

VOLUME 5 - CHAPTER 1

MOTOR VEHICLES

5-01/000.00 MOTOR VEHICLES

This chapter outlines the procedures that shall be followed in reporting the following:

- stolen, embezzled, repossessed, impounded, stored, recovered and released vehicles;
- license plates which have been stolen, recovered, lost and found;
- vehicle parts which have been stolen or recovered;
- felony vehicles wanted;
- vehicles associated with missing persons; and
- vehicle fires.

Additional information may be found in the Case Assignment and Reporting Volume.

5-01/010.00 STOLEN VEHICLE SYSTEM (SVS)

The Stolen Vehicle system is accessed by any terminal which is connected to California Law Enforcement Telecommunications System (CLETS).

Information on which entries may be made to the Department of Justice SVS computer is as follows:

- stolen vehicle;
- felony vehicle;
- stolen identifiable vehicle parts;
- stored vehicle;
- impounded vehicle (to be entered to SVS under "Stored Vehicle Hold");
- vehicles associated with missing persons;
- repossessed vehicle;
- lost vehicle; and
- license plate, lost or stolen.

In conjunction with such entries, "caution codes" may also be used by placing an "X" in the appropriate field for the desired "caution code".

Refer to the SVS User's Manual for the current retention period for entries made into the SVS system and for the letter code definitions of "caution codes."

On vehicle entries, the vehicle model is mandatory, and at least one of the following numbers is required to enter the vehicle in SVS, partial numbers shall not be used:

- license plate number;
- vehicle identification number (VIN); and/or
- engine number.

Instructions for entry of data to the computer are contained in the "Stolen Vehicle User's Manual" published by the California Department of Justice.

For purposes of this chapter, the SVS Manual itself, plus any subsequent instructions issued by DOJ or this Department, shall be considered as the "Stolen Vehicle User's Manual."

5-01/020.00 STATION DAILY LOG

Each Station/Unit shall maintain a "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles." This log shall contain at least the following information:

- time and date stored;
- vehicle year;
- vehicle make;
- vehicle license number;
- vehicle disposition;
- location where vehicle is stored; and
- Deputy's name.

5-01/030.00 STOLEN VEHICLES

Stolen vehicles include aircraft, snowmobiles, housecars, trailers, motorcycles, off-road vehicles, motorized golf carts, minibikes, campers, construction vehicles, farm vehicles, trucks, motorized bicycles and mopeds.

The Department of Motor Vehicles (DMV) requires that mopeds be registered as vehicles and treated as such. A motorized bicycle must be equipped as required by the vehicle code and may only be operated by a licensed driver or permittee.

Reports of stolen vehicles (CHP-180) shall not be accepted unless made and personally signed by either the registered or legal owner of the vehicle, by their personal authorized representative or by any person having permission of the owner to use the vehicle.

Reports of stolen vehicles should include the license and vehicle identification numbers. If not available, the report shall still be accepted and the following shall apply:

- if only one number is obtained, the report shall be fully processed and the missing number added later; or
- if both numbers are missing, an administrative message shall be sent via CLETS

to the state's Motor Vehicle office of the state where which the vehicle is registered, requesting vehicle identification information. This message shall contain the name and address of the registered owner, a description of the vehicle and notification that the vehicle was stolen in California. A telephone call may be placed in lieu of the administrative message, if authorized by the Watch Commander.

- NOTE 1: If it is a vehicle registered in California and the license number and the identification number are unknown, or if adequate verification has not been made, verify through DMV.
- NOTE 2: If the license number is obtained from the Certificate of Title ("Pink Slip"), ask whether different plates have been issued after the title document was received, as the title document may no longer be correct, e.g., personalized plates.
- NOTE 3: In those cases where an auto dealer reports the theft, his name shall be entered on the stolen report as the legal owner. In the space provided under method of operation on CHP-180, the result of the DMV check shall be noted as to registered and legal owner. Auto dealers are exempt from making an application for transfer (5906 CVC). Entries in SVS must be made immediately upon receipt of the stolen vehicle information and must include at least one of the two numbers (license plate or VIN). Be sure these numbers are accurate.

To expedite transmission, Deputies taking stolen reports in the field shall, upon obtaining the proper signature on the report, immediately relay the information needed for the stolen vehicle report to the Station/Unit for transmission to SVS, and update the "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles."

If the vehicle is equipped with "LoJack," the Deputy is required to immediately notify the Watch Deputy at Aero Bureau and provide them with the vehicle's information.

NOTE: All CHP-180 reports shall be approved and signed by the Watch Sergeant.

5-01/030.05 VERIFICATION OF OWNERSHIP

Whenever possible, Deputies shall obtain the necessary vehicle information from the owner's certificate (pink slip), vehicle registration card or auto insurance papers. The vehicle registration information shall also be verified through DMV and so noted on the CHP-180.

- in the case of California license numbers, verify the license number and the VIN through DMV; or
- in the case of out of State license numbers, request verification via CLETS by use

of the USDMV format, or by sending an administrative message to the State Motor Vehicle Office of the state where the vehicle is registered. This message shall contain a description of the vehicle, including the license number and VIN, requesting verification of the registered owner. A telephone call may be placed in lieu of the administrative message, if authorized by the Watch Commander.

5-01/030.10 STOLEN VEHICLE REPORT

The Deputy shall prepare an original of a CHP-180 and shall be responsible for seeing that the report data for SVS is submitted immediately once the report is signed.

The Deputy shall indicate on the CHP-180 the estimated value of both stolen and recovered vehicles.

When a stolen vehicle report is taken, the following procedures shall apply:

- assign an URN to the report;
- use abbreviated URN for SVS;
- enter the required data in SVS.

Reports shall be filled out and signed in #2 pencil or black ink. Duplication for distribution requirements shall be by means of typing or use of a copying machine.

The File Control Number (FCN) indicating entry of the stolen vehicle in SVS, shall be written on the CHP-180 and distribution shall be as follows:

- image into electronic archive SECDA;
 - original signed CHP-180;
- to Unit;
 - sufficient copies of the CHP-180 to meet Unit needs.

When the original stolen vehicle report is made by a Sheriff's Unit, all subsequent reports on the same case shall be reported under the same original URN and shall be supplemental reports.

5-01/030.15 STOLEN VEHICLE REPORT - THEFT THROUGH FRAUD OR EMBEZZLEMENT

When a report of an alleged stolen vehicle is received under circumstances constituting fraud (e.g., vehicle obtained by a suspect through swindle, bunco or use of forged or fraudulent instrument), the Deputy shall:

- prepare an Incident Report (SH R 49) covering the alleged theft;
- prepare a CHP-180 for signature;

- assign an URN (the same for both the SH-R-49 and the CHP-180); and
- mark the CHP-180 "Do Not Enter in SVS."

In the case of an embezzlement involving a breach of a lease or rental agreement, the Deputy shall:

- prepare an Incident Report (SH-R-49) covering the alleged theft;
- prepare a CHP-180 for signature;
- assign an URN (the same for both the SH-R-49 and the CHP-180);
- enter the information into SVS and note in the "Miscellaneous" field that the vehicle is embezzled; and
- enter the FCN on the CHP-180 and process the report the same as a regular stolen vehicle.

The assigned detective shall conduct the necessary investigation to obtain sufficient facts to seek a formal complaint and warrant and shall present such facts to the District Attorney.

If the District Attorney will not issue a complaint and warrant, an appropriate supplemental report shall be submitted to inactivate the case. The supplemental and the original CHP-180 stolen report shall be imaged into the electronic archive SECDA and the vehicle shall be removed from the SVS with a "dummy" CHP-180.

If the District Attorney issues a complaint and warrant, the investigating detective is responsible for ensuring that the report processing is completed and in cases other than leased or rented vehicles that are reported embezzled, the entry is made into SVS.

The Incident Report covering a stolen/embezzled vehicle shall be distributed as follows:

- image into electronic archive SECDA;
 - original SH R 49;
- to Unit;
 - sufficient copies of the report to meet Unit needs.

If the detective handling the case obtains a complaint and warrant from the District Attorney, the following shall apply:

- assign the CHP-180 the same URN as assigned to the Incident Report;
- incorporate in the CHP-180 the warrant number and name of the suspect;
- enter the stolen vehicle data in SVS and note in the "Miscellaneous" field that the vehicle is embezzled; and
- after indicating the FCN on the CHP-180, duplicate and make the same distribution as for a regular stolen vehicle.

5-01/030.20 STOLEN MILITARY VEHICLES

Reports of stolen military vehicles shall not be accepted by this Department. Persons wishing to make such a report shall be referred to the nearest military reservation for details.

5-01/030.25 RADIO BROADCASTS

Requested broadcasts of stolen vehicles will be made only if the vehicle in question has been stolen during the preceding hour.

In addition to this time element, broadcasts shall be further governed by the following:

- on routine requests which indicate that a signed stolen vehicle report has been obtained, at least the make, model, license number and date and time stolen must be included in the report to the Sheriff's Communication Center (SCC);
- in cases where a vehicle is reported as having just been stolen, the dispatching Deputy may put out a broadcast of a "possible" stolen vehicle and include the make, color, type and license number of the vehicle. The broadcast may be made at the time of dispatching a radio car to take the report and should only be made if such broadcast is warranted in the judgment of the dispatching Deputy; and
- in emergency situations, where the vehicle is apparently being used in the commission of a crime such as robbery, kidnapping, escape, etc. a detailed broadcast may be requested; however, if there is no signed stolen vehicle report, the Deputy must make certain that the radio communications operator is fully aware that no signed stolen has been obtained and that there is only a "possible" involvement of the vehicle in conjunction with a crime.

5-01/040.00 COURTESY STOLEN VEHICLE REPORTS

Courtesy stolen vehicle reports are taken to cover the theft of a vehicle when the location of occurrence was in a district or jurisdiction other than that in which the report is being made. Prior to taking a courtesy stolen report, a check for wants shall be made with SVS and with the district or jurisdiction to whom the report should have been made. If there are no wants and the vehicle has not been repossessed, a report shall be taken following the procedures below.

If the location of occurrence was within the district or jurisdiction of another:

Sheriff Station/Unit in Los Angeles County - the report shall be handled as a routine stolen with the following exceptions:

- an original and one copy of a CHP-180 shall be prepared and plainly marked "Courtesy Report For _____ Station;"
- an URN shall be obtained from the concerned Station/Unit as soon as the report

is signed;

- enter the stolen vehicle data in SVS, placing an "X" in the courtesy field and entering the concerned Station's/Unit's mnemonic and Originating Agency Identifier (ORI) and indicate the FCN number on the original CHP-180;
- send content of the CHP-180 to the concerned Station/Unit, via JDIC or fax, identifying it as a courtesy report and notifying the concerned Station/Unit of the stolen vehicle entry in SVS; and
- notify the Supervising Station Clerk of the concerned Station/Unit of the report availability in the electronic archive SECDA.

On cases involving embezzled or fraudulently obtained vehicles, courtesy stolen reports may be taken for another Sheriff's Station/Unit when it would cause hardship to the person reporting to go to the proper Station/Unit. The case would still be handled by the Station/Unit in the jurisdiction where the theft occurred. No reports on this type of case shall be accepted for another police agency.

Police Agency - acceptance of a courtesy stolen report should be discouraged. When accepting the report, the following shall apply:

- an original and one copy of a CHP-180 shall be prepared and shall be plainly marked "Courtesy Report For _____ Police Department;"
- the stolen report shall be assigned a Sheriff's URN with the reporting district field ending in A99;"
- the person, who will be entering the vehicle into SVS, shall contact the concerned agency and determine if they are a JDIC user. If they are:
 - obtain their ORI number, CLETS mnemonic and enter the vehicle into SVS (do not place an "X" in the courtesy box). If the agency does not authorize our entry of their stolen vehicle into SVS, indicate this on the original CHP 180, noting the name and rank of the person refusing authorization. Do not enter the vehicle into SVS.

If they are not a JDIC user - enter the vehicle into SVS with our ORI and mnemonic. Indicate in the miscellaneous information field the name of the agency concerned and that the entry is a courtesy entry for that agency;

- send content of the CHP-180 to the concerned police department, via JDIC, or fax identifying it as a courtesy report and notifying the concerned department of the entry or non-entry of the vehicle into SVS;
- mail the original signed copy of the CHP-180 to the concerned department;
- send one copy of the JDIC teletype of the CHP-180 to Records and Identification Bureau;
- retain a copy of the original CHP-180 and one copy of the JDIC teletype for the Unit file; and
- following distribution of the required number of copies of the report, subsequent handling shall be the responsibility of the concerned police department.

5-01/050.00 REPOSSESSED VEHICLES

Whenever a vehicle is repossessed on behalf of the legal owner under the terms of a security agreement and such repossession occurs within the geographical area served by this Department, the person making the repossession is required by law to immediately notify this Department by the most expeditious means available. When so notified, the Station/Unit Watch Deputy at the concerned Unit having jurisdiction in which the repossession occurred shall record the needed information in the "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles."

The law also requires the reposessor to send a written notification of such repossession to this Department within one business day of such repossession. The written notification should be addressed to the concerned Unit. This written notice must be maintained by the Unit for five years.

Upon receipt of a written repossession notice, the concerned Unit of this Department shall query the SVS for any record of the vehicle in question. If no record is found, the Unit shall be responsible for assigning an URN, entering the repossession data to SVS and indicating the FCN on the original repossession notice.

Before the debtor can regain possession of a vehicle from the legal owner or person in possession, the debtor must pay a fee to the Department. Upon receipt of the fee, the Unit shall provide the debtor with a receipt acknowledging payment of the fee. The fee shall be treated in the same manner as "Miscellaneous Fees Account Bank Deposits," section 3-05/060.15. Receipt of checks shall be governed by section 3-05/060.05 "Acceptance of Checks and Handling of Non-Sufficient Fund (NSF) Checks."

The debtor may, as an alternative, pay the fee plus an administrative fee not to exceed \$5.00 to the legal owner or person in possession of the vehicle, who must forward the fee to the Department within three days. Upon receipt by the Unit, such fees should likewise be deposited in the same manner as "Miscellaneous Fees Account Bank Deposits."

Members of this Department shall not authorize or participate in the repossession of stored vehicles. Repossession of a stored vehicle should proceed only with the consent of the registered owner or by court order for claim and delivery.

5-01/050.05 REPOSSESSED VEHICLE - SVS SHOWS IT AS STOLEN

If the Unit querying the SVS following receipt of a written repossession notice finds a stolen vehicle record which was filed by the Unit itself, the following procedures shall apply:

- check the stolen report and determine whether it was reported by the registered or

- legal owner;
- if reported by the registered owner, "cancel" the stolen entry in SVS, enter the repossession in SVS and note the FCN of the repossession on the original repossession notice;
- notify the registered owner that his vehicle was repossessed and inform him of the name and location of the repossession; and,
- prepare "dummy" recovery if required (see section 5 01/100.30).

If the record shows that the legal owner reported the vehicle stolen, the Unit should proceed with care, as the stolen may or may not be valid.

If the legal owner's stolen report was made subsequent to the issuance of the written repossession notice, determine whether or not he has the car which he describes in the repossession notice. If the stolen report from the legal owner is valid, the written repossession notice should be made a part of the supplemental report covering the current status of the vehicle.

If the query to SVS following the receipt of the written repossession notice shows that a stolen vehicle report was filed by a Station/Unit or agency other than the Unit making the query, the Unit shall send a message to the other Station/Unit or agency informing them of the following:

- information received as a result of the query to SVS;
- information regarding the written repossession notice and the date and time of its receipt by the sending Unit; and
- request the Station/Unit or agency, who filed the stolen report, to handle the case.

The Unit shall also be responsible for:

- mailing the written repossession notice to the other Station/Unit or agency; an;
- notifying the repossession of the action taken and informing him to whom the case has been referred.

If the registered owner should subsequently call in attempting to report the vehicle as stolen or requesting information regarding the repossession, SVS should be queried and, if there is a record, the caller referred to the reporting Station/Unit or agency.

5-01/060.00 STORED AND IMPOUNDED VEHICLES

Procedures for handling stored or impounded vehicles are outlined in the subsections which follow.

The Central Property custodian shall be notified by the investigating detective when unidentifiable vehicles are stored or impounded at a local garage/towing company. Vehicles shall not be stored for more than 30 days (refer to section 5-01/060.15).

5-01/060.05 STORED VEHICLES

In an arrest situation, it is the policy of this Department that Deputies shall advise the owner/driver, prior to storing his vehicle, that the vehicle may be secured, legally parked and left at the location or may be released to a designated responsible person who is present and will accept the responsibility for care of the vehicle.

The Deputy should exercise the care necessary to ensure that a parking violation will not occur and, if in a high crime area, advise the arrestee of the potential danger to his property.

A CHP-180 Stored Vehicle Report shall be made when a vehicle is stored for one of the following reasons:

- vehicle is apparently abandoned;
- vehicle must be removed from its present location because it is in a "no parking" area, blocking traffic, etc.;
- when an arrest is made and the ownership or permission to drive the vehicle is not verified, but the circumstances do not justify a reasonable cause Grand Theft Auto (GTA) charge; or
- vehicle must be placed for safekeeping.

Before any vehicle is stored, SVS shall be queried to determine whether or not such vehicle is stolen or wanted. When out-of-state vehicles are to be stored, NCIC shall be checked.

The Deputy placing a vehicle in storage shall be responsible for the following:

- verification of ownership and indication if sole owner;
- preparing an original and one copy of a CHP-180, including inventory of any personal property and the contents of any closed containers within the vehicle;
- giving the carbon copy to the garage/tow truck operator;
- notifying the Station/Unit as soon as possible so that the "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles" may be updated;
- assigning an URN; and
- estimating the value of the vehicle from one of the following categories:
 - one hundred dollars or less;
 - over \$100 but less than \$1,000; or
 - over \$1,000.

If the storage is in conjunction with another crime or incident, use the same URN.

After entry in the SVS, the Station/Unit secretary shall indicate the FCN on the CHP-180 and distribute the report as follows:

- image into electronic archive SECDA;
- original CHP-180;
- to Unit;
- sufficient copies for Unit needs.

5-01/060.10 IMPOUNDED VEHICLES (STORED VEHICLE HOLD)

A CHP-180 Impounded Vehicle Report shall be made by this Department when a vehicle is impounded for one of the following reasons:

- vehicle held for investigation;
- vehicle is involved in a civil case where fees and penalties are due;
- vehicle has been involved in a hit and run violation as covered in Section 22655 CVC;
- vehicle has altered or missing identification numbers (also requires an SH R 49);
- vehicle held for fingerprinting;
- vehicle is unidentifiable (also requires an SH R 49); or
- vehicle seized pursuant to 14602.6 CVC 30-Day Impound).

A vehicle may be considered stripped when any major items of equipment or accessories have been removed from the vehicle.

(See section 5-01/100.05 for Recovered-Impounded Vehicle Report.)

Deputies impounding a vehicle under any of the above circumstances shall be responsible for the following:

- preparing an original and one copy of a CHP-180, including inventory of any personal property and the contents of any closed containers within the vehicle;
- giving the carbon copy to the garage/tow truck operator at the time of impound;
- preparing any necessary Incident Report;
- notifying the Station/Unit as soon as possible so that the "Station Daily Log of Stolen, Stored, Repossessed and Impounded Vehicles" may be updated; and
- assigning an URN if one has not already been assigned to the case.

For any vehicle with an altered or missing VIN, the impounding deputy shall complete CHP-181, "Notice of Impoundment of Vehicle and/or Component Parts" (in duplicate) whenever a vehicle/part is taken from the immediate possession of an individual. (This is in addition to other required reports, such as CHP-180). The deputy shall give a copy of the CHP-181 (which shall serve as a receipt) to the person from whom the property is seized and advise that a "Notice of Hearing" (CHP-181A), providing a hearing date, will be received within five working days if positive identification of the vehicle/part is not made. If the individual refuses to sign the form, "REFUSED TO SIGN" shall be entered in the space provided and the report processed routinely.

The deputy shall notify TRAP immediately by telephone of any vehicle with an altered or missing VIN. Station/Unit Detective Bureau should notify TRAP if they need assistance identifying a vehicle due to an altered and/or missing VIN.

Distribution, after entry in SVS and indicating the FCN on the CHP-180, shall be as follows:

- image into electronic archive SECDA;
 - original of the CHP-180 and of any Incident Report;
- to Unit;
 - sufficient copies for Unit needs and subsequent release of the vehicle.

5-01/060.15 STORAGE OF UNIDENTIFIED VEHICLES AND VEHICLE PARTS

Unidentifiable vehicles or vehicle parts may require storage at a local towing company. In no case shall these vehicles or vehicle parts be stored at the local towing company for more than 30 days.

If Station/Unit detectives are unable to identify the vehicle/part, T.R.A.P. shall be responsible for the positive identification of the vehicle/ part. If T.R.A.P. is unable to identify the vehicle/part within five working days, Station/Unit detectives shall be notified.

When Station/Unit detectives and T.R.A.P. personnel are unable to positively identify the vehicle/part within five days, Station/Unit detectives shall make arrangements for a court hearing. The hearing date should be at least thirty days in the future to provide for adequate investigative time but not over sixty days. CHP Form 181A, "Notice of Hearing - Impoundment of Vehicle and/or Component Parts," shall be completed and sent within five days of the seizure to the individual from whom the vehicle was taken and to the registered and legal owners indicated by Department of Motor Vehicles records (if determined). This notice gives the date, time, and place of a court hearing which would determine the property's final disposition. The hearing shall be held within ninety days. T.R.A.P. shall provide technical assistance if necessary.

(Refer to the Case Assignment and Reporting Volume 4, Motor Vehicles - Impounded).

Long term storage of these vehicles or parts shall not be granted without a court date set and approval of the Station/Unit Property Lieutenant. (Refer to the Property and Evidence chapter, Vehicles/Parts - Long Term Storage).

If the need exists for long-term storage, the investigator shall notify Central Property and Evidence.

Prior to placing a vehicle and/or parts into long-term, storage the investigator shall provide the following available information to Central Property and Evidence:

- file number;
- vehicle description, year, make and model;
- general condition;
- license and VIN numbers;
- investigator and Unit or Station;
- anticipated length of storage;
- inventory of tagged parts; and
- copy of first report.

Central Property and Evidence will arrange for the storage of the vehicle. The investigator will be provided with a receipt and property control number.

Each month the long-term vehicle storage coordinator will contact each investigator, remind the investigator of the vehicle in storage and ask for a disposition.

Central Property and Evidence shall be promptly notified of all releases. Upon notice of release, Central Property and Evidence shall make all notifications and arrangements for the disposition of the vehicle and/or parts. This includes the inspection of the vehicle by Communications and Fleet Management Bureau, if the vehicle is under consideration for Department use.

All releases and copies of all court orders concerning vehicles and/or vehicle parts in long term storage shall be forwarded to Central Property and Evidence.

5-01/060.20 FINGERPRINTING REQUESTS

A fingerprint Deputy shall be requested to take latent prints when:

- the vehicle stolen (from any jurisdiction) is less than six years old and was recovered stripped of major identifiable parts;
- the vehicle stolen (from any jurisdiction) was recovered or impounded and such vehicle had been involved in a crime other than GTA; and/or
- another law enforcement agency specifically requests a fingerprint examination on a vehicle stolen from their jurisdiction or involved in a crime in their jurisdiction.

The impounded vehicle report shall include a notation "print Deputy requested" and a regular request shall then be made for a print Deputy.

In emergency cases, the Unit Commander shall be advised of the circumstances, and he shall be responsible for authorizing a direct request for a print Deputy at the scene.

5-01/060.25 SPECIAL HANDLING

All impounded vehicles shall have a "Hold for Sheriff" sticker placed on the windshield.

This sticker shall also be used to note special instructions such as "Hold for Prints," the URN, time, date, etc.

When a "Hold for Prints" notation has been made on a CHP-180 or is made in connection with a recovery report, such notation shall be added to the "Hold for Sheriff" sticker to ensure preservation of evidence.

Recovering personnel shall instruct the garage/tow truck operator to protect the vehicle until a print examination is completed. If a print examination has been made at the recovery scene, no "Hold for Prints" notation is required on the vehicle.

The CHP-180 shall be noted in red pencil at the top of the form to reflect special instructions such as "Do Not Broadcast" or "Hold for Prints."

5-01/070.00 NOTIFICATION TO OWNER REGARDING STORED/IMPOUNDED VEHICLE

When a vehicle is stored at a local garage/towing company, a notice of the storage shall be mailed or personally delivered to the registered and legal owners. If the vehicle has been impounded per 14602.6 VC, the notice shall be sent by certified mail, return receipt requested, to the legal owner of the vehicle. The notice will be sent within 48 hours, excluding weekends and holidays, and shall include all of the following information:

- the name, address, and telephone number of the agency providing the notice;
- the authority and purpose for the removal of the vehicle (Reason for storage/impound);
- the location of the place of storage/impound and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage;
- how the vehicle may be obtained; and
- Notification of Stored Vehicle (22852 VC) - this form includes a statement that informs the recipient of the opportunity for a post storage/impound hearing to specifically address/determine the validity of the storage/impound. In order to receive their post storage/impound hearing, the owners, or their agents, must request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.

Notification reports shall be made using the CHP-180. The Station/Unit shall be responsible for verifying that the registration fee has been paid and is current.

When a CHP-180 is processed, the notification report shall be sent as follows:

- original notification including the Notification of Stored Vehicle (22852 VC) form is to be mailed to the registered owner of the vehicle;
- copy to be delivered or mailed to the garage at which the vehicle is stored;

- copy to be mailed to the legal owner of the vehicle when the legal owner is determined to be a person or firm other than the registered owner; and
- copy to the Station/Unit file.

5-01/070.05 RECOVERED-IMPOUNDED VEHICLE NOTIFICATION

When a Station or Unit recovers and impounds a vehicle for which it filed the stolen vehicle report, it shall be responsible for:

- verbally notifying the registered and/or legal owner, either by telephone or in person, of the impound, the condition of the vehicle and the instructions for obtaining release of the vehicle;
- recording the fact of the oral notification on the Unit copy of the CHP-180; and
- mailing, not later than the next working day, a written notification and a Notice of Right to Hearing to the registered and legal owners.

When a Station/Unit locates and impounds a vehicle for which another Unit or agency filed the stolen vehicle report, the seizing Unit shall be responsible for mailing, not later than the next working day, a written notification and a Notice of Right to Hearing to the registered and legal owners.

When a Station/Unit receives notification that a vehicle for which it filed a stolen vehicle report has been recovered and impounded, the investigating detective shall be responsible for providing verbal notification to the registered and/or legal owner. If the investigating detective is not immediately available, it shall be the responsibility of the Station/Unit Watch Deputy to make this verbal notification, and the detective shall be responsible for verifying the notification.

In all cases involving trucks/tractors, commercial trailers, construction equipment or any vehicle having a TRAP and/or Cargo Cats assignment, notify TRAP and/or Cargo Cats of the recovery and disposition of the vehicle.

For procedures regarding recovered vehicles see section 5-01/100.00 and for impounded vehicles, see section 5-01/060.10.

5-01/070.10 CORRECTED NOTIFICATION

When the written notification has been made on a CHP-180, and it is subsequently determined that the original notification was mailed to someone other than the present owner of the vehicle or was sent to the wrong address, a corrected notification shall be prepared and mailed. If the original notification was sent by certified mail, return receipt requested, the corrected notification shall also be sent by certified mail, return receipt requested.

Corrected notification shall be distributed as follows:

- corrected original notification including the Notification of Stored Vehicle (22852 VC) form shall be mailed to the present registered and/or legal owner;
- copy to Unit file; and
- copy to the garage at which the vehicle is stored or impounded.

5-01/070.15 SPECIAL NOTIFICATIONS

When the original mailed notification is returned by the Post Office with information that the addressee is no longer at the address given, the concerned Station/Unit shall contact the garage holding the vehicle. If the vehicle is still being held and in any case where the Station/Unit has been unable to ascertain the name of the owner of the vehicle, place an "X" in the appropriate box of the returned CHP-126 or on the returned CHP-180 Notice of Stored Vehicle indicating these circumstances. A copy shall be sent to both DOJ Stolen Vehicle Unit and the garage.

Special notifications shall be distributed as follows:

- original to DOJ Stolen Vehicle Unit [Care of California Highway Patrol (CHP), Sacramento];
- copy to garage at which the vehicle is stored or impounded; and
- copy to Unit file.

When the name of the registered owner is not known, the information obtained from DMV, as a result of the registration data inquiry shall be entered in the space for registered owner on the CHP-126 or on the CHP-180. If the response to the inquiry, was by teletype, attach a copy of the printout to the Station's/Unit's file copy. If the Post Office returned the original notification, attach the envelope indicating reasons for the return to the notification and place in the Station/Unit file.

5-01/080.00 NOTIFICATION AND HEARING PROCEDURE FOR STORED/IMPOUNDED VEHICLES

When a member of this Department directs the storage/impound of a vehicle for any reason, the registered and legal owners shall be notified pursuant to 22852 CVC. If the vehicle has been impounded per 14602.6 VC, the notice shall be sent by certified mail, return receipt requested, to the legal owner of the vehicle. A notice of such storage/impound shall be mailed or personally delivered to the registered and legal owners within 48 hours, excluding weekends and holidays.

If the registered owner, legal owner, or agent notifies the Watch Commander within 10 days that he desires a hearing ("Stypmann Hearing"), a date for the hearing shall be set. The hearing shall be conducted within 48 hours of the request, excluding weekends and

holidays.

The purpose of a "Stypmann Hearing" is to determine if the vehicle was lawfully stored or impounded. There are several other provisions of law that authorize the release of vehicles, at the owner's expense (refer to section 5-01/090.00) in cases where the vehicle was lawfully impounded.

The hearing shall be conducted by the on-duty Watch Commander so long as such hearing officer is not the same person who directed the storage/impound of the vehicle.

A hearing officer is authorized and should be prepared to take immediate steps to confirm or disprove the claim. He shall explain the reason for the storage/impound of the vehicle and objectively evaluate any explanation and/or evidence the owner produces as proof of the lawful operation or lawful parking of the vehicle.

If the hearing officer determines that the vehicle was lawfully stored/impounded, he shall inform the claimant of the decision and:

- explain to the claimant his responsibility for towing and storage fees;
- advise the claimant, if he is dissatisfied, he may submit a written appeal, directed to the Unit Commander, describing their reasons for disagreement with the decision; and
- following the Unit Commander's review, if the registered owner is still dissatisfied, they are entitled to file a "Claim for Damages" (Form Number 8124166) to the Board of Supervisors' Office for reimbursement.

If the hearing officer determines that the vehicle was unlawfully stored/impounded, he shall:

- order the immediate release of the vehicle at no expense to the claimant. The claimant who prevails in a Stypmann Hearing is entitled by law to recover their fees. A hearing officer may not properly grant the release of a vehicle without also awarding fees;
- prepare SH AD 599 (with towing and storage bill attached) indicating why it is a proper County charge;
- if the claimant has already paid the towing and storage fees for release of the car, ensure that the claimant is reimbursed by the tow company. Prepare SH-AD-599 (with towing and storage bill attached) indicating why it is a proper County charge; and
- the SH-AD-599 shall then be routed through the respective Division's Headquarters Budget Aide/Representative for review. After review, the SH-AD-599 shall be forwarded to Fiscal Administration Accounts payable Unit, for payment to the tow company. Claim for Administration Fee paid to the Sheriff's Station/Unit shall be forwarded to Financial Programs Special Accounts Unit, for reimbursement to the claimant/registered owner.

After the hearing, the hearing officer shall note the finding of the hearing on a SH-AD-131. This will be attached to the file copy of the original report.

5-01/090.00 RELEASE OF STORED AND IMPOUNDED VEHICLES

This Department will not issue instructions to a tow service concerning the release of a stored vehicle. The tow service is authorized to release a stored vehicle to whomever they determine is entitled to possession.

Impounded vehicles shall be reclassified as "stored" vehicles by the handling Unit upon determination that further need to hold the vehicle is no longer required. The investigating detective reclassifying an impounded vehicle to a stored vehicle shall:

- prepare a "Release of Vehicle Hold" (SH-CR-94);
- telephone the tow service holding the vehicle and advise them that the vehicle may be released;
- forward Form SH CR 94 to the tow service; and
- include a copy of the release in the case file.

A copy of the Release of Vehicle Hold form may be given to any interested party for delivery to the tow service.

Out-of-state vehicles shall be checked through CLETS prior to release and SVS shall be updated when the status changes from impound to stored. Impounded vehicles shall not be released until their identity has been ascertained by VIN or other manufacturer's number.

When a person makes a request at a Station/Unit for the release of a vehicle, the recovered-impounded vehicle report shall be checked to determine whether all holds have been cleared. If the vehicle is not clear for release, the requestor shall be referred to the investigating detective handling the case.

Vehicles impounded pursuant to 14602.6 CVC shall not be released prior to the completion of the 30-day impound period except under the following conditions:

- where the vehicle's owner or agent has demonstrated that the vehicle was unlawfully impounded (refer to MPP section 5-01/080.00);
- when the vehicle is a stolen vehicle;
- when the vehicle was subject to bailment and was driven by an unlicensed employee of a business establishment, including a parking service or repair garage;
- when the license of the driver was suspended or revoked for reasons other than those specified in section 13200-13210 CVC and 13350-13392 CVC;
- when the driver reinstates his or her driver's license or acquires a driver's license and proper insurance;

- the vehicle is either owned or registered to a rental car agency.

A vehicle shall be released to the legal owner or the legal owner's agent prior to the end of the 30-day impound period if all of the following conditions are met:

- the legal owner is a motor vehicle dealer, bank credit union, acceptance corporation, or other licensed financial institution legally operating in this state or is another person, not the registered owner, holding a security interest in the vehicle;
- the legal owner or the legal owner's agent pays all towing and storage fees related to the seizure of the vehicle; and
- the legal owner or the legal owner's agent presents either lawful foreclosure documents or an affidavit of repossession of the vehicle, and a security agreement or title showing proof of legal ownership.

5-01/090.05 OWNER IN CUSTODY OF SHERIFF

When the registered owner of a vehicle, which has been stored or impounded by this Department, is in custody of the Department, written authorization must be obtained from him indicating the name of any person other than himself to whom the vehicle may be released by this Department.

5-01/090.10 VEHICLE RELEASE ADMINISTRATIVE FEE

An administrative fee for the release of a vehicle properly removed/impounded/stored from unincorporated Los Angeles County, pursuant to California Vehicle Code Section 22850.5, shall be imposed and collected before a qualifying vehicle will be released.

The fee shall be imposed and collected for any qualifying vehicle removed/impounded/stored from unincorporated Los Angeles County. Fees shall only be collected in cases where the removal/impounding/storage is accompanied by a CHP 180 form.

All fee waivers must be approved by the Watch Commander. The fee shall not be collected when:

- the vehicle was towed as a result of a civil writ;
- the owner/agent presents verifiable proof that the vehicle was stolen at the time of the removal; or
- the vehicle was towed to assist a motorist in removing a disabled vehicle due to mechanical failure or the result of a collision unless the vehicle is impounded per Manual of Policy and Procedures Section 5 01/060.10, Impounded Vehicles (Stored Vehicle Hold).

Units shall use the SH-CR-94, Release of Vehicle Hold, form when authorizing the

release of a qualifying vehicle and documenting the collection (or non-collection) of the fee. A brief explanation of the reason(s) for non-collection of the fee shall be documented on the Release of Vehicle Hold form (SH-CR-94). This form shall be placed in the corresponding URN file for the vehicle removal.

If, as a result of a "Stypmann" hearing conducted pursuant to Manual of Policy and Procedures section 5-01/080.00, Notification and Hearing Procedure for Stored/Impounded Vehicles, a refund is awarded to the claimant, a SH-AD-32A shall be submitted to Financial Programs Bureau, Special Accounts. This memorandum shall include:

- the date the hearing was conducted;
- the person who conducted the hearing;
- who the refund was awarded to;
- the address where the warrant is to be mailed (delivery to the Station/Unit for issuance to the claimant may be requested);
- the Unit Commander's signature;
- a copy of the Stypmann hearing memo;
- a copy of the receipt for the Vehicle Release Fee originally paid by the claimant; and
- a copy of the transmittal of Miscellaneous Fees that includes the Vehicle Release Fee paid by the claimant.

This refund is for the Vehicle Release Administrative Fee only. Towing and storage fees are to be handled pursuant to Manual of Policy and Procedures section 5-01/080.00, Notification and Hearing Procedure for Stored/Impounded Vehicles.

Specialized units or task forces (e.g., MCAD, TRAP, NORSAT, L.A. Impact, etc.) that remove a qualifying vehicle shall coordinate with the concerned Station/Unit regarding the release of the vehicle and the collection of the fee. The Station/Unit from whose jurisdiction the vehicle was removed shall have responsibility for the collection of the fee.

5-01/100.00 RECOVERED VEHICLES

When another agency's stolen vehicle is recovered by this Department, a "locate" message to SVS is required. The originating agency will "clear" the vehicle in SVS as "recovered."

When a Sheriff's stolen is recovered by a Station/Unit other than the one making the SVS stolen vehicle entry, the record shall be "cleared" in SVS.

Whether a "locate" or a "clear" update, a message shall be sent to the Station/Unit or agency reporting the stolen advising of the recovery and all pertinent information regarding the condition of the vehicle, e.g., where recovered, stored, suspects, component parts missing, investigating detective to be contacted at recovering

Station/Unit, etc.

Recovered-stolen vehicles shall be impounded in the following situations:

- hold for prints;
- vehicle involved in another crime;
- a hold has been placed in SVS;
- the Deputy feels that there is investigative and/or evidentiary cause to impound the vehicle; and/or
- the vehicle has been stripped of major identifiable parts and is six years old or less.

In all other situations, recovered-stolen vehicles shall be stored. Procedures for handling recovered-stolen vehicles are covered in the subsections which follow.

5-01/100.05 RECOVERED/IMPOUNDED VEHICLE REPORT

Deputies recovering and impounding a stolen vehicle shall be responsible for the following:

- preparing an original and a carbon copy of a CHP-180;
- giving the carbon copy to the garage/tow truck operator at the time of impound;
and
- preparing any required Incident Report.

(See section 5-01/060.10 for reasons for impound and section 5-01/070.00 for notifying owner of vehicle.)

The report shall be processed as follows:

- preparing an original and a carbon copy of a CHP-180;
- giving the carbon copy to the garage/tow truck operator at the time of impound;
and
- preparing any required Incident Report.

Distribution shall be as follows:

- image into electronic archive SECDA;
 - original CHP-180;
 - to agency or Station/Unit (reporting stolen);
 - copy of CHP-180;
- to Unit;
 - sufficient copies for Unit needs and subsequent release of the vehicle.

5-01/100.10 STOLEN/RECOVERED/IMPOUNDED VEHICLE REPORT

The Deputy shall prepare the following reports on a CHP-180 when a vehicle is reported stolen and recovered simultaneously, and impounded:

- Stolen Vehicle Report; and
- Recovered/Impounded Vehicle Report (original and one carbon copy).

A recovery should not be made on license plates only. The VIN must be verified.

The Deputy shall give one carbon copy of the recovered-impounded report to the garage/tow truck operator at the time of impound. He shall also be responsible for providing the necessary impound data to the Station/Unit for entry in SVS.

Processing of the reports shall be as follows:

- an URN shall be assigned to the reports;
- the impound information shall be sent to SVS; and
- sufficient copies shall be prepared to meet distribution needs.

Indicate the FCN on the recovered impounded vehicle report and distribute as follows:

- image into electronic archive SECDA;
 - original signed stolen report; and
 - original of the recovered/impounded vehicle report;
- to Unit;
 - sufficient copies of both reports to meet Unit needs.

5-01/100.15 RECOVERED/RELEASED TO OWNER IN THE FIELD IN "AS IS" CONDITION

When a stolen vehicle is recovered in the field, the Deputy may release it to the owner in an "as is" condition. Prior to making a field release, the Deputy shall determine if the vehicle will be needed for further investigation, fingerprinting or other physical evidence.

The Deputy shall also query SVS for any "holds" before releasing the vehicle.

The following vehicles may be released to the owner in the field provided there are no "holds" in the SVS system, and the owner can respond to the Field Deputy's location within a reasonable period of time:

- a previously reported stolen vehicle recovered by a Deputy within the Station/Unit area;
- a previously reported stolen vehicle recovered by the owner within the area of the Station/Unit holding the stolen report;
- a previously reported stolen vehicle recovered by the owner within a Sheriff's

- Station/Unit area, but reported stolen to another Sheriff's Station/Unit or police agency; or
- a vehicle reported stolen and recovered simultaneously.

The Station/Unit Watch Deputy shall ascertain if it is possible for the owner to pick up the vehicle in the field within a reasonable period of time and inform him that he must have identification and proof of ownership to secure a "field release." He shall also notify the Deputy in the field that the owner will pick up the vehicle and his approximate time of arrival.

A reasonable period of time is intended to provide the owner an opportunity to respond, without delay, to the location and take possession of his vehicle. Waiting time varies due to geographic considerations. The intent is to aid the citizen, but may cause the field units an occasional period of waiting.

When a field release will not be made, the Station/Unit Watch Deputy shall dispatch a tow truck and so advise the Field Deputy.

When a field release is made, the Field Deputy shall be responsible for the following:

- preparing an original and one copy of a CHP-180, Recovered Vehicle Report, and marking it plainly "Released to owner in as is condition;"
- assigning the URN used on the original stolen report;
- obtaining the signature of the owner in the release section of the CHP-180;
- giving the owner the carbon copy of the report;
- reporting the recovery data to the Station/Unit secretary as soon as possible; and
- notifying the Aero Bureau Watch Deputy immediately of the recovery, if the vehicle is "LoJack" equipped.

However, when an owner recovers his own stolen vehicle within a Sheriff's Station/Unit area and the original stolen report was made to another Sheriff's Station/Unit or police agency and there are no "holds" in the SVS system, the procedure shall be as follows:

- the recovery report shall be given the same URN as the stolen report if it was a Sheriff's stolen. If it is another agency's stolen, an URN shall be assigned;
- obtain the owner's signature in the release section;
- give the carbon copy of the report to the owner; and
- follow the appropriate SVS procedure regarding "locate" or "clear."

In either type of report, the FCN shall be indicated on the CHP-180 and will be distributed as follows:

- image into electronic archive SECDA;
 - original CHP-180;
- to TRAP - only if assigned to TRAP;
 - copy of CHP-180;

- to agency or Station/Unit (reporting stolen);
 - copy of CHP-180;
- to Unit;
 - sufficient copies to meet Unit needs.

5-01/100.20 STOLEN\RECOVERED\RELEASED TO OWNER REPORT

In those cases where a vehicle is reported stolen and recovered simultaneously, the Deputy shall prepare the following reports on a CHP-180:

- Stolen Vehicle Report; and
- Recovered\Released to Owner in "as is" Condition Report (original and one carbon copy).

The Deputy shall obtain the signature of the owner on the stolen report and on both copies of the recovered-released to owner in "as is" condition report in the "release" section of the report. The copy of the latter shall be given to the owner. In a case of this type, it is required that the vehicle be entered and then promptly cleared in SVS. The FCN shall be indicated on the stolen vehicle report.

Processing of the reports shall be as follows:

- an URN shall be assigned to the reports; and
- sufficient copies shall be made of the reports to meet distribution needs.

The following distribution shall be made:

- image into electronic archive SECDA;
 - original signed stolen vehicle report;
 - original signed recovered-released report marked "Supplemental;"
- to Unit file;
 - sufficient copies of both reports to meet Unit needs.

5-01/100.25 RECOVERED MILITARY VEHICLES

When any military vehicle is recovered or recovered/impounded by this Department, regular reporting, notification and release procedures shall be followed. In addition, the closest military reservation shall be notified of the recovery and the Deputy making such notification shall note the time and date and method of notification on the Station/Unit copy of the CHP-180.

5-01/100.30 "DUMMY" RECOVERY REPORTS

When this Department has made a stolen vehicle report, it will at times be necessary to prepare a "dummy" recovered vehicle report to offset the stolen report.

Dummy recovery reports shall be made when reliable information is received to the effect that:

- Sheriff's reported stolen vehicle has been recovered and for some reason the message of the recovery data had not been received;
- Sheriff's reported stolen vehicle has been repossessed; or
- Sheriff's stolen vehicle report is found to have been taken by mistake.

The Deputy preparing the dummy recovery report shall be responsible for:

- preparing the recovered report on a CHP-180; and
- plainly marking the report "dummy" at the top of the form and attaching any substantiating information to the CHP-180.

The report shall be processed as follows:

- assign the same URN which was assigned to the original stolen; and
- send the "clear" data to SVS.

After indicating the FCN on the CHP-180, distribution shall be as follows:

- image into electronic archive SECDA;
 - original CHP-180;
- to TRAP - if assigned to TRAP;
 - one copy of the CHP-180;
- to Unit;
 - sufficient copies for Unit needs.

5-01/110.00 LICENSE PLATES

A CHP-180 shall be utilized to report a license plate which is:

- stolen or lost;
- recovered or found; and/or
- impounded for misuse.

This form shall be written in black ink or #2 pencil. Tabs/stickers which are stolen, lost, recovered or found shall not be entered in SVS.

5-01/110.05 STOLEN/LOST LICENSE PLATES

The Deputy taking the report of a stolen or lost license plate shall be responsible for preparing a stolen or lost plate report on the appropriate side of a CHP-180 as follows:

- complete the uppermost portion of the form;
- write the words - PLATE ONLY - across the spaces marked year, make, model and body type and provide license plate information;
- provide registered owner (R/O) information;
- complete suspects section, if applicable;
- assign an URN to the report;
- provide the following information in remarks section:
 - indicate whether one or two plates involved; and
 - brief statement regarding circumstances;
- obtain signature of person making stolen or lost plate report; and
- signature, title and employee number of reporting Deputy.

The Deputy shall advise the person making the report of the owner's responsibility to notify DMV per Vehicle Code sections 4457 and 4458.

Station/Unit secretaries shall be responsible for:

- processing of the report as follows:
 - send a stolen plate message to SVS and note the FCN on the CHP-180; and
 - make duplicate copies of the stolen plate report.

Distribution of the report as follows:

- image into electronic archive SECDA;
 - original signed CHP-180;
- to Unit;
 - sufficient copies for Unit needs.

5-01/110.10 RECOVERED/FOUND LICENSE PLATES

The Deputy taking a report of a recovered or found license plate shall be responsible for first making a query to SVS for any record of a stolen.

If SVS shows the plate as stolen, the Deputy shall be responsible for preparing a recovered plate report on the appropriate side of a CHP-180 as follows:

- complete the uppermost portion of the form;
 - if recovery of Sheriff's stolen, use same URN as on stolen and mark report as "supplemental" along the top margin of the form. If recovery of another agency's stolen, obtain URN;
- write the words - PLATE ONLY - across the spaces marked year, make, model and

- body type and provide license plate information;
- indicate whether or not license number is clear in SVS;
- if recovery of another agency's stolen, provide name, date and case number. If LASD stolen, show name and date only;
- complete R/O information;
- provide following information in remarks section:
 - indicate whether one or two plates involved;
 - location of occurrence;
 - arrest made, if any; and
 - brief statement regarding circumstances;
- signature, title and employee number of reporting Deputy.

Station/Unit secretaries shall be responsible for:

- processing of the report as follows:
 - send a "locate" or "clear" message to SVS and indicate the FCN on the CHP 180; and
 - make duplicate copies of the recovered plate report.

Distribution of the report as follows:

- image into electronic archive SECDA;
 - original of CHP-180;
- to agency or Station/Unit (reporting stolen);
 - copy of CHP-180;
- to Unit;
 - sufficient copies for Unit needs.

If SVS does not show a record of the plate as stolen, the Deputy shall be responsible for preparing a found plate report on the appropriate side of a CHP 180 as follows:

- complete the uppermost portion of the form;
- write the words - PLATE ONLY - across the spaces marked year, make, model and body type and provide license plate information;
- complete R/O information;
- provide the following information in remarks section:
 - indicate whether one or two plates involved;
 - location of occurrence; and
 - brief statement regarding circumstances
- signature, title and employee number of reporting Deputy.

Station/Unit secretaries shall be responsible for:

- processing of the report as follows:
 - send a found plate message to SVS and note the FCN on the CHP-180; and
 - make duplicate copies of the found plate report.

Distribution of the report as follows:

- image into electronic archive SECDA;
 - original CHP-180;
- to Unit;
 - sufficient copies for Unit needs.

5-01/110.15 WRONG PLATES ON RECOVERED VEHICLE

When a stolen vehicle is recovered and the license plates on the vehicle are not registered to that vehicle, both the vehicle and the plates shall be made the subject of individual reports. Each report shall have the same URN.

5-01/110.20 PROPERTY LABEL ON RECOVERED/FOUND PLATES

Recovered or found plates shall be brought to or held at the Station/Unit pending pickup by the Central Property Custodian and shall be placed in the Station or Unit property room after they have been tagged. The property label shall show the status of this property, e.g., "Hold for Safekeeping," "Hold for Evidence," etc.

Ultimately, all such plates not claimed by the owner shall be returned to DMV.

5-01/110.25 LICENSE PLATES - DUPLICATE/SUBSTITUTE

The California Department of Motor Vehicles issues duplicate and substitute license plates.

Duplicate plates are issued to replace lost, mutilated or destroyed plates issued to an individual (personalized plates, amateur radio Station/Unit call letters plates, etc.) when so requested by the owner. A SVS check will confirm when DMV has issued duplicate plates for these reasons. A new registration certificate will bear the same license number as the duplicate plates, but the registration itself will not be marked duplicate.

Personalized plates will not be duplicated or reissued by DMV if reported stolen. In some instances, plates which have been stolen are being reported as lost in order to obtain duplicates.

When a vehicle bearing such personalized plates is stopped, caution should be exercised until an SVS check confirms if the plates are duplicates or the vehicle or plates are stolen and further investigation shall be made immediately.

The hit might be on the plate that was reported stolen; however, the plates on the stopped

vehicle could be a legitimate duplicate set issued to replace the original set.

Before an arrest is made, investigate all possibilities:

- verify VIN;
- interview the driver to determine if he has applied for duplicate plates;
- a new registration certificate, issued with duplicate plates, will be dated later than the date shown on the stolen report. The registration certificate issued at the time the original plates were issued would have a date prior to the stolen;
- check with agency reporting the stolen; and
- if the operator is other than the owner, it may be necessary to contact the owner.

Substitute plates are issued to replace lost, stolen or mutilated plates issued to a vehicle. The substitute plate will not bear the same number as the license plate it is replacing. A new registration certificate will be issued showing the number of the new plate issued.

5-01/110.30 IMPOUND OF SPECIAL LICENSE PLATES - MISUSE

A Deputy making a determination of possible misuse of a dealer, manufacturer, distributor, transporter or dismantler special license plate shall be responsible for preparing a Misuse of Special License Plate Report.

The license plates shall be seized and a CHP-180 report prepared as follows:

- complete the uppermost portion of the form;
- write the words PLATE ONLY across the spaces marked year, make, model and body type and provide the license plate information;
- provide R/O information;
- assign an URN to the report;
- remarks section: Indicate that the license plates were seized for misuse per Vehicle Code section 4460;
- indicate whether or not license number is clear in SVS; and
- signature, rank and employee number of reporting Deputy.

The reporting Deputy shall complete an Incident Report (form SH-R-49) and a Notice to Appear Citation (form SH-CR-66), using the owner's responsibility format.

Distribution shall be as follows:

- image into electronic archive SECDA;
 - original of the CHP-180;
 - original of the SH-R-49; and
 - copy of citation;
- to Department of Motor Vehicles, Investigative Section, Sacramento;
 - license plates;

- copy of CHP-180;
 - copy of SH-R-49; and
 - copy of citation;
- to Unit;
 - sufficient copies for Unit needs.

5-01/120.00 VEHICLE PARTS

Procedures for handling vehicle parts are outlined in the following subsections.

5-01/120.05 IDENTIFIABLE VEHICLE PARTS

When identifiable parts have been stolen from a vehicle but the vehicle has not been stolen, and the owner reports such theft to the Station/Unit having jurisdiction, a theft report (SH-R-49) shall be taken and the stolen parts entered into SVS.

When a stolen vehicle has been recovered and identifiable vehicle parts have been removed between the time of the theft and the time of recovery, the vehicle shall be cleared in SVS and the missing parts entered in SVS. If the recovered vehicle is another agency's stolen, a locate message noting all missing parts shall be sent to the other agency who will enter the missing parts into SVS.

Parts include engines, transmissions, campers and VIN plates. Items, such as stereo tape decks, mag wheels, etc., should not be placed in SVS but entered in the Automated Property System.

5-01/120.10 UNIDENTIFIABLE VEHICLE PARTS

Found or recovered unidentifiable vehicle parts, if too large for storage at the Station or Unit, may require initial storing at a local Department approved garage/towing company. The Central Property Custodian shall be notified of this storage for transfer to the main storage yard. In no case shall these parts be stored at the local towing company more than 30 days. (Refer to storage of unidentified vehicles and vehicle parts, section 5-01/060.15).

5-01/130.00 FELONY VEHICLES AND VEHICLES ASSOCIATED WITH MISSING PERSONS

When a vehicle is wanted in conjunction with a felony or is wanted in conjunction with a missing person, the proper Incident Report shall be prepared. Instructions to make the SVS entry shall be made by the investigating detective when he prepares the broadcast regarding the felony or the missing person.

The SVS entry shall be made in the same format as for a stolen vehicle utilizing the appropriate "Caution Code," as outlined in the SVS User's Manual.

The investigating detective, who initiates the wanted vehicle entry, shall be responsible for seeing that the SVS want is cancelled when the vehicle has been located.

5-01/140.00 VEHICLE FIRES

Deputies shall prepare a Fire Field Report (SH-R-84) in all of the following cases:

- fires involving vehicles in which arson is suspected; or
- fires in which damage to a vehicle exceeds \$7,500, but arson is not involved.

A vehicle fire report need not be made when the fire is the DIRECT result of a traffic accident handled by the Department or CHP; however, the accident report shall contain all pertinent information. Final responsibility for determining whether or not a requested investigation shall be immediate or routine shall rest with Arson/Explosives Detail.

Fire Field Reports on vehicle fires shall contain the following information:

- complete physical description of the vehicle and the registration;
- list of any contents of the vehicle which were damaged;
- extent of the fire (areas of confinement);
- evidence found, if any;
- estimated loss;
- number of the engine company responding and the name of the fire officer in charge;
- probable cause of fire, including any statements obtained from the victim or witnesses; and
- name of the insurance company and of the agent with whom the victim usually deals (if vehicle insured).

The reports shall be processed as follows:

- assign an URN;
- image into electronic archive SECDA;
- forward two copies of the report to Arson/Explosives Detail;
- retain sufficient copies for Unit needs; and
- additional assignment, notification and copy of report to VMTD when identity of vehicle is in doubt.

5-01/150.00 CONTRACT TOW SERVICES

The following subsections outline the responsibilities of the various Stations, Units, Bureaus and details dealing with granting tow service contracts.

5-01/150.05 APPOINTED PANEL OF DIVISION CHIEFS

An appointed panel of division chiefs, from divisions outside of patrol operations, will act as the review authority for individual patrol stations/units requesting the renewal or termination of existing Department tow service agreements or the initiation of new ones. The panel of chiefs shall be chosen from Court Services Division, Administrative Services Division, Technology and Support Division, and Special Operations Division. The chiefs' panel shall consist of three chiefs from these divisions at any given time. One chief will rotate off and another will rotate on the panel the first Monday of each quarter; January through March, April through June, July through September, and October through December.

Contract agreements for tow service will be for a period of three years, unless there is good cause for early termination.

5-01/150.10 PATROL STATIONS/UNITS

All stations/units shall have Contract Tow Service Applications available on behalf of the chiefs' panel. Completed applications will be accepted by the stations/units on behalf of the chiefs panel and forwarded to License Detail, Major Crimes Bureau.

The chiefs' panel shall provide the notice of intent to renew the contract for a subsequent three-year period during the thirty-second (32) month of an existing contract.

Each station/unit shall maintain files on behalf of the chiefs' panel for all applicants, all current, and past tow services in their area. These files shall contain copies of the original applications and accompanying documents including but not limited to: insurance papers, copies of the contract, any complaints that have been received concerning the applicant tow company, monthly activity reports, weekly tow logs, quarterly reports, business licenses, and feasibility inspection report. In addition to the above reports, stations/units shall maintain the following: annual inspection reports, and evaluation of the contractor which should commence during the thirtieth (30) month of an existing contract. The evaluation should include public input, input from the contract city, input from the unit commander of the area served, and a review of the service provided by the current tow service.

Once the evaluation is completed, it will result in either the renewal of the contract with the current vendor or the selection of another vendor. Information developed during the evaluation process that is found by the chiefs' panel to be unsubstantiated, unfounded, or uncorroborated hearsay, shall not be used to demonstrate a default of the tow service under the provisions of the contract.

All monthly storage and impound reports, submitted by station/unit tow services, shall be reviewed for compliance with Department requirements.

5-01/150.15 STATION/UNIT COMMANDERS

Concerned unit commanders shall notify the chiefs' panel and the License Detail, Major Crimes Bureau, through channels, when additional tow service is contemplated.

After the License Detail conducts a feasibility inspection of all the station/unit area applicants, Major Crimes Bureau will confer with the chiefs' panel and provide it with their findings. The chiefs' panel will then evaluate the companies using the following criteria:

- Ranking by License Detail, Major Crimes Bureau;
- The geographical proximity of the tow service storage yards to the area to be served;
- The storage capability of the tow company;
- Whether there exists a history of complaints of vehicle loss, theft, or damage against the applicant tow companies;
- If it is a renewal, the level of service provided in the past and the degree to which the applicant company met the station/unit's needs; and
- Input received from the community and contract cities.

The chiefs' panel shall then recommend the company(ies) to be awarded contracts. The chiefs' panel shall forward its recommendations to the concerned Assistant Sheriff.

NOTE: If a Unit Commander contemplates or a contract city/county official requests a change in service, including but not limited to a new service/company or an expansion to the existing level of service, the concerned unit commander shall forward this information to the chiefs' panel for review and recommendations. After review, the chiefs' panel shall forward the information and recommendations to the concerned Assistant Sheriff.

If the chiefs' panel recommends the denial of a new contract or the termination, discontinuation, or non-renewal of an existing contract, the information and recommendations shall be forwarded to the concerned Assistant Sheriff. A tow company dissatisfied with the reasons given for the denial, termination, discontinuation, or non-renewal of a contract may send a letter setting forth the reasons to the concerned Assistant Sheriff. The concerned Assistant Sheriff will review the letter, the chiefs' panel recommendation, and may afford the towing company an opportunity to provide additional information. After reviewing all pertinent information, the concerned Assistant Sheriff, with the concurrence of the Executive Officer, will render a final decision and inform the tow company in writing.

5-01/150.20 LICENSE DETAIL, MAJOR CRIMES BUREAU

License Detail, Major Crimes Bureau is responsible for processing applications, inspecting proposed facilities and the letting of contracts on an "as needed" basis.

License Detail, Major Crimes Bureau will maintain files on all contract tow services and applicants and coordinate Department tow services and their activities.

All applicants will be notified in writing confirming receipt of their application and that the application has been placed in a file pending an opening.

When License Detail, Major Crimes Bureau is notified that a new or replacement tow service is needed, they shall:

- Notify all area applicants on file of the opening;
- Process the applications on file for the vacancy as follows:
 - Perform a background check;
 - Inspect the applicant's equipment and facility;
 - Report those findings to the chiefs' panel for its review and selection.

After the selection has been made, License Detail, Major Crimes Bureau shall notify all applicants in writing of the following:

- Whether the applicant's business did or did not meet the Department's criteria for a contract tow service;
- Whether or not the applicant's business was selected for the contract to provide tow service.

License Detail, Major Crimes Bureau shall conduct annual inspections as well as periodic unannounced spot inspections of contract tow services' premises and equipment, to assure compliance with the terms of their contract and other relevant rules and regulations. The annual inspections will be performed in conjunction with station/unit command inspections.

If an inspection reveals violations of the tow contract which cannot be immediately rectified, License Detail, Major Crimes Bureau will initiate an investigation into the violations. If appropriate, a written report will be submitted to the chiefs' panel for their consideration.

The License Detail, Major Crimes Bureau shall retain the original copy of the inspection reports.

License Detail, Major Crimes Bureau shall be responsible for inspecting contract tow service files for accuracy, completeness, and excessive impound time.

5-01/150.30 FISCAL ADMINISTRATION RESPONSIBILITIES

Fiscal Administration shall be responsible for handling all matters pertaining to the setting of fees charged by contract tow services.

They will also act as arbiter between the Department and contract tow service companies.