


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...accountability, integrity and respect."</i>		SUBJECT: 'TOWING AND TOW POUND PROCEDURES: INVENTORIES'	ORDER NUMBER: 41-4.03
		PLEAC STANDARD: 1.2.3	PAGE 1 OF 2
ISSUE DATE: 9/1/2010	EFFECTIVE DATE: 9/1/2010	ANNUAL REVIEW DATE: SEPTEMBER	RESCINDS: ALL PREVIOUS
			AMENDS: 41-4

1.0. PURPOSE

1.1 The purpose of this policy is to provide members of the Pittsburgh Bureau of Police with guidelines for determining when and how the inventory of a motor vehicle should be conducted.

2.0 POLICY

- 2.1 A motor vehicle inventory is an administrative measure designed to:
- 2.1.1 Protect motor vehicles and their contents while in police custody;
 - 2.1.2 Protect the agency against claims of lost, stolen or damaged property; and to
 - 2.1.3 Protect departmental personnel and the public against injury or damaged property due to hazardous materials or substances that may be in the vehicle.
- 2.2 It is the policy of the Pittsburgh Bureau of Police to safeguard the above property and interests and to conduct motor vehicle inventories in accordance with the following procedures.
- 2.3 The Pittsburgh Bureau of Police and the tow company currently under contract share a responsibility to protect the vehicle while in custody of the Pittsburgh Bureau of Police.
- 2.3.1 Consequently, the towing officer has an obligation to conduct an inventory that is as **complete** as possible, and the inventory section of the tow slip shall be completed in its **entirety** before the officer releases the vehicle to the contract tow company.

3.0 PROCEDURES

- 3.1 Legal Authority to Inventory – Probable Cause Based or Administrative Inventory - A PBP officer may conduct a motor vehicle inventory without a warrant or probable cause when:
- 3.1.1 The vehicle has been lawfully seized or impounded pursuant to the arrest of the driver;
 - 3.1.2 After towing the vehicle for violations, or
 - 3.1.3 For related enforcement or safety reasons as defined the Pennsylvania Motor Vehicle Code, and when officers conduct the inventory within the scope of this policy as an administrative procedure (*See General Order #41-04.01 "Towing Procedures; Reasons for Towing a Vehicle"*).
- 3.2. Examination of the contents of a motor vehicle **pursuant to a criminal investigation** or with the intent of discovering evidence of a crime is a **search**, not an administrative inventory.
- 3.2.1. Officers shall be guided by the PBP's policy on motor vehicle searches (*refer to General Order 45-2 "Warrantless Searches and Seizures"*) when engaged in these actions.
- 3.3 Scope of Inventory - the contents of all motor vehicles that are lawfully seized and/or impounded by the Pittsburgh Bureau of Police shall be subject to inventory in accordance with the following provisions of this policy.
- 3.3.1 When towing any motor vehicle, officers shall **properly** and **completely** fill out a PBP Form #314.12, "Towing Notice" by following the instructions provided on the form. All spaces shall be acknowledged; if a space is not applicable – enter "N/A"
 - 3.3.2 An inventory should be conducted in the location at which the vehicle is seized unless limited by reasons of safety or practicality. If so, it may be inventoried at a later time following impoundment.

- 3.3.3. The owner or operator of the vehicle shall be asked to remove, if possible, all valuables from the vehicle prior to impoundment if there is no further criminal investigation pending.
 - If such items cannot be removed, they shall be inventoried before the vehicle is removed, and the owner/operator shall be requested to verify the completeness of the inventory by signature.
- 3.3.4 A motor vehicle inventory may extend to all areas of the vehicle in which personal property or hazardous materials may reasonably be found, including, but not limited to, the engine and the passenger compartment, trunk and glove compartment – if they are unlocked, or if they can be accessed with a key.
- 3.3.5 Closed containers found within the vehicle shall be opened for purposes of the inventory.
 - **Locked** containers shall **NOT** be **forced** open, but will remain in the vehicle and shall be logged on the impound report as such.
 - If a key or lock combination is **available**, locked containers may be opened and inventoried.
 - Unlocked or open containers will be opened, inspected and inventoried unless the contents can be determined from an examination of the exterior of the container.

3.4 Property Control - all items that may be of worth shall be itemized on the tow slip and such materials turned over to the property room for safekeeping.

- 3.4.1 Control and safekeeping of hazardous materials shall be the responsibility of the PBP.
- 3.4.2 Contraband and evidence discovered during the course of a motor vehicle inventory shall be deposited according to proper evidence procedures (*See General Order # 36-1 "Evidence Procedures"*) for control of criminal evidence.
- 3.4.3 Evidence of a crime will be sent to the crime lab if analysis is required.
- 3.4.4 If analysis is not required, the evidence will be sent to the Property Room

3.5 Money shall be sent to the Property Room according to policy. (*See General Order # 36-1 "Evidence Procedures"*).

Approved By:

_____ Date: _____
Nathan E. Harper
Chief of Police