

**Procedure Number: 105.4**

**Procedure: Towing of Vehicles**

**Effective Date: 08/01/2011**

**Revision Date: 10/01/2013**

**Approved by: Scott Forshee, Chief of Police**

**PROCEDURE:**

**I. Towing Vehicles:**

A. Hazards: Vehicles that are a hazard to the motoring public and are in violation of the law, or interfere with university operations may be towed at the orders of any police officer pursuant to MCA 61-8-705.

1. The officer will make reasonable attempts to locate the owner before towing a vehicle.
2. A parking ticket is issued for the violation before the vehicle is removed.
3. The officer will complete an ARMS report documenting the circumstances.

B. Unresolved Parking: Vehicles whose owners have accrued an excess of parking citations may be towed at any time without additional warning, pursuant to Parking Policy 105.2.

1. Parking personnel will make a reasonable attempt to advise the owner before towing a vehicle.
2. The attending officer will provide a copy of the ARMS report for Parking's records.

C. Accidents (refer to policy 105.6):

1. If the driver is unable to remove a disabled vehicle the investigating officer(s) will have the vehicle towed from the scene;
  - a. The vehicle is removed by a private wrecker company to their lot.
  - b. If a fatality occurred or there is a chance that a fatality will occur the vehicle(s) will be towed to and impounded in the City Impound of Billings Police Lot.
  - c. Personal property;
    - (1) Miscellaneous property should be returned to rightful owner(s) prior to the vehicle being impounded, or
    - (2) Remain secured inside the vehicle at which time the property becomes the responsibility of the tow company.

D. Wrecker hook-ups: In the event an owner arrives on the scene of a wrecker hook-up, the officer will stand by the scene to keep the peace between the wrecker operator and the vehicle owner.

E. Other vehicles that come into our possession due to:

1. Being stolen:
  - a. The officer and/or clerical staff is responsible for notifying the owner of the vehicle that it has been recovered. Telephonic notification is acceptable.
  - b. If the owner cannot be contacted:

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- (1) A wrecker will be called and the vehicle towed to the wreckers lot.
- (2) An impound card will be filled out only if the stolen vehicle has been towed to the City of Billings Police Impound lot for prints or investigative purposes. Note on the impound card when and how the attempt was made to contact the owner.
- (3) An MSU Billings ARMS report will be completed along with pertinent Billings Police Department reports.
- (4) **An impound card is not filled out if the vehicle is towed to a private lot.** The officer will complete the impound information on the initial offense report indicating where it was towed, the date the owner was contacted and how the owner was contacted, (phone, in person, letter).

c. It is the responsibility of the owner to pay the tow & storage charges.

2. The driver being arrested:

- a. Shall be legally parked at the curb, or in a designated parking space;
- b. May be driven by a passenger at the request of the owner, and that passenger is not impaired;  
or
- c. May be impounded in a private wrecker lot at the request of the owner.

II. Use of Private Wrecker Service:

- A. The University Police has an agreement with Western Skies Towing and Recovery, phone #256-6516.
- B. In the event Western Skies towing is not available, all other requests for wreckers are made through the City/County Dispatch Center (including requests to impound vehicles).

III. Wrecker Fees:

- A. Prior to the release of the vehicle from impoundment, all wrecker fees must be paid to the wrecker company.

IV. Complaint or Appeal:

- A. Persons who feel that their vehicle was unjustly towed are to be referred to the Assistant Chief or Chief of Police.
- B. Appeals may be handled through the Traffic Appeals Board. (Refer to policy 105.2.1)