

INTRADEPARTMENTAL CORRESPONDENCE

March 14, 2016

1.0

TO: The Honorable Board of Police Commissioners

FROM: Executive Director, Board of Police Commissioners

SUBJECT: TECHNICAL AMENDMENTS TO THE LOS ANGELES POLICE
COMMISSION RULES GOVERNING OFFICIAL POLICE GARAGES AND
ADOPTION OF THE PROCEDURES FOR TOWING CITY OWNED
VEHICLES BY OFFICIAL POLICE GARAGES

RECOMMENDATION

That the Board of Police Commissioners ADOPT the Executive Director's report recommending technical amendments to the *Los Angeles Police Commission Rules Governing Official Police Garages* and adoption of the *Procedures for Towing City Owned Vehicles by Official Police Garages*.

ISSUE

The Los Angeles Police Commission Rules Governing Official Police Garages was last updated in 1994. Technical amendments are required to comply with the current *Official Police Garage Towing and Storage Agreement*.

DISCUSSION

Rules 10 and 11 of the *Los Angeles Police Commission Rules Governing Official Police Garages* should be modified from \$2,500 to \$4,000 in accordance with Section 4.0 Facility Requirements of the current *Official Police Garage Towing and Storage Agreement*.

10. PRIMARY STORAGE FACILITY: All Primary Storage Facilities shall be inspected and approved by the Board or its Designee prior to use. The Primary Storage Facility shall be adjacent to the operations office. A Primary Storage Facility must be paved, clean, fenced for maximum security, and lighted during hours of darkness to afford distinct visibility to all portions of the facility. A Primary Storage Facility shall be capable of accommodating all vehicles appraised in value in excess of ~~twenty-five hundred dollars (\$2500.00)~~ *four thousand dollars (\$4,000)*; all vehicles bearing modified equipment or cargo valued in excess of five hundred dollars (\$500.00); and vehicles being held for criminalistics and/or evidentiary examinations. The location where a vehicle is stored within a Primary Storage Facility shall be accurately recorded on the garage's impound records.

Unobstructed access shall be provided to any stored vehicle. Vehicles shall be parked and separated to preclude the possibility of damage.

Security provisions shall be implemented at the Primary Storage Facility to prevent the loss or theft of personal property or vehicle parts. The Primary Storage Facility shall have a segregated and designated area for the storage of vehicles held for criminalistics and/or evidentiary examination.

11. SECONDARY STORAGE FACILITIES: All Secondary Storage Facilities shall be inspected and approved by the Board or its designee prior to use. A Secondary Storage Facility is a designated location used by an Official Police Garage as a yard or lot for the temporary storage of impounded vehicles. All Secondary Storage Facilities shall be within five (5) miles of the respective geographic Area(s) boundaries of responsibility of the Official Police Garage unless waived by the Board or its designee. Any Secondary Storage Facility located beyond the (5) miles of the Official Police Garage's respective geographic Areas(s) boundaries shall be referred to as a Satellite Secondary Storage Facility. All Secondary Storage Facilities must be fenced for maximum security and lighted during the hours of darkness to afford illumination of all stored vehicles. Secondary Storage Facilities shall only be used to store vehicles appraised under ~~twenty-five hundred dollars (\$2,500.00)~~ *four thousand dollars (\$4,000.00)*. A Secondary Storage Facility may be used for emergency temporary storage of vehicles appraised over ~~twenty-five hundred dollars (\$2,500.00)~~ *four thousand dollars (\$4,000.00)* with the prior approval of the Board or its designee, but in such cases, an attendant must be on duty at the facility for security. The location where vehicles are stored with a Secondary Storage Facility shall be accurately recorded on the garage's impound records. Unobstructed access shall be provided to all stored vehicles. Vehicles shall be parked and separated to preclude the possibility of damage. Security provisions shall be implemented at all Secondary Storage Facilities to prevent the loss or theft of personal property or vehicle parts. Official Police Garages utilizing an approved Secondary Storage Facility shall return the stored vehicle to the Primary Storage Facility within twenty-four (24) hours of the time tow and storage fees have been paid.

SATELLITE SECONDARY STORAGE FACILITIES: All Satellite Secondary Storage Facilities shall only be used to store vehicles appraised under ~~Twenty-five hundred dollars (\$2,500.00)~~ *four thousand dollars (\$4,000.00)*. Official Police Garages utilizing an approved Satellite Secondary Storage Facility beyond five (5) miles of its respective Area(s) boundaries of responsibility shall additionally comply with the following:

*Return the stored vehicle to the Primary Storage Facility within twenty-four (24) hours of the time tow and storage fees have been paid.

*Prepare, maintain, and post in a conspicuous place, clearly visible to the public, a notice outlining procedures for properly interested persons to remove unattached personal property from a vehicle or to view and photograph a vehicle within twenty-four (24) hours, excluding weekends and holidays, of such a request when the vehicle is stored in a Satellite Secondary Storage Facility. The notice shall be approved by the Board or its designee.

*Systematically segregate stored vehicles by the respective Official Police Garage when a Satellite Secondary Storage Facility is shared by two or more Official Police Garages.

*Distinctly sequester Official Police Garage stored vehicles from other activities at the facility when the facility conducts business other than the storage of Official Police

Garage vehicles and insure that access to the stored vehicles is separate from that of other business operation(s).

*Inventory all vehicles to be stored at the facility upon arrival. Such inventories shall consist of the same criteria required on a CHP Form 180, in addition to unattached personal property.

*Return any stored vehicle to the Primary Storage Facility within twenty-four (24) hours from receipt of a request to do so by the concerned law enforcement employee. In instances where the law enforcement employee requests to inspect a vehicle at the Satellite Secondary Storage Facility, the Official Police Garage shall, upon adequate prior notification, clearly distinguish that vehicle from other vehicles stored at the location prior to the law enforcement employee's expected time of arrival.

The Board or its designee may, upon written application showing cause, waive any of the requirements of this rule.

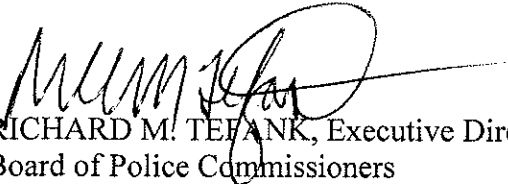
The exception delineated in Rule 18 of the *Los Angeles Police Commission Rules Governing Official Police Garages*, Rates and Charges should be deleted. Under the current *Official Police Garage Towing and Storage Agreement*, Section 10.0 Fees and Rates, states that storage fees shall commence at the time the vehicle arrives at the Official Police Garage storage facility.

Under Section 3.10 of current *Official Police Garage Towing and Storage Agreement*, Official Police Garages are required to tow and store designated City of Los Angeles emergency vehicles. The Commanding Officer of Motor Transport Division has developed *Procedures for Towing City Owned Vehicles by Official Police Garages* which should be adopted as Rule 24 and incorporated by reference in the *Los Angeles Commission Rules Governing Official Police Garages Rules*.

CONCLUSION

The Executive Director recommends that *Los Angeles Police Commission Rules Governing Official Police Garages* be amended as set forth in this report.

Should you have any questions regarding this matter please contact, Lieutenant Chris Waters, Commanding Officer, Commission Investigation Division, at (213) 996-1230.



RICHARD M. TEFANK, Executive Director,
Board of Police Commissioners

ATTACHMENTS

LOS ANGELES POLICE COMMISSION
RULES GOVERNING OFFICIAL POLICE GARAGES

1. **RULES AND CONDUCT:** The Official Police Garage shall conduct business in an ethical and orderly manner so as to maintain the confidence of the community. While an Official Police Garage is an independent contractor, each contact it has with the public may reflect upon the City. For that reason, and the inherent potential for conflict in vehicle removal and storage, an Official Police Garage designee and his employee must maintain a fair, impartial, and reasonable attitude, and perform their duties in a courteous manner. The designee's and their employee's statements and actions must be the result of considered judgment and absent of personal opinion or bias.

The Official Police Garage designee, when notified by the Board or the Board's designee of any complaint of discourtesy by an Official Police Garage employee, shall investigate and respond in writing to the Board within ten (10) calendar days of receipt of notification of the complaint. The designee's response shall include the results of their investigation and, if the complaint is found to be true, what measures the designee took to prevent future complaints.

2. **SUPERVISION:** An Official Police Garage is subject by law to the regulatory powers of the Board, and all relevant records, equipment and storage facilities are subject to periodic inspection by the Board or its designee to determine if the garage is in compliance with the rules and regulations of the Board.
3. **REGULATION:** An Official Police Garage shall comply with all laws, ordinances and rules that regulate tow units, tow unit operators, the impound, towing, removal, storage, and disposal of vehicles. An Official Police Garage shall post the Los Angeles Police Commission Rules Governing Official Police Garages and the Rules Governing Tow Operations and Tow Unit Operators in their entirety in a conspicuous place, clearly visible to the public. (* Rule 24 Shop tow Policy is not required to be posted)
4. **COOPERATION:** Tow unit operators shall abide by the lawful decisions of all peace officers and law enforcement employees of the City of Los Angeles and shall cooperate in removing and/or impounding vehicles.
5. **AREA OF RESPONSE:** Each Official Police Garage shall operate within its designated Area(s) and shall exceed this/these Area(s) only when responding to a request from another Official Police Garage or a law enforcement or City communication facility.
6. **DISPATCHER:** A dispatcher shall be on duty in the office of the Official Police Garage seven (7) days a week, twenty-four (24) hours a day, every day of the year. A dispatcher shall receive calls from law enforcement and City communications facilities, dispatch tow units, provide security for stored vehicles, and perform such other tow related services as may be required by the Board. A dispatcher shall be responsible for releasing vehicles between the hours of 7 a.m. and 7 p.m., seven (7) days a week, every day of the year and may, at his/her discretion, release vehicle between the hours of 7 p.m. and 7 a.m. An After Hours release fee is prohibited. Any vehicle impounded in connection with a special event, as designated by the Board or the Board's designee, shall be

available for release for a minimum period of four (4) hours following the conclusion of the special event. A dispatcher and/or other Official Police Garage employees providing service to the public shall wear their first name conspicuously on their clothing.

7. **TIMEKEEPING AND DELAYS:** An Official Police Garage shall record the following times pertaining to the law enforcement and City agency tow service requests by means of a computer or time stamp:

- *The time that the request for tow service is received,
- *The time that a tow unit is assigned the call for service and given the location of the requested service,
- *The time that a tow unit arrives at the location of requested service,
- *The time that a tow unit returns to the Official Police Garage Facility with the vehicle,
- *The time that property is removed from an impounded vehicle, and
- *The time that a vehicle is removed from the evidentiary hold area.

An Official Police Garage shall ensure that a sufficient number of tow units and tow unit operators are available at all times to meet the needs of all law enforcement and City agencies that rely upon it for tow service.

The Official Police Garage shall respond to all Los Angeles City agency requests 24 hours a day, 7 days a week, within the Maximum Response Time as established by these Board rules.

The OPG Designee will advise law enforcement or city agency communications facility, at the time of notification, if they are unable to respond or are unable to respond with the Maximum Response Time. If after accepting the call the OPG is unable to respond or will be delayed in responding, the OPG shall immediately notify the requesting law enforcement or City agency communications facility.

Maximum Response Time is 20 minutes from the time an OPG tow unit is requested by a City agency until its arrival. An additional 10 minutes may be allowed with reasonable justification.

EXCEPTION: Department of Building and Safety orders to removed abated vehicles or vehicle parts from private property shall be executed by the ordered Official Police Garage within forty-eight (48) hours of receiving such notifications.

8. **RADIO COMMUNICATIONS:** The dispatcher's office of an Official Police Garage shall be equipped to receive "police calls." Priority shall be given to calls from law enforcement or City communication facilities. In the event that multiple agency requests for services are received at the same proximate time, the Official Police Garage dispatcher shall assign response priority to the request of the most urgent nature based upon information the dispatcher has received. Official Police Garage tow units may be equipped to monitor "police calls" while acting within the course and scope of their designated responsibilities after obtaining a permit from the Chief of Police.
9. **UNIFORM AND EQUIPMENT REQUIREMENTS:** Each tow unit shall be painted and marked as prescribed by the Board in addition to markings required by the California Vehicle Code. Each tow unit shall have the capability of communicating with the dispatcher by radio via wireless digital communications. Tow unit operators shall be required to wear a Board approved uniform when

acting within the scope of their Official Police Garage employment.

10. **PRIMARY STORAGE FACILITY:** All Primary Storage Facilities shall be inspected and approved by the Board or its Designee prior to use. The Primary Storage Facility shall be adjacent to the operations office. A Primary Storage Facility must be paved, clean, fenced for maximum security, and lighted during hours of darkness to afford distinct visibility to all portions of the facility. A Primary Storage Facility shall be capable of accommodating all vehicles appraised in value in excess of four thousand dollars (\$4,000); all vehicles bearing modified equipment or cargo valued in excess of five hundred dollars (\$500.00); and vehicles being held for criminalistics and/or evidentiary examinations. The location where a vehicle is stored within a Primary Storage Facility shall be accurately recorded on the garage's impound records. Unobstructed access shall be provided to any stored vehicle. Vehicles shall be parked and separated to preclude the possibility of damage.

Security provisions shall be implemented at the Primary Storage Facility to prevent the loss or theft of personal property or vehicle parts. The Primary Storage Facility shall have a segregated and designated area for the storage of vehicles held for criminalistics and/or evidentiary examination.

11. **SECONDARY STORAGE FACILITIES:** All Secondary Storage Facilities shall be inspected and approved by the Board or its designee prior to use. A Secondary Storage Facility is a designated location used by an Official Police Garage as a yard or lot for the temporary storage of impounded vehicles. All Secondary Storage Facilities shall be within five (5) miles of the respective geographic Area(s) boundaries of responsibility of the Official Police Garage unless waived by the Board or its designee. Any Secondary Storage Facility located beyond the (5) miles of the Official Police Garage's respective geographic Areas(s) boundaries shall be referred to as a Satellite Secondary Storage Facility. All Secondary Storage Facilities must be fenced for maximum security and lighted during the hours of darkness to afford illumination of all stored vehicles. Secondary Storage Facilities shall only be used to store vehicles appraised under four thousand dollars (\$4,000.00). A Secondary Storage Facility may be used for emergency temporary storage of vehicles appraised over four thousand dollars (\$4,000.00) with the prior approval of the Board or its designee, but in such cases, an attendant must be on duty at the facility for security. The location where vehicles are stored with a Secondary Storage Facility shall be accurately recorded on the garage's impound records.

Unobstructed access shall be provided to all stored vehicles. Vehicles shall be parked and separated to preclude the possibility of damage. Security provisions shall be implemented at all Secondary Storage Facilities to prevent the loss or theft of personal property or vehicle parts.

Official Police Garages utilizing an approved Secondary Storage Facility shall return the stored vehicle to the Primary Storage Facility within twenty-four (24) hours of the time tow and storage fees have been paid.

SATELLITE SECONDARY STORAGE FACILITIES: All Satellite Secondary Storage Facilities shall only be used to store vehicles appraised under four thousand dollars (\$4,000.00). Official Police Garages utilizing an approved Satellite Secondary Storage Facility beyond five (5) miles of its respective Area(s) boundaries of responsibility shall additionally comply with the following:

- *Return the stored vehicle to the Primary Storage Facility within twenty-four (24) hours of the time tow and storage fees have been paid.

- *Prepare, maintain, and post in a conspicuous place, clearly visible to the public, a notice outlining

procedures for properly interested persons to remove unattached personal property from a vehicle or to view and photograph a vehicle within twenty-four (24) hours, excluding weekends and holidays, of such a request when the vehicle is stored in a Satellite Secondary Storage Facility. The notice shall be approved by the Board or its designee.

- *Systematically segregate stored vehicles by the respective Official Police Garage when a Satellite Secondary Storage Facility is shared by two or more Official Police Garages.
- *Distinctly sequester Official Police Garage stored vehicles from other activities at the facility when the facility conducts business other than the storage of Official Police Garage vehicles and insure that access to the stored vehicles is separate from that of other business operation(s).
- *Inventory all vehicles to be stored at the facility upon arrival. Such inventories shall consist of the same criteria required on a CHP Form 180, in addition to unattached personal property.
- *Return any stored vehicle to the Primary Storage Facility within twenty-four (24) hours from receipt of a request to do so by the concerned law enforcement employee. In instances where the law enforcement employee requests to inspect a vehicle at the Satellite Secondary Storage Facility, the Official Police Garage shall, upon adequate prior notification, clearly distinguish that vehicle from other vehicles stored at the location prior to the law enforcement employee's expected time of arrival.

The Board or its designee may, upon written application showing cause, waive any of the requirements of this rule.

12. **INVESTIGATIVE HOLD AREA AND VEHICLES:** Each Official Police Garage shall maintain an area at its Primary Storage Facility for vehicles held, for criminalistics and/or evidentiary examinations. This Investigative Hold Area shall be isolated from other storage areas and shall be covered and capable of providing protection from the natural elements. The Investigative Hold area's storage capacity shall be capable of fulfilling the maximum expectations of the respective geographic detective division(s) being served. The Board or its designee shall determine the maximum storage capacity. The Investigative Hold Area shall be posted and cordoned off so as to prohibit entry by unauthorized persons as prescribed by the Board or its designee. The only persons authorized to enter an Investigative Hold area are Official Police Garage employees and concerned law enforcement employees. Garage employees shall not remove property from vehicles being held for criminalistics and/or evidentiary purposes. Vehicles stored in an Investigative Hold Area shall not be removed from the area until authorized by the responsible investigator or the Area Vehicle Coordinator. Once an investigative hold has been released on a vehicle it shall be immediately removed from the Investigative Hold Area. The date and time of removal and the removing employee's identity shall be recorded on Official Police Garage records.

Vehicles being held for Vehicle Code (V.C.) 22651(o) (No Current Registration); V.C. 22651(p) (Unlicensed Driver); V.C. 22651(i) (Unpaid Parking Citations); V.C. 22651(j) (No Evidence of Registration); or V.C. 10751 (Altered Identification Number) (hereafter referred to as "statutory holds") need not be stored in the Investigative Hold Area but shall be stored in the same manner as vehicles available for release, unless there is an additional hold for criminalistics or evidentiary examinations.

Garage employees may remove unattached personal property for safekeeping when a vehicle is being held exclusively for a statutory hold. Any statutorily held vehicle shall not be available for release until

authorized by the concerned governmental agency employee or the Area Vehicle Coordinator.

- 13. PROTECTION AND HANDLING OF VEHICLES:** It is the responsibility of the Official Police Garage to protect all vehicles, vehicle parts and/or attached accessories impounded by peace officers or City law enforcement employees until such time as the vehicles have either been released to properly interested persons or have been disposed of through legal process.

Vehicle parts and/or attached accessories may be removed for safekeeping by garage employees from other impounded vehicles. When an Official Police Garage removes vehicle parts and/or attached accessories for safekeeping from a vehicle it shall:

- *Record a description of the removed vehicle parts and/or attached accessories on the corresponding copy of the garage impound report.
- *Implement controls to inform office personnel responding to public inquiries that vehicle parts and/or attached accessories have been removed from a vehicle.
- *Cause the vehicle parts and/or attached accessories to be individually packaged and identified.
- *Provide a secure location for the storage of the vehicle parts and/or attached accessories to preclude loss, theft or damage.
- *Inform properly interested person(s) that parts and/or attached accessories have been removed and how they may obtain possession of that property.
- *Replace the vehicle part(s) and/or accessories to restore the vehicle to its original state, and repair any damage caused by the original removal or replacement.

The release of impounded vehicles, which are available for release, shall be the responsibility of an Official Police Garage.

Criminalistics/evidentiary or statutorily held vehicles shall not be available for release until authorization has been given to the Official Police Garage by the concerned governmental agency employee or the Area Vehicle Coordinator.

An Official Police Garage, at its Primary Storage Facility, shall prepare, maintain and post in a conspicuous place, clearly visible to the public:

- *A notice stating that a vehicle placed in storage pursuant to Section 22850 V.C. may be released only on proof of current registration or, in the absence of that proof, upon the issuance of a notice to appear for the registration violation by the agency that caused the vehicle to be stored, and it shall specify the name and telephone number of the City agency.
- *A notice outlining procedures and the documentation necessary for properly interested persons to obtain possession of or remove unattached personal property from a stored vehicle and/or to view or photograph a stored vehicle within twenty-four (24) hours of making such a request.

Vehicle inventories, when conducted by Official Police Garage employees, shall only be conducted at the scene, in the presence of the impounding employee.

- 14. PROPERTY IN VEHICLES:** An Official Police Garage has the responsibility of safeguarding all articles in impounded vehicles. An Official Police Garage shall maintain a record of the identity of all persons who have entered a stored vehicle for the purpose of accessing unattached personal property.

The record shall also include the date of entry and a description of any property removed. Unattached personal property may be removed for safekeeping by garage employees, but only from available for release and statutorily held vehicles. When an Official Police Garage removes unattached personal property for safekeeping from a vehicle it shall:

- *Record a description of the removed property on the corresponding copy of the garage impound report.
- *Implement controls to inform office personnel responding to public inquiries that personal property has been removed from a vehicle.
- *Cause the property to be individually packaged and identified.
- *Provide a secure location for the storage of the property to preclude loss, theft or damage.
- *Inform properly interested persons that property has been removed and how they may obtain possession of that property.

15. IMPOUND REPORTS: An Official Police Garage tow unit operator shall sign and complete the necessary portions of the impounding employee's Impound Report. The original copy of the Impound Report shall be retained by the impounding employee. A copy of the Impound Report shall be retained by an Official Police Garage for the life of the Official Police Garage Storage Agreement plus four (4) years. The garage's copy of the Impound Report shall be used to record the vehicle release information in the appropriate space provided in the Impound Report.

16. NOTIFICATIONS: Official Police Garage employees while acting within the course of their employment shall cause the appropriate law enforcement agency to be notified without delay whenever they become aware of a possible crime or other activity requiring action by law enforcement personnel.

An Official Police Garage shall notify in writing its respective Area(s) Vehicle Coordinator(s) or DOT's VIPU on a weekly basis of the following:

- *All vehicles originally impounded by the concerned agency, but that have remained in storage beyond seven (7) calendar days.
- *All vehicles originally impounded with a criminalistics/evidentiary hold, but that have remained in storage with a hold beyond seven (7) calendar days.

An Official Police Garage shall notify the Department of Transportation Vehicle Information Processing Unit on a weekly basis of all vehicles sold during the preceding week in accordance with statutorily approved lien procedures.

17. HEAVY-DUTY TOW: Official heavy-duty tow units will be requested by a law enforcement or City department communication facility when the vehicle to be towed possesses one or more of the following: three or more axles; a gross weight, laden or unladen, in excess of 10,000 pounds; or a combination of commercial trailers.

18. RATES AND CHARGES: Rates and charges for the removal and storage of vehicles which have occurred as the result of law enforcement activity or in the performance of duties of an Official Police Garage shall not exceed the rates and charges set by the Board. Except as provided by the

Board, additional charges shall not be made for special equipment or service necessary to prepare vehicles for removal. Board approved rates and charges shall be posted in a conspicuous place, clearly visible to the public.

All bills shall be itemized.

An Official Police Garage shall not enter into an agreement with a City employee to diminish or eliminate legally assessed vehicle removal and/or storage fees caused by an error committed by a member of the impounding City agency.

REMOVAL: Charges shall be based on an hourly rate for time actually consumed. Removal charges commence at the time a tow unit actually proceeds to a call for service and terminate at the time the tow unit returns to the Primary Storage Facility. Vehicles shall not be taken directly to any Satellite Secondary Storage Facility without previous written approval by the Board or its designee. The first hour or fraction thereof shall be at the rate specified by the Board and at half of that hourly rate, for each additional half hour or fraction thereof over the first hour.

STORAGE: Storage shall commence at the time the vehicle arrives at the storage facility. Charges shall be based on a daily rate, notwithstanding State law requirements which indicate that no charge exceeding that for one day of storage will be made if, within 24 hours after the vehicle is placed in storage, a request is made for the release of the vehicle. If the request is made more than 24 hours after the vehicle is placed in storage, charges may be imposed on a full calendar day basis for each day, or part thereof, the vehicle is in storage. The daily rate extends from midnight to midnight.

19. **MONTHLY REPORTS:** The "Official Police Garage Monthly Report" shall be submitted by the fifteenth (15) of each month to the Board or its designee. An explanation of each tow requiring in excess of one hour shall be provided. The report shall also contain a list of all employees that were employed by the Official Police Garage during the previous month. The list shall contain each employee's position, operator's license number, and PC number if permitted. The monthly report shall be signed by the designee.

The OPG designee shall notify the Board or its designee in writing of any sale or disposal of a formerly stored vehicle or vehicle part to an individual known to the Official Police Garage designee or his employees as a City employee.

20. **INSURANCE:** Each Official Police Garage shall maintain insurance in effect at all times in amounts satisfactory to the Board, and the policies of insurance, in duplicate, shall be approved by and filed with the City Attorney.

This insurance shall protect the Official Police Garage and the City against any and all damages resulting from all operations as designated Official Police Garage and in picking up and towing any automobiles or other vehicle to a garage or other location.

Said policy shall indemnify any person or organization who suffers damage as result of picking up, removal or storage of a motor vehicle against any damage to the automobile or motor vehicle, or theft of any part of the vehicle or from the contents thereof, upon any such person or organization obtaining a final judgment covering such loss or damage.

21. **IMPOUND HEARINGS:** Every Official Police Garage has the responsibility for posting and maintaining the Vehicle Impound Hearing Rights Sign, form 16.27.3, in a conspicuous location, clearly visible to the public. An Official Police Garage shall distribute a Vehicle Impound Hearing Rights Notice, form 16.27.4 and written directions indicating the location of the appropriate law enforcement agency facility at which an impound hearing may be requested, to any person who has had a vehicle impounded and who requests an impound hearing.

22. **LIEN ATTACHMENT:** The employee of the City of Los Angeles who is requesting the impound shall be responsible for establishing that "reasonable grounds" exists to conduct the impound. When "reasonable grounds" is lost prior to a vehicle being removed and in transit to an Official Police Garage storage facility, no lien shall attach and no fee shall be charged for the file release of a vehicle to a properly interested person.

A lien is valid and is initiated as per Vehicle Code Section 2285(a) when: "Possession of the vehicle is deemed to arise when a vehicle is removed and is in transit, or when vehicle recovery operations or load salvage operations that have been requested by a law enforcement agency have begun at the scene. The Police Commission staff defines possession of the vehicle to mean that the vehicle is partially or fully hooked up and the vehicle is in the process of being prepared for the transport.

- * For flatbed car carriers, possession of the vehicle means that the bed is down and the winch line is attached to the vehicle and the vehicle is being prepared to be pulled onto the bed of the truck.

- * For wheel lift tow trucks that have auto loading or self-loading equipment, possession of the vehicle means that the vehicle is attached and one axle of the vehicle has been raised to a tow position and the only thing remaining is for the tow operator to secure the vehicle and drive away.

- * For wheel lift tow trucks that have towing equipment that require the tow operator to manually attach a clamp, wheel-bar or scoop to the tires of the vehicle, possession of the vehicle means that the tow driver must have attached at least one wheel clamp, tow bar or scoop to the tires of the vehicle to be towed.

Whenever a vehicle owner returns to a vehicle that is in possession of a towing company prior to the physical removal of the vehicle to the OPG, the owner may regain possession of the vehicle from the towing company if the owner pays the towing company the towing charges and all City fees.

23: **DISPUTES AND INQUIRIES:** The Board of Police Commissioners and persons designated by the Board, have the authority to settle all disputes arising from actions by the Official Police Garages. The decision of the Board, or persons designated by the Board, shall be binding on all parties involved.

Inquiries pertaining to the conduct, practices, and regulation of the Official Police Garages may be referred to the Los Angeles Police Department, Commission Investigation Division, 100 W. First Street, Suite 147, Los Angeles, California, 90012, (213) 996-1270, Monday through Friday, 7 a.m. to 4p.m.

PROCEDURES FOR TOWING CITY OWNED VEHICLES BY OFFICIAL POLICE GARAGES

I. PURPOSE

The purpose of this document is to provide the necessary guidelines to Official Police Garages (OPG) to perform road and tow service requests for Los Angeles Police Department (LAPD) owned and operated vehicles only. The procedures outline the responsibilities of the OPG.

II. SCOPE AND REQUIREMENTS

1. Official Police Garages are required to perform road and tow services for LAPD owned and operated vehicles as specified in their current contract with the Police Commission and the City of Los Angeles.
2. It is estimated that nearly 1,500 road and tow service requests may be requested on an annual basis. The OPG facility nearest the location of the needed service will be requested to perform the service.
3. Motor Transport Division (MTD) will evaluate all requests from LAPD personnel requesting road and tow services received between the working hours of 0600-2330 hours, and determine if and when to contact the respective OPG to perform said service.
4. Real-Time Analysis & Critical Response Division (RACR) will evaluate and dispatch all requests for road and tow services received from LAPD personnel between the hours of 2330-0600.
5. Under the terms and conditions of this document and OPG contract, the only two entities that are authorized to contact an OPG and request road and/or tow services for LAPD owned and operated vehicles are MTD and RACR Division personnel.
6. All requests for road or tow services to be performed for LAPD owned and operated vehicles by an OPG shall be requested with a **REPAIR ORDER NUMBER** supplied by MTD or RACR Division personnel. Requests shall not be performed without the Repair Order Number.
7. Accordingly, the OPG shall respond and perform requested services regardless of the nature and location of the call as long as it meets the criteria stipulated within the OPG contract with the Police Commission and the City of Los Angeles.
8. All LAPD vehicles shall be kept secure during and after the tow service is performed. The vehicle dropped off at any location shall be attended and received by a LAPD employee including MTD staff, or any watch commander or his/her designee.
9. As needed, all debris, gear, and equipment separated from the vehicle shall be collected, packaged and delivered with the vehicle. Items for evidence shall be marked, tagged, and transported per lead supervisor's instructions. The roads and environment shall be cleaned in accordance with California Vehicle Code 22700(a)(1).
10. Under most conditions vehicles involved in Breakdowns (BD), Traffic Collisions (TC) or Damage (DG) will be requested to be towed to the nearest MTD location. However, depending on the time of day and the prevailing circumstances, MTD and RACR Division may deviate from the above practice.

PROCEDURES FOR TOWING CITY OWNED VEHICLES BY OFFICIAL POLICE GARAGES

III. REQUIRED DOCUMENTATION

The respective OPG dispatcher **SHALL** record the road or tow service call information by documenting the following information:

1. The name of the person requesting service, a contact phone number, e-mail address, and serial number;
2. The date and time of the call received;
3. The vehicle Shop Number and license plate number;
4. The Year, Make, Model and the Color of the vehicle;
5. The MTD **Repair Order Number**;
6. The location with the street address and the city;
7. Nature of the problem and the request;
8. The respective OPG dispatcher shall monitor the OPG driver performing the service and ensure that the requester of the road or tow service is promptly notified when the service is completed and indicate:
 - a. the destination and the status of the vehicle;
 - b. the time the vehicle was dropped off; and
 - c. the name and the serial number of the person that accepted the vehicle and keys; and
9. On a monthly basis, all respective OPGs shall provide CID via PCENFORCEMENT@lapd.lacity.org, in a digital MS Excel or PDF format or hard copy format, the following information:
 - a. The date and time of the service request;
 - b. The Repair Order Number;
 - c. The vehicle shop number;
 - d. The requester name;
 - e. The request reason;
 - f. The location of the incident;
 - g. The location of destination; and
 - h. The job completion date and time.

NOTE: CID will forwarded the digital file to MTD and RACR.

IV CONCLUSION

This document provides general guidelines on the service call procedures that Official Police Garages are required to perform during the current contract. There may be special circumstances that require some exceptions and flexibility in implementing the above procedures.