

**COUNTY OF MONROE  
OFFICE OF THE SHERIFF  
ROCHESTER, NEW YORK**

<b>GENERAL ORDER POLICE BUREAU</b>	<b>DATE OF ISSUE August 22, 2025</b>	<b>EFFECTIVE DATE August 22, 2025</b>	<b>No. 006-25</b>
<b>SUBJECT: GENERAL ORDER  Towing of Vehicles</b>		<b>DISTRIBUTION  Police Bureau Personnel</b>	<b>AMENDS</b>
<b>REFERENCE: NYSLEAP 47.5, 47.8</b>			<b>RESCINDS 06-24</b>

**Purpose:** To familiarize members with policy and procedure regarding the towing of vehicles from the streets and highways of Monroe County.

**Policy:** Traffic law enforcement and the towing of vehicles is a responsibility of the Monroe County Sheriff's Office (MCSO). In general, authorization to tow a vehicle will be given only when necessary to maintain the flow of traffic, correct a hazardous situation, or as required by law. Vehicles will be towed, incidental to an arrest, when necessary. In no instance will a vehicle be towed for punitive reasons. All members are to use good judgment when the decision is made to tow a vehicle.

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

**I. General Procedures:**

- A. A Tyler Vehicle Impound Report along with other appropriate reports, will be completed for all vehicles towed at the direction of an MCSO member. All appropriate vehicle keys will remain with the vehicle.

Note: In the event Tyler is unavailable, deputies will fill out a paper form and at the first available opportunity manually input the information into Tyler.

- B. All requests for tow services shall be coordinated through the Emergency Communications Department (ECD). The ECD dispatcher will refer to the MCSO Master Tow List to determine the appropriate tow agency to respond.
- C. In cases of towing incidental to an arrest, an inventory search will be conducted of all vehicles (including water vessels), unless evidentiary processing is to be performed by an evidence technician. In an effort to protect both the citizen and the deputy, the search shall include the entire vehicle including any closed containers, when the contents cannot be ascertained by examining the exterior of the container. Unless exigent circumstances exist, for example a suspicious container or package, all locked containers shall be secured with the Property Management Office (PMO) in their original condition. Articles of substantial value, contraband, evidence and the fruits of any crime found in a vehicle to be towed, will be confiscated by the investigating deputy and forwarded to the PMO. These items will be forwarded in accordance with **MBGO-016 Property Recovery, Custody and Security**. All items not easily managed because of size, quantity, etc. may be securely stored at an alternate MCSO facility with the collaboration of the PMO.

An inventory search is only conducted for the following purpose:

1. A search that is intended to accurately catalogue the contents of the vehicle to protect the police against a claim of lost property, protect police personnel and others from dangerous items and to protect the property of the defendant.
2. An inventory search cannot be a ruse for a general rummaging in order to discover incriminating evidence.
3. All items of value in the vehicle will be documented on the narrative tab of the Vehicle Impound Report. If evidentiary property is located, a notation must be made on the Case Report in Mobile and a catalogue of property recovered from the vehicle noted in the narrative.

D. A Property Custody Report (PCR) is required under the following circumstances:

Note: The Property Custody Report (PCR) is available in a "hard copy" triplicate white, blue, and pink version and the MCSO Intranet "electronic" version PB-199 Property Custody Report mainly used by evidence technicians. The electronic version does not contain the "blue copy" required in Sections II (B) (4) and (E) (2).

1. When a vehicle is towed to the 145 Paul Road storage facility or to any MCSO facility for evidentiary or investigative purposes of a crime, the vehicle may not be released without authorization from the District Attorney's Office, the investigative deputy/investigator, and the PMO.
  - \* 2. When a tow is effected incidental to an arrest charging Aggravated Unlicensed Operation (AUO) in the first or second degree (see II-E) and the arrestee is the owner of the vehicle. The vehicle may not be released without authorization from the District Attorney's Office and the PMO.
  3. When property is removed from a vehicle for the owner or submitted to the PMO for owner, evidence, or destruction, a PCR is needed only for the property taken out of the vehicle. A PCR is not needed for the vehicle itself unless it meets the criteria of Section I. (D) (1) or (2) above.
- E. Deputies will not suggest or select one particular tow agency over another.
- F. In all circumstances which require the towing of a vehicle, the deputy must first determine if the vehicle is abandoned, stolen, illegally parked, or a hazard, and utilize the specific procedure outlined below.

## II. Specific Procedures:

- A. When towing abandoned, illegally parked, or hazardously located vehicles:
1. Deputies shall notify the ECD dispatcher of the need for a tow vehicle and the reason for towing.
  2. Deputies shall complete a Tyler Vehicle Impound Report, indicating the exact reason for towing and particulars regarding any apparent damage.
  3. The vehicle will be towed to a premises owned and maintained by the towing company unless otherwise specified.

4. Deputies shall ascertain ownership and ensure that the owner is notified of the location of the towed vehicle through (i.e., Central Records Unit (CRU), ECD Dispatch, etc.) prior to the end of their tour of duty.

Note: If the owner is unable to be notified, the deputy will notify Sheriff's Records to complete an impound teletype entry.

5. All additional data relative to the incident will be entered on the Tyler Vehicle Impound Report.

B. When towing for criminal investigation or arrest:

1. Proceed as in Section II (A), paragraphs 1 and 2.
2. Issue a Uniform Traffic Ticket (UTT) when appropriate, before towing vehicle.
3. When the offense charged is a misdemeanor or felony, follow the current directive regarding arrest policies.

- \* 4. All "Investigation MCSO holds" placed on vehicles by use of the "Vehicle Impound Report" will expire 10 days from the date the vehicle is towed. The ten day hold may be extended by the investigating deputy by signing the hold copy (tow slip) kept on file at the Tow Agency Office. This cannot be done over the phone. This will extend the hold an additional 10 days.

5. Only vehicles that may provide some evidentiary or investigative value in a criminal investigation will be impounded at the 145 Paul Road storage facility, or any MCSO facility. Deputies shall contact a technician to assist in deciding if technical services are feasible and advisable. A PCR will be completed, with the blue copy remaining with the vehicle.

C. When towing stolen vehicles:

1. Stolen vehicles will not be towed until necessary technical services have been performed and/or permission has been obtained from a supervisor.
2. The deputy will first attempt to contact the registered owner and arrange to remove the vehicle prior to towing.
3. Proceed as in Section II (A), paragraphs 1 and 2.
4. Complete Case Report in Mobile.
5. When towing does become necessary, the deputy will notify CRU personnel, who will in turn:
  - a. Notify the registered owner of the recovery, including the location to which it has been towed.
  - b. Advise any agencies that originated a teletype of the recovery and the location to which the vehicle has been towed.
  - c. Notify all units, via the ECD dispatcher, of recovery of the stolen vehicle. This may be performed by voice or electronic transmission.

6. Stolen vehicles will only be impounded at the 145 Paul Road storage facility, or any MCSO facility, when a technician determines that the vehicle may best be processed at that location.
7. When a stolen vehicle is recovered without occupants and is not impeding traffic, the vehicle may be released to the registered owner after tech work has been performed and all applicable towing expenses paid.

D. When towing from an accident scene:

1. Proceed as in Section II (A), paragraphs 1 and 2.
2. When the vehicle owner is incapacitated to the extent that he/she is unable to care for articles of value contained in the vehicle, the investigating deputy will proceed as in Section I ©.
3. When the owner requests a specific towing agency or AAA service, the request will be honored, provided it will not create unnecessary delay in clearing the roadway.
4. Where AAA service is requested by an owner, the deputy will notify the ECD dispatcher of such, providing the owner's name, address, vehicle description, AAA membership number and vehicle problem.
5. When towing due to mechanical problems:
  - a. Vehicles towed for suspected mechanical problems should be taken to the appropriate towing agency.
  - b. If deemed necessary, the Staff Services Bureau will be contacted to arrange for a vehicle inspection by Fleet Maintenance personnel.
  - c. It will be the responsibility of the owner to ensure that any faulty or defective equipment is repaired before the vehicle is driven upon a public highway.

E. When towing due to AUO, reference V&T 511-b Seizure and redemption of unlawfully operated vehicles:

1. Proceed by notifying the ECD dispatcher of the need for a tow vehicle and the reason for towing in addition to completing a Tyler Vehicle Impound Report indicating the exact reason for towing and particulars regarding any apparent damage. When an arrest is effected charging AUO in the first or second degree and:
  - a. The operator is the registered owner, or

\* Note: Only vehicles towed where the operator is the owner of same and who has been either arrested, issued a summons or appearance ticket for the crime of Aggravated Unlicensed Operation in the first or second degree will be impounded and will be considered to be in the custody of the local municipality in which it was seized. The vehicle shall be entered into the New York statewide police information network as an impounded vehicle and is to be released only upon authority of the District Attorney's Office and the PMO. This vehicle shall also be entered into Teletype. The impounding police department shall promptly

notify the owner and the local authority that the vehicle has been impounded.

- b. The vehicle is not properly registered, or
  - c. Proof of financial security (insurance card) is not produced, or
2. Complete a PCR (**leave blue copy with vehicle**).
  3. Issue a UTT before towing vehicle.
  4. Check the second Hold box and inform the tow operator not to release the vehicle until they receive a faxed copy of a signed **PB-180 Towed Vehicle Release Card and the PB-177 Property Release Authorization Form** or on the Vehicle Impound Report select a "Reason for Impound" (Impounded-DA Hold or Investigation (MCSO Hold)).
  - \* 5. If the operator is not the registered owner and the owner cannot be reached or cannot respond to the scene in a timely manner, the vehicle will be towed to the responding tow agency's facility. No PCR is required if the owner is not the operator. The deputy will check the "Release with Proper Papers" box on the tow report and the tow agency may release the vehicle to the registered owner with a copy of the owners valid ID and registration or title.

Note: Starting 24 hours after the tow agency properly notifies the registered owner that the vehicle has been towed, the tow agency may charge a daily storage fee.

F. Disabled/abandoned vehicle tag:

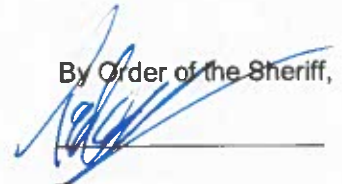
1. Patrol units will ensure that they are familiar with NYS Vehicle and Traffic Law § 1224 dealing with abandoned vehicles.
2. When dealing with an abandoned/disabled vehicle, patrol units must decide whether the vehicle constitutes an immediate hazard and must be removed or whether an abandoned/disabled vehicle tag can be used.
3. The back of the tag shall be completely filled in. In the comment line, the deputy shall indicate whether or not he/she was able to reach the owner. Every effort will be made to contact the owner of the vehicle.
4. The tag will be attached to the vehicle on either the door handle or windshield wiper arm on the side most readily visible from the roadway.
5. It is the responsibility of the initial tagging deputy to investigate the status of the vehicle to determine disposition (i.e., has been moved or needs to be towed). When unable to do this, the immediate supervisor will be advised so that another unit can check on the vehicle.
6. When receiving inquiries from citizens regarding abandoned vehicles, personnel are to determine whether an orange tag is visible. If tagged, the district car will be advised to check the status of the vehicle during the tour of duty.

**III. Duties of the Property Management Office:**

- A. Any vehicle towed under the AUO first and second-degree provisions will be released by the PMO only after the PMO receives a **PB-177 Property Release Authorization Form** from the District Attorney's Office.
- B. The PMO will contact the registered owner and then fax the signed **PB-180 Towed Vehicle Release Form and PB-177 Property Release Authorization** to the towing agency. All applicable towing and storage fees will be the responsibility of the claimant.
- C. Original copies of **PB-177 Property Release Authorization** will be filed with Property and Evidence.
- D. Release of vehicles held at the 145 Paul Road storage facility will be coordinated through the PMO and/or the Technical Services Unit.

NOTE: All vehicles impounded with a Property Custody Report (PCR) MUST be released through the Property Management Office.

By Order of the Sheriff,



Todd K. Baxter

\* Indicates a change from the previous version of this order.