COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER CIVIL BUREAU	DATE OF ISSUE SEPTEMBER 24, 2024	EFFECTIVE DATE SEPTEMBER 24, 2024	NO. 008-24
SUBJECT: GENERAL ORDER **Vehicle Towing**		DISTRIBUTION **Civil Bureau Personnel**	AMENDS
REFERENCE: NYSSA 33, 100			RESCINDS 008-19

Purpose: To familiarize staff with established procedures for the towing of vehicles directed by the Civil Bureau.

Policy: When enforcing certain civil executions, the towing of vehicles becomes a responsibility of the Monroe County Sheriff's Office (MCSO). In no instance will a vehicle be towed for punitive reasons.

Definition: Vehicle: A car, truck, motorcycle, bus, mini-bike, go-cart, or any other device in, upon, or by which any person or property is (or may) be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

I. General Procedures

* A. A PB-178 Towed Vehicle Report form, along with other appropriate reports, will be completed for all vehicles towed at the direction of a deputy. All appropriate vehicle keys will be stored at the Civil Bureau Headquarters.

* B. Unless the vehicle is towed as a prearranged seizure, only authorized Sheriff's tow agencies are to be contracted for service by the ECD. Deputies will not suggest or select one particular tow agency over another, unless directed specifically by the Sergeant.

II. Specific Procedures for Towing

A. Notify ECD of the need for a tow vehicle, location and the reason for towing.

* B. Complete the Vehicle Impound Report. Include the exact reason for towing and the specifics in regard to any apparent damage in the narrative portion.

C. A Vehicle Condition Report will be completed to document the specifics on the vehicle's condition, date and time of levy, address of levy, and the tow agency's name and address.

D. The vehicle will be towed to the MCSO secured lot unless otherwise specified.

E. It is the reporting deputy's responsibility to confirm the VIN number(s). In instances of "nail and mail" service, the deputy is to attach and mail a copy of the tow card along with the execution that was served.

F. Prior to towing the vehicle, the deputy must ascertain that the license plates are valid.

1. If they are valid, the deputy will return them to the owner, in person. If "nail and mail" service is performed, the plates are to be secured with personal goods for transport to the Property Clerk's Office in accordance with **MBGO-016 Property Recovery, Custody & Security**.

2. If the plates are not valid (suspended, stolen, etc.), the deputy must turn them over to the Property Clerk's Office (PCO) for proper disposition.

G. All personal goods must be removed from the vehicle and given to the owner. If the owner refused to remove them, or is not present, the deputy must make a complete inventory, secure the contents and place them in the custody of the PCO. If anything suspected to be illegal is found in the vehicle, the deputy must notify a Police Bureau supervisor through the Emergency Communications Department.

H. The Sergeant of the Civil Bureau will maintain the Storage Lot log book to keep detailed records of the entry and removal of all property seized by the Civil Bureau.

Note: Vehicles so towed are considered to be in the custody of the MCSO and are to be released only by the written authority of the MCSO Civil Bureau. As such, executions are potentially confrontational situations and deputies are to practice a heightened awareness of safety.

By Order of the Sheriff,

Todd K. Baxter