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Effective Date	January 1, 2010		



Wilkesboro Police Department

Electronic Written Directives Document

I. PURPOSE

To provide officers of the Wilkesboro Police Department; with guidelines when dealing with abandoned vehicles, traffic hazards, stranded motorists and the towing of vehicles after arrests.

II. POLICY

The Wilkesboro Police Department will provide services indirectly related to traffic and will respond to citizen's requests for roadside assistance. These services will include:

1. General Assistance
2. Emergency Assistance
3. Providing information and directions
4. Reporting roadway hazards
5. Locating and recovering stolen vehicles
6. Towing and storage of abandoned vehicles.

III. VEHICLE TOWING

A. Requests for towing services will be handled in one of the following ways:

1. The officer may offer to have a rotation wrecker dispatched.
2. Any local towing service may be summoned at the vehicle owner/operator's request. If the roadway is obstructed, the officer on the scene should ensure that the requested towing service can respond within 20 minutes. Officers will not refer motorists to specific towing or mechanical services.

B. A log of towing services on the Wilkesboro Police Department towing service rotation will be maintained in the Communication Center. The Chief of Police or other designee must approve the towing services prior to use on the rotation list. Rotation towing services must meet the requirements established by the

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North Carolina Department of Crime Control and Public Safety Division of the Highway Patrol and currently be on their active rotation list prior to being added to this department's rotation. The towing services will be listed in order and repeated on a rotating basis.

- C. When a rotation wrecker is needed for any reason the requesting officer should have the Communications Center notify that next service on the list. In cases where two or more wreckers are needed, a separate rotation towing service should be contacted for each vehicle.
- D. Other services should be represented only if the first service called couldn't accommodate the needs. If the first service requested does not respond to the scene within 20 minutes, the officer will request that the Communications Center notify that service that they are no longer needed and dispatch the next service on the list.
- E. Vehicles that are left in the roadway or that constitute an immediate risk to other motoring vehicles if not removed are considered traffic hazards. Officers will follow these procedures:
 - 1. The officer will notify the owner through DMV and have the Communications Center attempt to contact the registered owner. The officer will wait 15 minutes for the owner/operator to remove the vehicle. The length of waiting period may be shortened upon authorization from the officer's supervisor. The determination should be made based on traffic conditions and existing calls for service.
 - 2. If the vehicle must be towed, a towing service will be contacted based upon the rotation wrecker schedule located in the Communications Center. Any such vehicle being towed will require the officer to complete the department's incident report form and the vehicle must be checked through NCIC. The officer will attempt to notify the registered owner by phone that his/her vehicle has been towed and the location of the storage. If no contact is made with the owner then the vehicle shall be entered into DCI as a Recovered Vehicle.
- F. When the vehicle towed has a valid North Carolina registration plate or valid North Carolina registration, the towing officer shall send a letter to the last known registered owner notifying them that the vehicle has been towed. The letter shall contain the following information:
 - 1. A description of the vehicle;
 - 2. The place where the vehicle is stored;

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3. The violation with which the owner is charged, if any;
 4. The procedure the owner must follow to have the vehicle returned to him/her; and
 5. The procedure the owner must follow to request a probable cause hearing on the towing compliance with NC General Statute 20-219.11
- G. The letter notification shall be sent within 24 hours if the vehicle has a valid North Carolina registration and within 72 hours if not registered within the state of North Carolina.

IV. TOWING ABANDONED VEHICLES

- A. When a vehicle is being towed for any reason other than the driver's arrest, a collision, emergency or hazard as evidence, or towing by owner's request, officers will follow the procedures set forth below. Officers will:
1. Place a warning sticker on a vehicle;
 2. After a minimum of seven days or 48 hours if left on a state road right of way be authorized to have the vehicle towed.
- B. If the vehicle is towed:
1. Place a parking ticket on the windshield or other conspicuous location on the vehicle with the appropriate violation indicated if needed;
 2. Complete departmental incident report. If held as evidence an evidence control form shall be completed.
 3. Notify the registered owner via certified mail, enclosing a copy of the Notice of Vehicle Towing in accordance with North Carolina General Statutes 20-219.9 through 20-219.14.

V. TOWING PURSUANT TO ARREST

- A. An officer may have a vehicle towed pursuant to the driver's arrest if the vehicle or its contents is evidence of criminal activity, if it will create a hazard, or if the officer believes the vehicle will be a security risk. Otherwise, it is permissible for the officer to leave the vehicle. The following guidelines apply:

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1. The officer may allow the driver to move the vehicle a short distance, provided it will not constitute a continuation of the offense. For example, a driver suspected of impaired driving should not be allowed to move his/her vehicle.
2. The officer may move the vehicle a short distance with the owner/operator's permission.
3. If a vehicle is not towed, the officer should make reasonable attempts to secure valuable items in the trunk.
4. The officer should allow the owner/operator the courtesy of selecting a towing service or person of his/her choice to remove the vehicle if it requires removal. A minimum of 20 minutes should be allowed for the towing service to respond.
5. If towing is optional, the officer should inform the owner/operator that the vehicle may be secured and left the scene, or removed by a towing service or person of their choice.
6. If the owner/operator is uncooperative, the officer is authorized to have the Communications Center summon the next available rotation wrecker.
7. If the vehicle is towed, the officer should advise the owner/operator of the towing service used and complete the appropriate departmental incident report form.

VI. STRANDED MOTORISTS

- A. Stranded motorists will not be left unattended in dangerous situations. Consideration of the needs of the motorist, weather conditions, location, time of day, and other calls for service must be made when determining the appropriate way to assist stranded motorists. Officers will follow these guidelines:
 1. If motorists must be left unattended, officers should use emergency lighting or cones to provide greater attention to the existing condition for other motorists.
 2. Officers will notify the Communications Center of the location and nature of the stranded motorist.
 3. Officers will have the Communications Center contact a taxi or other alternative means of transportation if requested by the motorist.

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4. Officers may transport residents of Wilkesboro to their residences. When officers transport motorists of the opposite gender, the Communications Center will be advised of the starting and stopping odometer reading, the original location, and the destination.
 5. If assistance cannot be obtained immediately for the motorist, the officer may transport them to the police department where a telephone and shelter from the weather are available.
 6. During periods of adverse weather, extra effort should be made to assist motorists and pedestrians with transportation to appropriate services or shelter.
- B. Escorts to neighboring jurisdictions may be arranged when necessary.
- C. Upon arriving at the scene, the officer should determine if there are persons or pets locked inside the vehicle that may need medical assistance. If there is risk of injury or death to persons or pets locked inside the vehicle and immediate action is necessary, the officer is authorized to break a window with a center punch tool provided by the Department. Time permitting the officer should request that the owner or person in control of the vehicle sign an Investigative Report Form. A completed investigative report will be submitted by the primary officer. The officer should request identification to verify identity of person requesting service.
- D. The officer may assist the motorist by having the Communications Center call a towing service or locksmith, but the officer may not recommend a specific towing service or locksmith.

VII. ROADWAY HAZARDS

- A. All officers of the Department will report roadway hazards. Hazards creating an immediate and imminent danger to motorists and pedestrians will be reported immediately by radio to the Communications Center so the proper authority can be notified to correct the hazard.
- B. Defects in the roadway, malfunctioning traffic control signal lights, traffic control or informational signs on state maintained streets and highways will be reported to the North Carolina Department of Transportation, if on the Town of Wilkesboro streets, the Street Department of the Wilkesboro Public Works will be notified.

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VIII. REFERENCES

CALEA 61.4.1(a-c), 61.4.2, 61.4.3