy Sheriff's shall not force open a vehicle's trunk or glove compartment to
463 inventory the contents.
 - 464 ○ Any evidence, contraband, fruits or instruments of a crime discovered during an
465 inventory shall be handled per evidence procedures as outlined in [GO 2-15, Evidence
466 Procedures](#) and/or [GO 2-16, Drug Enforcement](#).