



Murray County Sheriff's Office

2558 29th St PO Box 57

Slayton MN 56172

(507) 836-6168

(507) 836-1116 FAX

Heath Landsman, Sheriff
Bryan Bose, Chief Deputy

VEHICLE TOWING PROCEDURES



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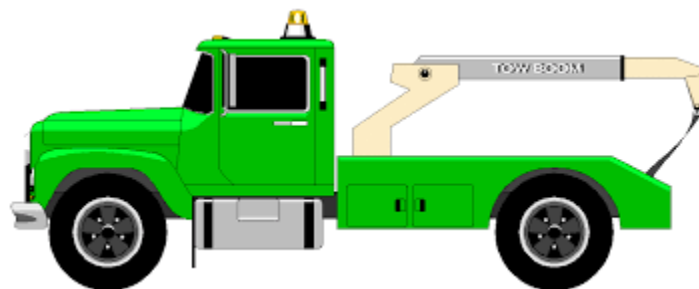
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Vehicle Towing

1. PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of Murray County Sheriff's Office and under the authority of Minnesota State Statute 168B.035.

2. STORAGE AND IMPOUNDS

Vehicles may be towed for violations of Minnesota State Statute 168B.035, including parking, registration and snow emergency violations.

Vehicles may be moved or removed from a highway when in violation of Minnesota State Statute 169.32(a) or when left unattended upon any street or highway or upon any bridge or causeway or in any tunnel where such a vehicle constitutes an obstruction to traffic (Minnesota State Statute 169.33).

The responsibilities of those employees storing or impounding a vehicle are as follows:

A. COMPLETION OF VEHICLE IMPOUND AND INVENTORY REPORT

Office members requesting a towing of a vehicle shall complete a Vehicle Impound and Inventory Report, including a description of the property within the vehicle.

- a. A copy is to be given to Murray County Dispatch as soon as practicable after the vehicle is stored.
- b. Murray County Dispatch shall promptly enter pertinent data from the completed Vehicle Impound and Inventory Report into the Minnesota Justice Information System (MNJIS) and return the form to the office member.
- c. Within 48 hours, excluding weekends and holidays, of the towing of any such vehicle, it shall be the responsibility of the office member to determine through MNJIS and dispatch the names and addresses of any individuals having an interest in the vehicle (registered owner and any lien holders). Notice to such individuals shall be sent by certified mail within five business days of impound (Minnesota State Statute 168B.06 sub. 1). Murray County Sixty Day Property Notification shall be completed and forwarded to Murray County Administrative Secretary to be certified mailed.



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- d. Finally, all information and forms shall be uploaded into RMS, and notice shall be given to the Chief Deputy or the Sheriff in his/her absence.

B. REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the deputy shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Murray County PSAP.

If the owner is incapacitated or for any reason it is necessary for the Office to assume responsibility for a vehicle involved in a collision, the deputy shall request the dispatcher to call a company selected from the rotational list of towing companies. The deputy will then conduct an inventory and store the vehicle using a Vehicle Impound and Inventory Report.

C. DRIVING A NON-COUNTY VEHICLE

Vehicles that have been towed by or at the direction of the Office should not be driven by sheriff's personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

D. DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The deputy shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies.

E. RECORDS SECTION RESPONSIBILITIES

Dispatch personnel shall promptly enter pertinent data from the completed Vehicle Impound and Inventory Report form into the stolen vehicle system. Approved forms shall



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be promptly filed so that they are immediately available for release or review should inquires be made.

Within 48 hours of recovering a stolen vehicle or receiving notification that a vehicle reported stolen though this office has been recovered, the Records Section shall make a reasonable and good faith effort to notify the victim of the recovery. The notice must specify when the recovering law enforcement agency expects to release the vehicle to the owner and where the owner may pick up the vehicle. Upon recovery of a vehicle reported stolen to another agency, the Records Section is to promptly inform the agency that the vehicle is recovered, where it is located and when it can be release to the owner (Minn. Stat. § 169.042(1)).

3. TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this office to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, the vehicle would present a traffic hazard if it were not removed, or the vehicle is located in a high-crime area and is susceptible to theft or damage if left at the scene.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the occupant was arrested nor may be subject to forfeiture proceedings.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note that the owner was informed that the Office will not be responsible for theft or damages.



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4. VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the Vehicle Impound and Inventory Report. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in sheriff's custody, to provide for the safety of deputies and the public, and to protect the Office against fraudulent claims of lost, stolen or damaged property.

5. PRESERVATION OF EVIDENCE

A Deputy who removes a vehicle pursuant to Minn. Stat. § 168B.035 is required to take reasonable and necessary steps to preserve evidence. If there is probable cause to believe that a vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or that a particular person has committed a criminal offense, deputies shall ensure that all legally required and reasonably necessary efforts are taken to preserve the evidence. Such evidence is to be provided safe storage and preserved until released to the owner or otherwise disposed of according to law.

6. SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, deputies should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.



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7. DOCUMENTATION OF VEHICLES

All vehicles that are towed by a member of the Office shall be entered into RMS under Property/Evidence. Keys for said vehicle shall also be listed in Property/Evidence and placed into temporary evidence. Notification shall be made to the Office General/Drug Investigator and or Evidence Technicians.