

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-95-C-8	PAGE 1 of 4
	EFFECTIVE DATE 5/30/95	
	REVISION DATE	
SUBJECT: Seized or Impounded Vehicles or Vessels		
Ted Stewart, Executive Director		

I. PURPOSE

To define the policy of the Department of Natural Resources concerning the uniformity and accountability in the handling of vehicles/vessels that are towed or moved, locked and parked, or released to another person at the direction of an officer.

II. POLICY

The policy of the department is that reasonable steps shall be taken to protect evidence, public safety, property, the department and its officers when handling vehicles/vessels. All vehicles/vessels that are towed, moved or seized under the direction of a department officer shall be inventoried.

III. DEFINITIONS

- A. Impound - when a vehicle/vessel is being held for legal reasons and the owner must fulfill certain legal requirements before regaining possession.
- B. Hold-for-evidence - when an officer takes custody of a vehicle/vessel and such vehicle is needed as evidence in any pending criminal action.
- C. Hold-for-owner - when a vehicle/vessel has been towed or moved at the direction of an officer and the owner may regain possession at their discretion by assuming obligations incurred for towing and storage.
- D. Moved - movement of a vehicle or vessel by means other than a wrecker service.
- E. Seized - when an officer takes custody of a vehicle/vessel and legal ownership could be transferred to the state of Utah by appropriate legal action.
- F. Towed - removal of vehicle or vessel by a wrecker service.
- G. Vehicle - every device in, upon or by which any person or property is or may be transported or drawn upon a

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highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

- H. Vessel - every type of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

IV. PROCEDURE

- A. Arrest of a driver or investigation of a violation.

1. The officer shall make a determination whether the vehicle/vessel is to be:
 - a. Seized or held for evidence,
 - b. Impounded,
 - c. Held for owner,
 - d. Locked and parked or otherwise secured or
 - e. Released to a licensed driver with owner's permission.
2. Vehicles/vessels may be locked and parked or otherwise secured by the officer:
 - a. If there is no reasonable risk of damage or vandalism to the vehicle/vessel or
 - b. Upon written approval of the owner.
3. A vehicle/vessel may be released to a licensed driver by the officer if:
 - a. The person demonstrates that he is responsible,
 - b. The officer believes it to be in the best interest of the state and

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- c. The owner approves of the release of the vehicle/vessel to the designated licensed driver.

B. Towing/moving.

- 1. Before towing/moving a vehicle/vessel:
 - a. A cursory inventory search shall be completed by the officer,
 - b. The department's vehicle inventory report and/or a state tax impound form shall be filled out and
 - c. The report shall be signed by the officer and the wrecker driver (if applicable).

EXCEPTION: if conducting the search at the location of the vehicle/vessel would present a hazard to the officer and/or the public, the vehicle/vessel may be towed/moved before the search is started.

- 2. The vehicle/vessel shall be towed/moved by a commercial, bonded wrecker service, when feasible.
- 3. Upon being secured, or within a reasonable time-frame for the circumstance, the officer(s) who conducted the cursory inventory search shall:
 - a. Check the vehicle inventory report(s) against the vehicle/vessel and its contents,
 - b. Complete a thorough inventory of the vehicle/vessel including all containers whether closed and/or sealed and
 - c. Prepare a written list of all items inventoried.

EXCEPTION: if the opening of a container may create a hazard to the safety of the officer and/or the public, it need not be opened.

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C. Vehicle release.

1. A vehicle being held for the owner may be released to the owner or his lawful designee by assuming financial obligations incurred for storage and towing.
2. A vehicle/vessel impounded, seized or held-for-evidence may be released to the owner or their lawful designee after:
 - a. A review of the circumstances by the prosecuting attorney and the immediate supervisor,
 - b. Express consent of the State Tax Commission (if appropriate),
 - c. Upon concurrence that release of the vehicle/vessel would be in the best interest of the department or
 - d. At the direction of the court or prosecuting attorney.

D. Officer's report.

1. The officer shall prepare a comprehensive report in any circumstance involving towing, moving or seizing a vehicle/vessel and forward it to the appropriate supervisor.

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
VEHICLE INVENTORY REPORT

Owner: _____ Address: _____

Driver: _____ Address: _____

Color of Vehicle: _____ Year: _____ Make: _____

Body Style: _____ Serial #: _____ License #: _____

Date: _____ Citation #: _____

Location: _____

Stored at (garage): _____
(Name and Address)

Wrecker Service: _____
(Name and Address)

Reason: _____

Property Within and Upon Vehicle When Seized (Complete list--use back, if necessary.): (For multiple items such as tools in a tool box, have owner assess value and sign or seal with evidence tape or both.)

Radio: _____ Heater: _____ Floor Mats: _____ Mirrors: _____
Wheel Covers: _____ Antenna(s): _____ Spotlights: _____
Glove Compartment and/or Center Console: _____

Front Seat Area/Under Dash/Under Seat: _____

Rear Seat Area/Under Seat: _____

Truck/Bed/Camper: _____

Other: _____

List Visible damage on Vehicle: _____

Name of Officer: _____

Witness: _____

