



**SOUTH COAST BRITISH COLUMBIA
TRANSPORTATION AUTHORITY
POLICE SERVICE**

TOWING OF VEHICLES

Effective Date: May 9, 2005

Revised: July 9, 2007

POLICY

1. The South Coast British Columbia Transportation Authority Police Service (SCBCTAPS) is guided by sections of the Criminal Code and Federal and Provincial Statutes and Regulations regarding the authorities and powers available to remove vehicles.
2. Disposition of stolen vehicles will be coordinated through the relevant Jurisdictional Police Department (JPD).

REASON FOR POLICY

3. To provide removal of abandoned vehicles and vehicles not in compliance with the Motor Vehicle Act or other statutory regulations.
4. To establish procedures to account for impounded vehicles to protect the interests of the vehicle's owner.
5. To assist with the identification and recovery of stolen vehicles.

PROCEDURES

Towing and Vehicle Impoundment

6. For mechanical assistance or towing for vehicles not obstructing the highway, the Registered Owner may contact the tow company or their choice for a private tow. SCBCTAPS Members will not recommend any towing company.
7. The following procedures apply when towing a vehicle:
 1. The Member will conduct a CPIC query, (licence plate number and Vehicle Identification Number (VIN), on the vehicle prior to it being towed.
 2. If the vehicle is reported stolen to another jurisdiction, the Member will request the Operations Communication Centre (OCC) to advise the originating JPD and the local JPD, if applicable, via CPIC. The Member will follow procedures in Policy Chapter OB290 – Stolen Vehicles.

3. The Member will complete a General Occurrence (GO) report whenever a vehicle is towed at the direction of the police and it will include a Towed Vehicle details page, include the following:
 - a. the vehicle description,
 - b. the Registered Owner particulars,
 - c. the reason for impoundment,
 - d. any items of value in the vehicle,
 - e. who towed the vehicle and where it was taken to,
 - f. for vehicle being held as exhibits – the vehicle disposition and whether or not the vehicle can be released, and
 - g. whether or not the Registered Owner was contacted.
4. Except where the vehicle to be towed is a stolen vehicle or required as evidence in an investigation, the Member will promptly notify the Registered Owner of the impoundment and advise the Registered Owner that any costs incurred will be their responsibility, and include the results of the contact on the GO Report or follow-up reports.
 - a. Where contact with the Registered Owner has not been made by the end of the investigating Member's shift, a follow up request for notification of the owner will be forwarded to the Patrol Supervisor.
 - b. If the Registered Owner is not contacted within three days, a Registered Letter will be sent advising of the vehicle location.
 - c. If the Registered Letter is returned as "undeliverable" to SCBCTAPS and twenty one (21) days have lapsed since the vehicle was towed, the JPD will be consulted regarding the unclaimed vehicle. [Members to also refer to Warehouse Lien Act.]
 - d. All efforts to contact the owner and any actions regarding the disposition of the vehicle will be recorded on the GO (this documentation is important to any future actions under the Warehouse Lien Act).
5. The PRIME file will be diary dated until appropriate disposition of the vehicle. The Watch Commander, or Transit Centre Liaison Officer (TCLO) Supervisor in the case of TCLOs, will be responsible for monitoring the file until disposition.
6. The OCC will maintain a vehicle tow log book and record all requests for a tow truck, and include the following information:
 - a. date and time,
 - b. GO file number, and impound number,
 - c. location,
 - d. description of vehicle, licence plate number and VIN,
 - e. tow company name and tow number,
 - f. Member's name requesting a tow truck, and
 - g. the reason for removal.
7. All vehicles towed at the direction of SCBCTAPS (except those involved in a Motor Vehicle Accident, or subject to mandatory-by-statute impound), will be entered on CPIC in the ABAN (Abandoned) category. The CPIC expiry date for all ABAN entries will be six (6) months from the date of entry.
8. CPIC entries will be done at the time of the tow or immediately thereafter by OCC personnel.

9. It is the responsibility of the investigating Member to ensure that the vehicle has been entered on CPIC and the tow log completed.

[See also: OB290 – Stolen Vehicles, OF010 – Evidence, OF020 – Exhibit/Property Control]

Vehicle Exhibit Impoundment

8. Vehicles seized as a SCBCTAPS exhibit will be stored in a secure place as arranged with the JPD.
9. The investigating Member is responsible to ensure continuity.
10. If the property is being returned to the owner, the owner or recipient will be required to sign an Exhibit Receipt form.

Impaired Drivers

[See also: OJ130 – Impaired Driving]

11. Vehicles operated by persons arrested for impaired driving will be left secure and legally parked. The SCBCTAPS has no legal responsibility to provide safekeeping for the vehicles of the persons arrested.
 1. If the Member determines there are items of value in the vehicle, the Member will contact their Supervisor and appropriate action determined.
12. If requested by the owner, the vehicle may be towed to a place of the owner's choice at their own expense.
13. Where the driver refuses or declines to have the vehicle removed and the vehicle presents a traffic hazard or other statutory authority exists, the vehicle may be towed and the vehicle will be processed in accordance with s.7 of this policy chapter.

Traffic Hazards

14. Where, pursuant to the Motor Vehicle Act, a vehicle presents a traffic hazard, the vehicle will be towed. Members must use discretion and take into account the actual hazard presented and make efforts to determine from the Registered Owner when the vehicle will be removed.
15. The vehicle will be processed in accordance with s. 7 of this policy chapter.

Suspended/Prohibited Drivers

16. When a person is found operating a vehicle while suspended or prohibited from driving, their vehicle MUST be towed as required by the Motor Vehicle Act.
17. Where a person is suspended or prohibited from driving by a Member by way of a 24-Hour Prohibition or service of a Superintendent Prohibition, the SCBCTAPS has

no legal responsibility to provide safekeeping facilities. If requested by the owner, the vehicle may be towed to a place of the driver's choice at their own expense. Where the driver refuses to have the vehicle removed and the vehicle presents a traffic hazard, the Member may order the vehicle towed.

18. The procedures outlined in s. 7 of this policy chapter will be followed. Conditions for release MUST be in compliance with the Motor Vehicle Act, noted on the GO, and communicated to the towing company, by the investigating Member.

Vehicle Impound (VI) Program

19. When a person is found operating a vehicle while prohibited from driving or driving a vehicle while unlicensed and "flagged" for Vehicle Impound (VI), their vehicle MUST be towed as required by the Motor Vehicle Act.
20. The Member will open a GO and provide the OCC with the particulars of the violator. The OCC must be advised that the vehicle is being towed for the Vehicle Impound Program so the jurisdictional contract tow company can be arranged.
21. The Member will complete the Notice of Impoundment of Motor Vehicle - Form MV2701 and Report to Superintendent – Form MV2702 and distribute the required copies.
22. The Member's report for a VI must be completed and faxed to the Motor Vehicle Branch, no later than the end of the shift.
23. The original copy of the VI report is to be reviewed by the Member's Supervisor, who will then forward the Records Services Section.